United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, MONDAY, SEPTEMBER 21, 2015 No. 136

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 22, 2015, at 4 p.m.

Senate

MONDAY, SEPTEMBER 21, 2015

The Senate met at 2 p.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.

Sovereign God, teach us to live in and for Your peace. As our Senators permit Your peace to govern their hearts, may they make decisions that honor You. Remind them that true spirituality is more than believing the right things or performing good deeds. Help them to see that true religion consists of having a relationship with You characterized by righteousness, peace, and joy in the Holy Spirit.

Lord, help us this day to receive from You the gift of Your love, permitting You to fill our lives with joy. Inspired by Your Spirit, help us to refrain from evil and to have a deep longing to do Your will on Earth even as it is done in Heaven.

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.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

ANTI-MUSLIM RHETORIC AND GOVERNMENT FUNDING

Mr. REID. Mr. President, at this great cemetery we call Arlington, there is a white headstone, which, like so many others, marks the final resting place of a courageous servicemember who gave his life in combat. The grave belongs to a man by the name of Kareem Khan. He was from New Jersey. He was only 20 years old. He was a Muslim.

Kareem's rank was that of a specialist in the Stryker Brigade of the U.S. Army's 2nd Infantry Division. By all accounts, this young man was a terrific soldier. He had a Purple Heart and was awarded the Bronze Star and a medal for good conduct. Remember, he was barely 20 years of age. His career in the Army would have been much more significant, but he gave the ultimate, his life.

Here is what happened. This tragedy struck on August 6, 2007, as Kareem and three other soldiers were checking abandoned Iraqi houses for explosives. In one house they went into, there was a hidden bomb that exploded that killed all four of them. Like thousands of other soldiers in Iraq and Afghanistan, Kareem sacrificed everything for his country. He gave, as President Abraham Lincoln said, ''the last full measure of devotion'' for the United States.

But yesterday I watched on ''Meet the Press'' as a Republican candidate for President of the United States denigrated Kareem Khan and all Muslim Americans. Ben Carson questioned Muslim Americans' devotion to the United States. He questioned their integrity, and then Ben Carson unilaterally disqualified every Muslim in America from becoming the President of the United States.

Shame on Dr. Carson. Shame on any person that spews such hateful rhetoric. In America today, there are more than 3 million Muslims. They are part of the fabric of America. They teach in our schools, and they fight for our military. They serve in Congress. Congressmen KEITH ELLISON of Minnesota and ANDRÉ CARSON of Indiana, both Muslim, represent their districts in States with distinction.

I was proud to have both of these young men come and campaign for me throughout Nevada. Sadly, though, Dr. Carson's remarks are just another example of Republican candidates refusing to speak for 3 million Muslim Americans. We saw it last week with Donald Trump, as he refused to denounce bigotry at his own campaign rally. If these Republican candidates are incapable of going to bat for America's Muslim community, then they should not be running for President of the United States. I call upon every Republican to denounce Dr. Carson's disgusting remarks. That shameful intolerance and bigotry have no place in America today. Sadly, it seems to have a lasting place in the Republican Party.

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

Republicans should open their eyes and take note of the contributions of our country's Muslim community. Until they do that, none of them will be worthy of leading this Nation.

In a little more than a week, our government runs out of money. We have precious little time. The Senate will be in session for 3, possibly 4 days this week and another 3 days next week. The House of Representatives is not in session today, tomorrow or Wednesday. Yet it seems that the Republicans are simply ignoring or are in complete denial of any fiscal crisis that is coming at year's end.

Instead of coming to grips with the reality of the situation and working with Democrats to avoid a government shutdown, the Republicans seem more interested in political theater. Keeping with this show-vote craze, the Republican leader and the Speaker—the Republican leader over here and the Speaker on the other side of the Capitol—are doing things that are really hard to comprehend.

For example, over here there is going to be a forced vote tomorrow morning on cloture on a motion to proceed to a 20-week abortion ban. The 20-week bill is just a way for Senator MCCONNELL to pander to extremists in his party who are once again holding government hostage so they can attack the health of women. This legislation is going nowhere. The Republican leader knows this. Every Senator here knows this. The bill is just another box to check for the Republican leader and his Senators. It is pretense to prove their extreme conservative credentials. It is all about political gamesmanship.

It comes at the expense of America's women's health. Think about all the ways the Republicans have attacked women in this Congress. Republicans have manipulated a bill to help victims of human trafficking and turned it instead into a political football by attaching ideological abortion riders.

Again, Republicans tried and are continuing to try to cut off funds for a critical safety net provider for women—Planned Parenthood. It is not the first time they have done it. Now they are wasting time as the government runs out of money in just a few days, wasting it on the 20-week abortion ban. Frankly, the American people are tired of Republican's obsession with attacking the health of women. They are tired of the never-ending wasteful votes orchestrated by the Republican leader instead of meaningful legislation.

But more than anything, Americans are watching congressional Republicans' failure to govern. We are fast approaching the year since Republicans assumed control of both Houses of Congress. What do they have to show for it? Nothing. The few things that have passed were things that would have passed easily last Congress, except they were filibustered by the Republicans.

If this 20-week abortion ban bill is any indication, nothing is all we can expect from the Republican leader and his party for the remaining 15 months of this Congress.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 36, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 230, H.R. 36, a bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah.

CRIMINAL JUSTICE REFORM

Mr. HATCH. Mr. President, I rise today to address the topic of criminal justice reform. There has been a lot of discussion in Congress recently on this subject. Nearly all of the conversation has focused on sentencing. Various proposals have been introduced to cut prison sentences, augment judges' ability to sentence below statutory minimums or allow prisoners to earn early release for good behavior.

A number of my colleagues on the Senate Judiciary Committee have been meeting behind closed doors for months to try to reach a compromise—a compromise that incorporates elements of these various proposals. I rise today to address the broader parameters of criminal justice reform and to remind my colleagues that sentencing reform is only one piece of the broader effort that has been underway for some time now in both houses of Congress.

There are a number of other aspects of criminal justice reform that merit our attention, foremost of which is the need to ensure meaningful criminal intent requirements in our statutes and regulations. Over the past several years, a unique coalition of Members and stakeholder groups from across the ideological spectrum have been working together to address the problem of overcriminalization.

There is broad, bipartisan agreement in many quarters that Congress has criminalized too much conduct and mandated overly harsh penalties for too many crimes. Congress's persistent recourse to criminal law as the answer to today's society ills has cost taxpayers millions of dollars and branded as criminal conduct that may be unwitting or not even blameworthy. It has also resulted in thousands of Americans losing their livelihoods or liberty for reasons that, upon closer examination, seem not entirely justified.

The overcriminalization problem manifests itself in a variety of ways. First is through the sheer number of Federal crimes. There are now nearly 5,000 criminal statutes scattered in the U.S. Code. But statutes are only part of the story. In addition, there are an estimated 300,000 criminal regulatory offenses buried in the 80,000-page Code of Federal Regulations—300,000. If the administration promulgated one criminal regulation per day—that is, if it created one new crime each day—it would take 822 years to create that many criminal regulations.

The entire Code of Hammurabi was only 282 laws. Our current Federal criminal code—statutes and regulations together—is over 1,000 times that size. I am not saying Hammurabi should be our model in many things, but surely 300,000-plus Federal crimes is overkill. If Hammurabi could govern ancient Mesopotamia with fewer than 300 laws, surely we can make do with less than 300,000.

It is not just the sheer number of crimes. Overcriminalization also manifests itself through the creation of arcane, obscure, and, frankly, ridiculous crimes. For example, under Federal law it is a crime punishable by up to 6 months in prison to use the 4–H Club logo without authorization.

It is also a Federal crime, again punishable for up to 6 months in prison, to walk a dog in a Federal park area on a leash that is longer than 6 feet. Why on Earth do either of these actions need to be Federal crimes? I do not dispute that really long dog leashes can be annoying. I can understand why the 4–H Club would not want pretenders roaming around claiming to serve the heads, hearts, hands, and health of youth. But these are not the proper subjects for criminal penalties. Whatever crises exist with overlong dog leashes or imposter 4–H clubs can be dealt with through civil means.

The problem with such obscure and esoteric crimes—aside from the sheer embarrassment they should cause to Congress and the promulgating agency—is that they criminalize conduct that no reasonable person would know was illegal. Walking a dog on a 7-foot leash is not inherently wrongful, nor is putting a 4–H Club logo on a sign. Even if common sense might suggest checking with the 4–H Club before using its logo, no sane person would think it is a crime to do so.

The upshot is there are who-knows-how-many crimes on the books that the average person has no idea about and that criminalize conduct no reasonable person would think is wrong. According to a recent book, the average American unwittingly commits three felonies per day. That should deeply trouble all of us—and not because it suggests anything wrong with the average American.

We are a nation of laws. We are supposed to be guided by the rule of law. Our criminal law—indeed, the very idea that it is proper to brand some conduct, and some people, as criminal—is

predicated on the notion that individuals know the law and are able to choose whether to follow it. If, as I have suggested—and as many scholars agree—we live in a country where much otherwise benign conduct has been labeled criminal and where decent, honorable citizens can become criminals through no fault or intent of their own, then we have a problem on our hands. Our criminal laws should be aimed at protecting our communities and keeping bad influences off our streets, not tripping up honest citizens.

The third way the problem of overcriminalization manifests itself is through the vague, duplicative, and even conflicting terms of many of our criminal laws. Put simply, many of our criminal laws are bad laws. They are poorly written, they sweep too broadly, and they give too much power to overzealous prosecutors.

Consider the case of John Yates, who was convicted of violating the so-called anti-shredding provision of the Sarbanes-Oxley Act. This extraordinarily broad law, which Congress passed in the wake of the Enron scandal, prohibits the destruction of any ''tangible object'' with intent to impede, obstruct or influence a Federal investigation.

Yates was not an Enron executive or any sort of corporate executive, he was a fisherman. His crime? Discarding a small number of undersized fish from his boat after a State inspector found him carrying fish slightly below the minimum legal size. Yates appealed his conviction all the way to the Supreme Court on the ground that the statute did not apply to his conduct. By a 5-to-4 vote the Court agreed.

In a remarkable move, the dissenting Justices, who had voted to sustain Yates's conviction, heaped scorn on the anti-shredding statute. They called it a ''bad law—too broad and undifferentiated, with too-high maximum penalties.'' Its vague terms and overly harsh penalties were ''unfortunately not an outlier, [but rather] an emblem of a deeper pathology in the Federal criminal code.''

These words should be a wake-up call. For too long Congress has criminalized too much conduct and enacted overbroad statutes that sweep far beyond the evils they are designed to avoid. Surely, of all the categories of law we pass in Congress, we should take most care with criminal laws. Criminal laws empower the State to deprive citizens of liberty and precious, financial resources. They carry serious collateral consequences, including the loss of the right to vote, the right to own a firearm, the ability to hold certain jobs, and they permit the State to brand citizens with that most repugnant of all titles—criminal. There is simply no excuse for sloppily drafted, slapdash criminal laws. Too much is at stake.

Related to the problem of poor draftmanship is the fourth way the overcriminalization problem manifests itself, through the absence of meaningful mens rea requirements. The need for strong mens rea protections, I believe, is of particular concern and will be the rest of the focus of my remarks.

''Mens rea'' is Latin for guilty mind. The term expresses a time-honored, fundamental feature of our criminal law that in order for an act to be a crime, the actor must have committed the act with malicious intent. The requirement of a guilty mind protects individuals who unwittingly commit wrongful acts or who act without knowledge that what they are doing is wrong.

The person who mistakenly retrieves the wrong coat from the coatroom does not become a thief merely because he took something that wasn't his. Only if he takes a coat knowing that it belongs to someone else has he committed a criminal act, for only then has he acted with criminal intent. Similarly, a person enters land that he believes is public property but that in fact belongs to another person does not thereby commit criminal trespassing. Only if the person knows she is not legally entitled to enter the property is she guilty of a criminal offense.

In an era when our statute books and regulations overflow with criminal offenses, mens rea protections are even more important. Many modern criminal offenses, such as the dog-walking offense I mentioned earlier, involve conduct that is not inherently wrongful. Only a person who knows the details of such offenses—and knows they exist—would know that conduct in violation of the offenses is criminal.

This is different from traditional crimes such as assault or theft, which even a child knows is wrong. With 300,000-plus Federal crimes on the books, you can be sure the vast majority are not traditional crimes that everyone knows are wrong but rather obscure provisions known only to a select few in the bowels of the Federal bureaucracy. It doesn't take 300,000 individual crimes to cover the categories of conduct everyone knows is wrong.

Without adequate mens rea protections—that is, without the requirement that a person knows his conduct was wrong or unlawful—everyday citizens can be held criminally liable for conduct that no reasonable person would know was wrong. This is not only unfair, it is immoral. No government that purports to safeguard the liberty and rights of its people should have the power to lock up individuals for conduct they did not know was wrong. Only when a person has acted with a guilty mind is it just, is it ethical to brand that person a criminal and deprive him of liberty.

Unfortunately, many of our current criminal laws and regulations contain inadequate mens rea requirements or even no mens rea requirement at all. Far too often, such laws leave people vulnerable to prosecution for conduct they thought was lawful. Consider two examples.

The first is Wade Martin, an Alaskan fisherman who sold 10 sea otters to a buyer he thought was a Native Alaskan but who turned out not to be. Authorities charged Wade with violating the Marine Mammal Protection Act, which criminalizes the sale of sea otters to non-Native Alaskans. The fact that he thought the buyer was a Native Alaskan was irrelevant. Prosecutors had to prove only that the buyer was not, in fact, a Native Alaskan. The absence of the criminal intent requirement meant Wade could be convicted regardless of whether he knew what he was doing was wrong. Wade pleaded guilty to a felony charge and was ordered to pay a $1,000 fine.

Second is Lawrence Lewis, a janitor at a retirement home who was charged with criminally violating the Clean Water Act when he diverted backed-up sewage at the retirement home to a storm drain. Lawrence thought the storm drain was connected to the city's sewage system, but it turned out it emptied into a creek that ultimately connected to the Potomac River, a protected waterway. The Clean Water Act required proof only that Lawrence diverted the sewage into the storm drain. It required no proof that he knew the drain connected to a creek that emptied into the Potomac or that he knew he was violating the law. Lawrence pleaded guilty and was sentenced to probation.

These and other examples demonstrate the danger of missing or incomplete mens rea requirements. Even before we get to the point of sentencing, the fact that people can be swept up in the criminal justice system and convicted for doing things they thought were lawful is deeply troubling. Any sentence they receive for their purported crimes is unfair because they should not even have been charged criminally in the first place—or at the very least the government should have to prove criminal intent in order to convict.

This is why it is important for my colleagues to keep in mind the full scope of our overcriminalization problem. Sentencing is only one part of the criminal justice process—an important part to be sure but only one part in a very long process.

That process begins in Washington, where we in Congress decide what conduct to criminalize and what the government must prove in order to convict. Among the most important choices we make when crafting a criminal law is deciding what level of criminal intent the government must prove. Must the person know he or she was acting unlawfully? Is it enough that the person intended the wrongful act or is it enough merely that he or she knew their actions would produce a certain result? The answers to these questions determine whether the person even committed a crime in the first place, separate and apart from what the felony should be if he is convicted.

As one expert has written, ''While sentencing reform addresses how long people should serve once convicted,

mens rea reform addresses those who never should have been convicted in the first place: people who engaged in conduct without any knowledge of or intent to violate the law and [conduct] that they could not reasonably have anticipated would violate a criminal law.'' Surely we can all agree that a person should not be branded a criminal and locked up for doing something they did not know was wrong.

Unsurprisingly then, from the inception of the anti-overcriminalization movement, ensuring that criminal laws have adequate mens rea protections has been a bipartisan priority. During the hearings of the House Overcriminalization Task Force, Chairman SENSENBRENNER declared that ''[t]he lack of an adequate intent requirement in the Federal code is one of the most pressing problems facing this Task Force. . . . '' Ranking Member BOBBY SCOTT similarly warned that without adequate mens rea protections ''honest citizens are at risk of being victimized and criminalized by poorly crafted legislation and overzealous prosecutors.'' Representative CONYERS said that ''when good people find themselves confronted with accusations of violating regulations that are vague, address seemingly innocent behavior, and lack adequate mens rea, fundamental principles of fairness and due process are undermined.''

But in the Senate there has been a notable absence of discussion about mens rea and the need for robust mens rea protections. There has been a lot of talk about sentencing but little about mens rea. It is time to change that.

For the past several months, I have been working on legislation to address the deficiencies in mens rea requirements in existing statutes. My bill would set a default mens rea requirement for all statutes that lack such a requirement. It would ensure that courts and creative prosecutors do not take the absence of an express criminal intent standard to mean the government could convict without any proof of a guilty mind. My bill would also clarify that when a statute identifies a mens rea standard but does not specify which elements of the crime that standard applies to, the standard identified applies to all elements of the crime unless a contrary purpose plainly appears in the text of the statute.

My bill would not mandate a particular mens rea standard for all crimes, nor would it override existing standards set forth in statutes. All it would do is set a default for when Congress has failed to specify the criminal intent required for conviction. Congress would remain free, however, whenever it wanted to specify a different mens rea standard for a statute, replacing the default with its own chosen standard. The default would operate merely in the absence of congressional action. It would bring clarity, ensure that Congress does not—through oversight—create crimes without any mens rea requirement, and protect individuals from being convicted for conduct they did not know was wrong.

I look forward to working with my colleagues on this important legislation and urge all of them to give it their support. Any deal on sentencing and any package of criminal justice reform must include provisions to shore up mens rea protections. In fact, I question whether a sentencing reform package that does not include mens rea reform would be worth it, and I am not alone. Many members of the overcriminalization coalition—members who helped lay the key intellectual and political groundwork for the negotiations now underway—believe strongly that any criminal justice reform bill that passes this body must include mens rea reform. I agree. There can be no more important work that we do here in Congress than ensuring that honest, hardworking Americans are not unjustly imprisoned.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I come to the floor to express my strong opposition to the bill we are going to be voting on tomorrow morning, and that is a bill to limit women's choice by banning abortions after 20 weeks of pregnancy. I would like to make several points today: Why the bill is unconstitutional, the truth about late-term abortions, the bill's rape certification requirements and the absence of a health exception, and, finally, how this debate is much more than this one bill.

Let me be clear, Mr. President. This bill is just one part of a sustained assault on a woman's access to health care and her right to make decisions for herself and her family.

First, this bill is unconstitutional. Similar State laws banning abortion at 20 weeks have been struck down by the courts. The Supreme Court in the controlling opinion in Planned Parenthood v. Casey, 1992, stated:

> The woman's right to terminate her pregnancy before viability is the most central principle of Roe v. Wade. It is a rule of law and a component of liberty we cannot renounce.

Viability refers to the point at which a fetus could survive outside the womb. The Supreme Court's 2007 decision in Gonzales v. Carhart summarizes that portion of the Casey decision stating, ''Before viability, a State may not prohibit a woman from making the ultimate decision to terminate her pregnancy.''

In 2012, Arizona enacted a law prohibiting abortions after 20 weeks. The Ninth Circuit found that statute unconstitutional. Now that is a direct case in point from one circuit. The Ninth Circuit said the law conflicted with a long line of Supreme Court cases that found bans on women's right to abortion prior to viability as unconstitutional.

In that case, Arizona admitted that a fetus at 20 weeks was not viable. A conservative judge on the Ninth Circuit, Andrew Kleinfeld, said he was ''compelled'' to strike down the Arizona law based on existing precedent. The Supreme Court subsequently denied Arizona's petition to hear the case.

Other State laws banning abortions at 20 weeks or earlier have also been struck down on these grounds. For example, Idaho's 20-week ban was struck down by the courts. The opinion in that case stated that the Idaho law was ''directly contrary to the court's holding in Casey that a woman has the right to 'choose to have an abortion before viability and obtain it without undue interference from the State.' ''

The court's rulings have been informed by medical experts, and medical experts have said repeatedly that a fetus is not viable at 20 weeks. Let me give you a good example. Dr. Hal Lawrence, the chief executive officer of the American Congress of Obstetricians and Gynecologists, recently addressed this issue, and I would like to read a portion of his remarks:

> The 20-week mark is just not notable from a fetal development standpoint. More than 40 years ago, the Supreme Court stipulated that abortion is legal until a fetus is viable. Well, in no way, shape, or form is a 20-week fetus viable.

Now, this is a medical OB/GYN, who is head of the association speaking. Continuing to quote him:

> There is no evidence anywhere of a 20-week fetus surviving, even with intensive medical care. Unfortunately, some advocates of abortion bans are pointing to a new study they claim heralds 22 weeks as being the new point of viability. They suggest that we might someday reach viability at 20 weeks. It is essential that we address that now, before this becomes another myth about abortion that is accepted as reality.

The doctor goes on to say:

> First, this new study was not conducted to add fuel to the fire of abortion rights opponents. It was intended to help give OB–GYNs and neonatologists improved understanding of the challenges and opportunities associated with early premature delivery. Second, even in this study, survival at 22 weeks was only 5 percent overall. This is why the medical community refers to the ''threshold of viability,'' because there is no point at which viability is clearly established. Even among babies that receive intensive medical care, survival only reached 23 percent, and most of those babies had moderate to severe neurological impairment. Importantly, this study only looked at babies without fetal anomalies, which surely would have lowered the survival rates even more.

Bottom line: A ban on abortion before viability, which is exactly what this bill represents, is unconstitutional, and the courts have spoken on the issue.

Next, I would like to set the record straight on the widespread misconceptions about late-term abortions. First,

they are not usual. They are extraordinarily rare. Just 1 percent of abortions occur after 20 weeks. Secondly, many of the pregnancies terminated after 20 weeks occur because something has gone terribly wrong—the fetus has a fatal disease or the woman's health is in danger. Let me give an example. Christy Zink, a mother of two here in Washington, testified before Congress against this bill. In 2009, after trying for years to become pregnant, she and her husband were elated to be expecting a boy. Unfortunately, when Christy reached the 21st week of her pregnancy, the MRI revealed that her baby's brain had not developed correctly. One side of it was missing.

Everything up to that point looked normal. The brain scan wasn't capable of detecting the problem any earlier. Christy and her husband consulted the best doctors hoping there was some treatment, but nothing could be done. They were devastated.

If Christy's baby had made it to the end of the pregnancy, according to her doctors, he would have been in terrible pain and likely died soon after birth. Christy said, ''The decision I made to have an abortion at almost 22 weeks was made out of love and to spare my son's pain and suffering.''

Christy's incredibly difficult story isn't just an isolated example. There are many fatal diseases that can't be detected until later in a pregnancy, including one that causes the fetus's organs to develop outside of the body. Another, called severe brittle bone disease, causes the fetus's bones to break inside the womb.

Our own colleague, Congresswoman JACKIE SPEIER from California, someone I know very well, shared her story on the House floor in 2011. She terminated a much-wanted pregnancy at 17 weeks due to a medical complication. She said, ''To suggest that somehow this is a procedure that is either welcomed or done cavalierly or done without any thought is preposterous.''

Congresswoman SPEIER is right. Making this personal medical decision is one of the most gut-wrenching decisions a woman could make, and there is no good option. But these decisions need to be made by women, in consultation with their doctors and their families, not by politicians. Every situation is different, and we shouldn't pretend to stand in a woman's shoes and make these choices for them. We shouldn't make a difficult decision even harder.

Next, I wish to discuss the fact that this bill has no exception for the health of the mother. Only when a mother's health deteriorates to the point that she could die does it allow an exception. This is unconstitutional as well. The Supreme Court's controlling opinion in Planned Parenthood v. Casey said that even after viability, the government may restrict abortion ''except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother.''

The Supreme Court's 2000 decision in Stenberg v. Carhart reiterated this point. The decision quotes Casey and other cases about the need for a health exception. It is true the Supreme Court in Gonzalez v. Carhart in 2007 upheld a Federal ban on a particular abortion procedure, a law many of us opposed, but the Gonzalez decision still quotes Casey and other cases about the need for a health exception, and it does not suggest that the government can completely ban abortion after a particular week of pregnancy without a health exception.

The bottom line: This bill would endanger women by banning abortion even when necessary to protect the mother's health—and that is also unconstitutional. This is shocking because in no other circumstance would we restrict medical care until the patient is at risk of death. In cases where the mother is bleeding severely or has gone into septic shock, it could be too late to save her or prevent serious injury.

Another shocking provision of this bill requires rape victims to provide certification from law enforcement that they have been raped, as well as proof that they have attended counseling or received medical treatment.

Just a few months ago I spoke on the Senate floor in support of anti-human trafficking legislation. The bill was stalled because some of us wanted to ensure that trafficking victims had access to the medical services they needed, including abortion. There seemed to be agreement on both sides that a trafficking victim who has been raped repeatedly, imprisoned, and abused should be able to get the health care she needs. Yet under the bill we are voting on, a 13-year-old sex trafficking victim—a rape victim—would not be eligible for an exception unless she gets a note from law enforcement or a child welfare agency.

I just did a sex trafficking meeting in Los Angeles with three district attorneys from big cities in California, as well as the sheriff of L.A. County and the chief of police. What they told me is the average girl, sex-trafficked, is between the ages of 12 to 14. So this isn't some outrageously small example. Let's say the victim is 12 to 14. She has been traumatized, she has been emotionally and physically abused. Supposing she was one of those in Oakland, where she was handcuffed at night and stripped naked and then worked the streets during the day. She may not be ready or even able to go to the police. She wouldn't qualify for a rape exception under this bill. That is just terrible. My Republican colleagues would force her to endure the pregnancy—the result of rape—because she didn't have the right paperwork.

Finally, I wish to talk about why it is important to view this bill in the broader context of efforts to dismantle women's access to health care and ban abortion outright. Anti-choice groups have been trying to make it as hard as possible, bit by bit, piece by piece, for women to access safe, legal abortion care.

Take this latest attack on Planned Parenthood. The individuals who made the highly edited videos spent years trying to befriend Planned Parenthood officials and obtain the footage—you can read about it on the front page of Politico today—and they are under investigation for possible criminal activity. They used false identification to represent a fake medical company. The videos were presented to the public as unedited, but forensics experts at the firm Fusion GPS tell us that is not the case. Content is missing and numerous edits have been made to even the so-called full footage videos. Many Members of Congress have requested the full videos. These requests have gone, as one might expect, unanswered.

The point is, a woman's ability to make her own health care decisions is under sustained, unrelenting attacks, most of them by men. Historically, it has always been interesting to me to see that some of the most vocal, the most sustained voices, are male voices, and all women have asked is to be able to control their own reproductive system.

As a result, more than one in three American women lives in a county without a single health care provider that offers abortion services. Today these services are unavailable for millions of low-income women in the country, just the way it was when I was young, when we had to pass the plate at Stanford so women could go to Tijuana for an abortion, and many of us felt she would kill herself if that didn't happen.

As a result of new restrictions, women are once again turning to unsafe methods, much as they did before Roe v. Wade. Women were forced into unsafe conditions, often in back alleys. Some were permanently injured or died. I am old enough to remember those days. In the early 1960s, when I set sentences in California, as a member of the California Women's Board of Terms and Parole, I set a sentence—which the State had determined the sentence law at the time for abortion was 6 months to 10 years. I remember interviewing the woman when she came back. I remember her name. I said to her: Anita, why did you do this again? You should know better. She said to me: Because people are so compelling, and I felt so sorry for these women. That is what this leads to. That is what this leads to.

In 2013, Bloomberg News reported on the increasing number of women in Texas buying pills on the black market to induce abortion. One woman interviewed, a mother of four, was on her way to buy these pills at a flea market. She said:

> You'd be amazed at how many people, young people, are taking those pills. I probably know 12 to 20 people who have done this. My cousin just went to the flea market a few months ago.

That is the result of actions like this. When those of us who lived through pre-Roe recount the risks of returning to the way things were, we truly are not exaggerating. Restricting access to safe, legal abortion doesn't reduce abortions; it makes women desperate, it increases health risks, and can lead to death.

At the same time women are facing these attacks on access to health care and the ability to make health care decisions, there is also an effort underway to cut programs that help new mothers and their children. Nearly 15 million children in the United States live in poverty—15 million. That is less than $24,000 a year for a family of four, and nearly half of these families don't have enough food to eat. There are more homeless children in this country—2.5 million, 500,000 of them in California alone—than ever before. One in five of these children actually lives in my State. It is astonishing to me that with all the talk about supporting children, Republicans continue to cut the very programs that support them. These are programs such as the Supplemental Nutrition Assistance Program, Head Start, child care subsidies, Medicaid, and housing assistance.

House and Senate Republican budgets have proposed cutting $5 trillion from nondefense spending, which includes programs to help low-income families. These attacks on vulnerable families must stop.

In conclusion, the bill we are considering today is unconstitutional, and the highest Court of the land has found that so. It would trample on a woman's right to make her own medical decisions. It would even force women to continue pregnancies in the most tragic of circumstances. But this bill is only the start.

If the groups pushing this bill have their way, only the most privileged women in our country will have access to safe, legal abortion. That is how it was before Roe v. Wade. I remember it well. And the women of this Nation will not stand to return to this time. Not on this Senator's watch.

I strongly urge a ''no'' vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. COTTON. Madam President, over the last year I have learned a lot about the magic of human life—from conception to growth in the mother's womb, to childbirth, to newborn development. This wasn't a part of my legislative work or my public duties. My newfound knowledge didn't come from a course of study reading scientific journals or consulting with medical experts; instead, like many parents, I learned through experience the blessings of my first child.

My wife Anna gave birth to our very own little angel Gabriel almost 5 months ago. Since then, Gabriel has joined me on this very floor, at this very desk. Many of you have met our little man and happily agree that he appears to take after his mother.

Gabriel has been a part of our family from the beginning, long before he was born. I remember when Anna and I first discovered she was pregnant. We were so excited, yet like so many new parents, also apprehensive for his health and safety. Then 1 year ago this week, we had our first appointment with the OB–GYN in Russellville. We couldn't believe it when we heard his little heartbeat on the ultrasound at barely 9 weeks. Anna recalls that she almost started crying, though I don't recall an ''almost'' for either one of us. Just 4 weeks later, as the first trimester concluded, we got one of those perfect ultrasound shots. We saw Gabriel in profile lying on his back, hands near his face, feet and legs kicked up in the air.

We now know how much of his personality and habits he had already developed by that point because that position is how we usually find him when he wakes from his nap. Soon after, he began to flip around, kick and hiccup, which he also likes to do to this day. All of these things happened before the halfway point in Anna's pregnancy, before Gabriel reached 20 weeks. While he is precious and one of a kind for us, it is quite normal for a typical baby, as expecting parents can tell you and as modern medical science can now document.

While Anna carried Gabriel to term and he was born happy and healthy, many babies aren't as lucky, but thanks to the miracle of medical science, babies age just 20 weeks after fertilization can increasingly survive if born at that extremely premature age. A remarkable study published earlier this year in the New England Journal of Medicine concluded that babies age 20 to 22 weeks can survive with skilled and proper, though not extraordinary, medical intervention and treatment. Likewise, advances in perinatology have made fetal surgery more common and successful, sometimes as early as 16 weeks.

These breakthroughs can help correct or ameliorate certain fetal conditions. Not only can 20-week-old babies survive outside of the womb, but they can also undergo successful surgery inside the womb. It is common practice in these surgeries to administer anesthesia, not just to the mother but specifically to the baby in utero to prevent both from feeling pain. In other words, medical science increasingly confirms the common experience of parents and the religious and ethical belief of the ages that an unborn baby is just as much a person as you, as I, as each of us, only more innocent, more helpless and therefore even more deserving of protection, especially by the halfway point of the pregnancy. They feel pain and they seek life. It is particularly heartbreaking that such babies are killed in our country.

By some estimates, 10,000 babies 20 weeks or older are aborted each year. By this point most Americans have seen the gruesome videos of Planned Parenthood officials callously discussing the dismemberment of babies to harvest and sell their organs. They cavalierly talk about using ''less crunchy procedures'' to preserve the organs, subjecting the baby to excruciating pain and death for profit.

This is a sad reality in America today. Just 2 miles from where I stand, just 5 blocks from the White House is an abortionist who advertises on his Web site for abortions without restriction up to 26 weeks—right up to the third trimester. It is far past the medically accepted point of viability. Who knows how many other abortionists do the same, just more discreetly.

It is past time to end this barbaric practice and protect these innocent babies. Therefore, I strongly support the Pain-Capable Unborn Child Protection Act and urge my fellow Senators to do the same. This legislation would stop the abortion of babies 20 weeks or older, with certain reasonable and widely supported exceptions.

I understand that abortion provokes strong feelings on both sides of the question. I acknowledge that reasonable people of good will disagree about the wisdom and morality of early first-term abortions, but I am mystified as to why we cannot come together and agree to protect babies who feel pain and who can survive outside of the womb. It is not just I and large majorities of the American people who feel this way; the civilized world overwhelmingly rejects this kind of late-term abortion. Only seven countries allow elective abortion after 20 weeks, including Communist dictatorships like China and North Korea, which also inflict enforced abortion and sterilization on their people. By contrast, countries to our left, like France and Germany, heavily restrict or ban abortion after the first trimester and so does Belgium, home of the European Union. Even Russia bans elective abortion after the first trimester.

Our abortion policy is one case where we should be ashamed of our international isolation and follow Europe's lead in protecting innocent life. In our country, founded as it is on the equal rights of mankind and the unalienable right of life, it is deeply disappointing that the laws don't protect those most innocent lives among us, particularly when medical science now has the ability to do so. These scientific advances, like life itself, are miracles. These days it may seem like a miracle when a law passes around here. If that is the case, as a father, as an American, as a lawmaker, I think a miracle is called for now if it ever was.

The PRESIDING OFFICER. The Senator from Tennessee.

THE FILIBUSTER

Mr. ALEXANDER. Madam President, during the last several days several Republicans have suggested that the Senate should abandon a tradition that has existed in this body since Thomas Jefferson wrote the rules of the Senate in 1789. It is the tradition of extended debate—a tradition that when an issue comes up, under the rules of this body, we continue to talk, we continue to debate until every Senator has had his or her say, at least enough of a say that 60 Senators then say it is time to stop talking and start voting.

Republicans who want to abolish the filibuster in the Senate are, I would suggest, Republicans with very short memories. The Senate's 226-year tradition of extended debate was created for the purpose of protecting the minority from the tyranny of the majority. For the last 70 years, most of the time Republicans have been the minority needing that protection.

Since World War II, Democrats have controlled the Presidency and both Houses of Congress for 22 years; Republicans have had such complete control for 6 years. Let me say that again. Since World War II, Democrats have controlled the Presidency and both Houses of Congress for 22 years; Republicans have had such complete control for only 6 years.

During those 22 years when the Democrats had complete control, without a Senate filibuster to protect the minority, Democrats could have enacted any law they wanted. To see what can happen when Democrats have complete control and Republican Senators can't filibuster, one has to look back only to 2009 and 2010. Then, because there were 60 Democratic Senators making a Republican filibuster futile, the country got ObamaCare. This is because the so-called filibuster rule says that the Senate cannot vote on legislation until 60 of the 100 Senators decide it is time to end the debate. When more than 40 Senators want to continue debating and object to moving to a vote, that is called a filibuster.

Let's look at the future, to the possibility of a President Hillary Clinton, a Democratic majority in both Houses, and no Senate filibuster rule. My prediction is that at the top of the Democratic agenda would be a Federal law abolishing right-to-work laws in the 25 States that have them. This is precisely what President Lyndon B. Johnson tried to do in 1965 and 1966. President Johnson was not successful. What stopped the President? A threatened filibuster by the Senate Republican leader Everett McKinley Dirksen.

You can make your own list of what else would be on the agenda if Democrats had complete control and there were no Senate filibuster. I would predict higher taxes, more gun control, fewer abortion restrictions, making every city a sanctuary city, card check instead of the secret ballot for union elections, and numerous other liberal laws.

The most important reason to keep the filibuster rule is that the country needs one legislative body that takes its time to think through an issue and try to develop a consensus. The House of Representatives is, quite properly, the Nation's sounding board. If the country is boiling, the House of Representatives is boiling. On the other hand—as George Washington told Thomas Jefferson—the Senate is the saucer into which hot tea is poured to cool. The Senate's tradition of extended debate requires continuing debate until 60 Senators decide it is time to stop discussing and time to start voting. That allows every Senator to have a say. It encourages bipartisan consensus, which is the best way to govern a large, complex country such as the United States of America.

When both parties agree on a solution to a controversial issue—such as the civil rights laws of the 1960s—the country accepts the laws more easily. When the laws are jammed through by a partisan vote—as happened with ObamaCare—the losers start the next day trying to repeal the law and the country is plunged into confusion.

There is one more serious problem with the current proposals to use the so-called nuclear option to change the Senate rules. Senate rules require 67 votes to change the rules. If Republicans use the nuclear option, we would be operating in the same lawless fashion that the Democrats did in 2013, when they used a mere majority vote to eliminate the filibuster for most Presidential nominations.

The Democrats' action in 2013 made little difference in how the Senate actually operates by custom. By custom, nominations have almost always been decided by a majority vote, but the 2013 use of the nuclear option set a damaging precedent. As one dissenting Democratic Senator said, a Senate that can change its rules any time it wants by majority vote is a Senate without any rules.

How then could the country's chief rulemaking body earn respect for the rules it makes for 320 million Americans if we don't follow our own rules? Unlike nominations, the opportunity for extended debate on legislation has existed since Thomas Jefferson wrote the Senate rules in 1789.

Of course, the current proposals to abolish the filibuster wouldn't change a thing in the Congress. President Obama could simply veto whatever he wanted to. According to the U.S. Constitution, it takes 67 votes in the Senate to overturn a Presidential veto.

Now, it is true that Democrats and Republicans have used the filibuster too often. There absolutely should be an up-or-down vote in this body on the President's Iran agreement and on the 12 appropriations bills that our committee has completed work on and are ready to come to the floor. All of them are being blocked by Democratic filibusters.

To solve this problem, some suggest eliminating the filibuster only in ''some cases,'' but who will decide which cases are ''some cases''? If the minority decides, nothing will be changed. If the majority decides, the minority is crushed. The only way to reduce the number of filibusters is by consent and by restraint on the part of both political parties.

In 1995, Republicans were elected majorities in both Houses of Congress. A Democratic Senator proposed abolishing the filibuster. Even though this temporarily would have seemed to benefit Republicans, every single Republican voted no. House Republicans are often frustrated because legislation that runs through the House like a freight train slows down or even grinds to a halt in the Senate. But that was the system of checks and balances that our Founders created, and sometimes the shoe is on the other foot.

This year, the Senate has passed important legislation on a 6-year highway bill which is still stalled in the House. Republicans and conservatives who are thinking about abolishing the filibuster should think some more about how ObamaCare became law. They should think about what it would be like to live in the 25 States that now have right-to-work laws if Democrats gained the Presidency and majorities in Congress and abolished those right-to-work laws because there was no Senate filibuster. Think about what might happen if Democrats again have complete control and Congress dances to the tune of the White House and the Republican minority might have no filibuster to protect itself and this country from the tyranny of that Democrat majority.

Madam President, I ask unanimous consent to have an editorial from this morning's Wall Street Journal printed in the RECORD.

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

[From the Wall Street Journal, Sept. 21, 2015]

EDITORIAL: REPUBLICAN FILIBUSTER

BLOWING UP THE SENATE'S 60-VOTE RULE WOULD GAIN NO POLICY VICTORY

In the movie classic ''Animal House,'' the fraternity brother Otter reacts to the Delta House's closure with the line, ''I think that this situation absolutely requires a really futile and stupid gesture be done on somebody's part.'' To which Bluto replies, ''We're just the guys to do it.'' The film ends by noting that Bluto becomes a Senator, so perhaps this explains the growing frenzy to abolish the filibuster.

Conservatives are frustrated that Republicans lack the 60 votes necessary to end Senate debate and send bills to President Obama that disapprove the Iran nuclear deal and defund Planned Parenthood. Thus they want Majority Leader Mitch McConnell to break Senate rules midterm and exercise the ''nuclear option'' to pass legislation with a simple majority instead of the current three-fifths requirement to end debate and allow a vote.

Conservatives also want some understandable revenge for then Majority Leader Harry Reid's 2013 decision to kill the filibuster for most executive nominees and appellate

judges to pack the D.C. Circuit Court of Appeals. The liberals who used to wail that the filibuster undermines democracy have suddenly gone silent now that Democrats are using the tool to obstruct conservative priorities.

In a letter last week, 57 House Republicans declared that some bills are ''so consequential that they demand revisions to the Senate's procedures.'' In a press conference, Kevin McCarthy, the House Majority Leader, also endorsed the idea ''to let the people have a voice.''

Presidential candidate John Kasich said Sunday that he favored ''extreme measures,'' including blowing up the filibuster. ''Forget about the 60-vote rule,'' fellow candidate Scott Walker said at last week's debate. ''Pass it with 51 votes, put it on the desk of the President and go forward and actually make a point. This is why people are upset with Washington.''

Maybe so, but surely Messrs. Walker and Kasich know that Mr. Obama will veto anything that emerges from Congress on Planned Parenthood or Iran. Senate Republicans still wouldn't have the 67 votes to override a veto. So they'd achieve no policy victory.

In exchange, they'd end an important check on majoritarian control—an action they may one day come to regret. Over the years the filibuster has helped block numerous progressive priorities such as union cardcheck, limits on political speech, and cap and trade. The filibuster also allows a minority to help shape legislation, not merely to block it, and on balance the procedure has served the country well by moderating extreme proposals.

If Republicans do want to convert the Senate into a high-end version of the House, where even a near-majority is powerless, then they should at least do so when they can accomplish something significant with a Republican President. The precise wrong time is 14 months ahead of an election that may result in a new Democratic President and Senate majority under leader-in-waiting Chuck Schumer.

Now that Mr. Reid has cashiered the filibuster for nominees, we agree that Republicans should follow that precedent the next time there's a GOP President. A GOP Senate majority should refuse to let Democrats filibuster a conservative Supreme Court nominee. But giving up the filibuster over policy now would be a futile gesture that liberals would exploit to expand government in the future.

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise today to speak about yet another Republican attempt to limit women's health care choices.

Congress should be focused on funding the government and keeping our country open for business. Instead, we are wasting our limited legislative days on H.R. 36, a bill that will not pass, and therefore is just for show. This bill is yet another example of a relentless anti-woman agenda. Rather than doing our jobs to keep important government services funded, we are debating a 20-week abortion ban.

The decision to end a pregnancy is a difficult one that involves many factors. Each case is unique, and any decision made is a very private one. Ending a pregnancy after 20 weeks is extremely rare. It is often a medical necessity.

This weekend in the Washington Post a woman bravely wrote about her need to end her pregnancy after the 20-week mark. When Rebecca and her husband went in for a routine checkup, they received the tragic news that her pregnancy was no longer viable. After consulting many physicians and specialists, Rebecca was left with an untenable decision, but she was able to access all of her health care options and get care that was right for her.

This bill would severely limit the ability of women to access vital and necessary health care options. H.R. 36 contains few exceptions, and these exceptions are so burdensome that they may as well not be there.

I have met with providers who stand on the frontlines of this choice debate. Despite threats lobbied at them every day, they work hard to ensure that the United States is a country where women are fully empowered to make decisions about their own health care. These physicians have seen the heartache and agony women experience making this difficult decision. Women should not be subjected to medically unnecessary, financially taxing, and just plain cruel treatment at the behest of some Republican lawmakers.

If my colleagues truly wanted to improve women's health care, they would fund title X programs, bolster the Maternal and Child Health Block Grant, and support the Affordable Care Act.

We have no business attempting to legislate a private, constitutionally protected right using unsubstantiated science and hyperbole. In fact, numerous courts have found similar laws by States to be unconstitutional. We need to move on from these votes for show and get back to the real work of the Senate. I am calling this bill what it is: An unnecessary, unwarranted, and likely unconstitutional intrusion into women's private health care decisions.

Meanwhile, time is running out to reach an agreement to keep our government open, and we cannot afford another shutdown. We need to pass a clean continuing resolution to keep the government going. I ask my colleagues to join me in focusing on legislation to improve the lives of every single American. We need legislation that increases access to education, promotes job growth, strengthens our national security, and keeps America vibrant.

I ask my colleagues to join me in voting no on cloture on H.R. 36.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. 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. PERDUE. I ask unanimous consent to speak as in morning business for 10 minutes.

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

APPROPRIATIONS

Mr. PERDUE. Madam President, I rise today to talk about why I am here, and really why all of us are here. We are here to represent the people of our great States. We are here to do the people's business and to be good stewards of taxpayer dollars.

We just finished an ongoing debate about how Congress can direct and guide foreign policy in the United States. In doing so, we have seen the dangerous consequences of partisan politics right here on the Senate floor and how that can affect this process. Just last week, 42 of my Democratic colleagues supported President Obama's dangerous nuclear deal with Iran while still having serious concerns about its global ramifications.

Now we must refocus our attention on solving our fiscal crisis and tackling our skyrocketing national debt. State governments across the country set both funding levels and clear priorities for their States each year based on the needs of their people and their local communities. Washington has been distracted from this for far too long. Balancing the budget and efficiently allocating resources is what Washington has not done well for the last several years. Too many people here are preoccupied by politics of the day when getting our fiscal house in order should always be the top priority. In other words, Washington has stopped listening to the American people. Well, I—and a few of us, including the Presiding Officer—am indeed listening. The American people told us what they wanted in November of last year when the Presiding Officer and I were elected. Georgians tell me repeatedly—even now—what they want. They want less government. They want less spending. They want us to push back against President Obama's out-of-control spending and Executive overreaches that are failing the working men and women of America. The bottom line is they want us to deal with this debt crisis.

Earlier this year, the Senate Budget Committee took a great first step by passing a balanced budget for the first time since 2001. This budget outlined our conservative principles and spending limits. This budget spends $7 trillion less than the President's budget over the next 10 years. What it doesn't do is reduce the debt today or deal with the over $100 trillion of future unfunded liabilities coming at us like a freight train. It does balance in 10 years, which is quite an achievement given what we had to work with, but more can and must be done right now. So I am going to continue my focus on cutting wasteful spending and reducing Federal expenditures with the goal of developing a long-term plan to pay down this out-of-control massive $18 trillion of Federal debt.

In the last 6 years, we spent $21½ trillion funding our Federal Government. That is so large that it is hard to spend. What I can't understand is of

that $21½ trillion, $8 trillion was borrowed. We simply cannot continue going down this road. While one side wants tax increases, the other side wants spending cuts. In my experience, neither alone will solve the equation in its entirety. Growing our economy is the only real solution. Again, the budget is just the first step. We must put our conservative principles into action and work through the regular appropriations process to determine how we responsibly allocate Federal funds.

The Senate Appropriations Committee has put forward 12 appropriations bills that adhere to the Republican budget and that reflect the priorities of the American people. Overall, these bills are under the Budget Control Act caps that were put in place by Congress in 2011 to control spending. More importantly, they better prioritize taxpayer dollars to meet the goals of the American people. For example, these appropriation bills decrease spending on ObamaCare and increase spending for border security. They end the EPA's waters of the United States rule and stop the Obama administration's onerous greenhouse gas regulations. They also prohibit the NLRB from changing the rules of the game, such as the ambush election rule and changing the joint-employer relationship, in order to prevent negative impacts to American workers and business.

They subject the Consumer Financial Protection Bureau, or CFPB, to congressional oversight and eliminate hundreds of duplicative programs that have outlived their original mission. The list goes on and on.

The fiscal year ends on September 30. That is only a few days from now. We must move forward and debate these 12 appropriations bills that reflect Georgia values and fulfill the promises we all made to represent the American people.

While we have already seen our Democratic colleagues block such debate on these important bills, I hope we can immediately restart this critical process and return to regular order. Certainly, a full and robust debate on all of these bills is necessary to ensure that our Federal Government continues to function without overspending.

Now, I can tell my colleagues there are some things I would like to change in these bills, but they ought to be debated. It ought to be debated in the open and not blocked by more partisan gridlock that we see here every day. I hope the majority leader will continue to bring these bills to the floor and I hope the objections of my Democratic colleagues will finally end, and let's get to an open and honest debate.

Georgians sent me to the Senate to fight for them, and that is what I intend to do. This is just a start. I will not and I cannot stand by while Senate Democrats continue to block the Senate from doing the people's work as they did every day when they were in charge.

Madam President, I also wish to speak for just a moment on a bill that is going to come up this week focusing on the unborn. I wish to say a few words today in support of the Pain-Capable Unborn Child Protection Act of which I am a proud cosponsor in the Senate. Simply put, this legislation protects unborn babies from unimaginable pain.

Every child is a blessing, and I am incredibly fortunate that God has blessed my wife and me with two great boys and three grandsons. I will never forget the day we found out we were going to have our first child. It was life changing. When the doctor gave us the exciting news, we were overjoyed, but, at the same time, we were a bit overwhelmed. We were young, like most parents. We were going to become parents. We were going to have a baby. There is a difference.

Like every expectant mother, my wife was glowing. She may not have felt great and maybe didn't think she was glowing, but I assure my colleagues, she was. I will never forget seeing our baby on the ultrasound for the first time, or feeling him kick. And, the day my first son was born, holding him for the very first time was one of the most incredible moments of my life.

When the doctor told us we were going to have our second child, I was concerned we couldn't possibly love this second child as much as we did the first, but, wow, how I was wrong.

Later in life, my wife and I have been blessed with three grandsons who are all great. There is no greater love than that of a parent, although it can be rivaled by that of a grandparent. Believe me, my three grandchildren know how to tug at my heartstrings.

My children and grandchildren are why I am here in the Senate, fighting for them and others like them to have a better future, for my fellow Georgians, for them, and for all Americans.

We live in the most compassionate country in the world. We send food, clothing, and medicine all over the world to help save underprivileged children and families who are struggling to find the basic things they need to survive. It is extremely troubling, therefore, that our country's compassion for life is absent here at home. Only seven countries in the world allow parents to abort a baby after 5 months—only seven. That is not a list America should aspire to be a part of.

According to the Congressional Budget Office, over 10,000 unborn babies 20 weeks or older are killed in America every year. Imagine that for a moment. Each year, more than 10,000 lives, who feel and react to pain, have their lives brutally taken from them.

In my view, this is a national disgrace. It is absolutely unconscionable. I cannot believe protecting life, especially that of the unborn, is an actual subject of debate. One would think this would be an issue of unity, but debate on this important legislation could not have come at a more urgent time.

Recent gruesome videos describe the harvesting and selling of fetal organs and remind our Nation just how barbaric the abortion industry has become. As a parent, and now a grandparent, I find it difficult to imagine that something so horrific can happen in a country as compassionate as America.

Our Nation must promote a culture that values all life. We must protect the innocent and the most vulnerable among us, especially the unborn.

We can protect unborn babies from unimaginable pain. We can protect life.

That is why I support this legislation. That is why I cosponsored it. I urge my colleagues to take it very seriously.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. PERDUE. Yes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I thank the distinguished Senator from Georgia.

CLIMATE CHANGE

I rise today in my series of ''Time to Wake Up'' speeches to bring attention to two of God's humblest but most useful creatures.

Here in the high political majesty of the Senate, it is easy to forget Matthew: ''No man can serve two masters. . . . Ye cannot serve God and mammon.''

Who do we serve here? I submit it is mammon, all day long, no doubt about it. Mammon surrounds and submerges us. We swim in its currents. This Senate of ours, this is ''Mammon Hall.''

How easy it is from our perch of worldly power here in Mammon Hall to overlook the humble, and what could be humbler than God's humblest beasts? So, today, I want us to remember two: The bumblebee and the pteropod.

When was the last time any of us thought of the humble bumblebee? Not recently, I expect, and not often. We have important things to do. Who can be thinking about bumblebees? Yet, by the millions, by God's plan, these small creatures spend their days out busily pollinating the plants that yield the crops that turn into the food we humans depend on to survive.

The humble bumblebee does much more good in God's natural realm than we humans do. On the spectrum between givers and takers of this good Earth's blessings, we humans are way over on the taker end of the spectrum, and the bumblebee—it is humble—but it is way over on the giver end. And the humble pteropod, how many of us even know what it is? Not many in this Senate, I would bet. The pteropod is a winged snail that populates the ocean in immense numbers. It is sometimes called the sea butterfly because, over millenia, God's evolution of these creatures has turned their snail foot into

an oceanic wing. A cousin species is called the sea angel.

Like the bumblebee, the pteropod performs an unheralded service in God's natural realm. The pteropod is an essential link in the oceanic food chain, supporting the whole great network of trophic levels and species above it.

In what Pope Francis calls ''the mysterious network of relations between things''—in that mysterious network of relations between things, the pteropod gives its life to transmit food energy from the microscopic plants it eats, that would be no use to us, up to the fish that consume the pteropod—fish, which we, in turn, consume—all in that great ''mysterious network.''

Back here in Mammon Hall, many interests can only appreciate nature in monetary terms and can only value things to the extent that they can be monetized. They are the mercenary sort Pope John Paul II said ''see no other meaning in their natural environment than what serves for immediate use and consumption.'' Or, as Pope Benedict said, think ''everything is simply our property and we use it for ourselves alone.'' They are the interests who, as Pope Francis said, have the attitude ''of masters, consumers, ruthless exploiters, unable to set limits on their immediate needs.'' According to them, if you can't grab it and sell it, it has no value—not here in Mammon Hall.

So, to them, let me say that the money-making salmon fishery depends in large part on the humble pteropod. For them, let me say that our enormous agribusiness enterprise depends on pollination by the humble bumblebee.

In Mammon Hall here, we have actually gotten used to this kind of behavior. It no longer even seems deviant to us. It has become normalized, but in our hearts we have to still know it is not normal. It is wrong.

Pope Francis reminds us in his recent encyclical: ''When nature is viewed solely as a source of profit and gain,'' that is ''[c]ompletely at odds with . . . the ideals . . . proposed by Jesus.''

Completely at odds with the ideals proposed by Jesus.

The Pope was blunt. He said: ''Today, . . . sin is manifest in . . . attacks on nature. . . . a sin against ourselves and a sin against God.''

That is what the interests we traffic with do all day long—no doubt about it.

The Pope has said that ''our common home is falling into serious disrepair. . . . [T]hings are now reaching a breaking point. . . . [H]umanity has disappointed God's expectations.'' The Earth herself, he said, ''groans in travail,'' and we are leaving to our children a world that, to use his words, ''is beginning to look more and more like an immense pile of filth.'' If we don't see that, it is because we see so poorly outside our privileged bubble of consumption.

But if we don't see that, the bumblebee and the pteropod do. Here is what is happening to them.

A study in the peer-reviewed journal Science, published in early July, shows that as temperatures warm, bumblebee populations are retreating northward from the hottest part of their ranges as they warm further and further. But here is the rub: The northern range for the bumblebees for some reason is not expanding, which means the changing climate is crushing bumblebee populations in a climate vice.

''Bumblebee species across Europe and North America are declining at continental scales,'' warns study author Dr. Jeremy Kerr of the University of Ottawa. ''Our data suggest that climate change plays a leading role, or perhaps the leading role, in this trend.''

Carbon pollution from burning fossil fuels floods the atmosphere and causes climate change. But about 25 percent of it actually enters the oceans, and there, it acidifies the waters, souring them for creatures such as the pteropod.

Research led by NOAA scientists published last year found that acidified water off our west coast is hitting the pteropod especially hard. They found ''severe shell damage'' on more than half of the pteropods they collected from Central California to the Canadian border. That was more than double the expected rate. The pteropods are being eaten away by acidic water.

Oceanographer William Peterson, coauthor of the study, said, ''We did not expect to see pteropods being affected to this extent in our coastal region for several decades.'' The pace and extent of ocean acidification that we are observing now, that we are measuring now, that we are driving now with our carbon pollution, are nearly unprecedented in the geological record. The closest historical analogs, scientists say, are the great extinctions, when marine creatures were wiped out en masse and ocean ecosystems took millions of years to recover.

John Kenneth Galbraith knew something about importance, and he said this about importance: ''The threat to men of great dignity, privilege, and pretense is . . . from accepting their own myth.'' That happens when that ''great dignity, privilege, and pretense'' become so great that we no longer feel the need to listen—certainly not to something as insignificant as a bumblebee, as humble as a pteropod. But remember why Jesus was so angry with the Pharisees. What was their sin? Their dignity, their privilege, and their pretense blinded them to how out of touch they were with the truth.

So here we are in mammon hall, where powerful special interests court us, gigantic corporations lobby us, and billionaires pay us attention, and indeed they fund some of us. Presidents must deal with us. Truly, we are today's Pharisees. But Jesus taught that truth is among the things that are humble.

We had better start listening to the bumblebee and the pteropod, to the coral polyp and the oyster spat, to the New Hampshire moose and the Idaho pine, to the Utah snowfall and the California drought, to the measured carbon concentration of our only atmosphere and the measured pH level of our only oceans. These are gifts, and these gifts are all God's creations, and their signals are all God's voice. We ignore them in our arrogance, we ignore them in our folly, and we ignore them at our peril.

It has already begun, as we careen into the next great extinction. As Pope Francis wrote, ''Because of us, thousands of species will no longer give glory to God by their very existence, nor convey their message to us. We have no such right,'' he said.

Indeed, we have no such right. The day the bumblebee and pteropod no longer give glory to God by their very existence will be a bleak and perilous day for humankind. In the meantime, we had better smarten up to the message they convey to us. If their message, if the message of God's creatures—if that message of warning is not God's voice, then whose voice is it?

I challenge you. If the voice of God's creatures to us in the way they lead their lives and the way they are dying is not God's voice, then whose voice is it and what message does it convey?

As Pope Francis comes to this Congress this week, I hope we will listen to the voice of God as expressed through his humblest creatures and just for a second turn off the noise from mammon that surrounds us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Chair.

This Senator wants to take a few moments to talk about the Pain Capable Unborn Child Protection Act, which I think is a good piece of legislation. I support it, and I hope my colleagues will allow it to move forward. I think when God speaks, maybe He would speak about that issue too.

However, I really want to talk a little bit more about where we are on the funding of Planned Parenthood, the two aspects of it. One is a large—hundreds of millions of dollars—appropriations that goes there through the Medicaid program, and another is $28 million that was directly appropriated last year from the government to this Planned Parenthood agency. I call it an agency, but that is not really correct. It is a nongovernmental entity, a nongovernmental activist group that does some good things and some things I don't think are good.

I think we ought to recognize that Congress has certain powers. It is very clear, I would submit, that a majority of the Members of the Senate and a majority of the Members of the House of Representatives do not want to fund this agency—certainly not as it has been funded in the past. What we have, as I understand it now, is at least $28

million of federal money that goes to it unless Congress decides not to fund it.

Colleagues, the power of the purse resides in the United States Congress. Not one dollar can be spent by the President, any of his Department heads, or the U.S. military, unless Congress has appropriated the money. That is an ultimate power of Congress.

At the end of this fiscal year—September 30—if Congress has not appropriated money for the future, then it can't be spent. That is why we have a so-called shutdown. If you don't fund the whole government, it is blocked in some way and then the government can't expend the money that has not been appropriated by the elected representatives of the people of the United States.

Let me just say it this way. I don't believe the American people's money that has been extracted from them by the Internal Revenue Service and other government extractors—I don't believe that money should be spent on any program that is unhealthy or not wise. That is what we are all elected to do; is that not right? Fund programs that are good, worthwhile, and that create value for the American people, and not fund the programs that we don't think are wise and create value, and advocate and promote principles we think are healthy for the American culture, the American people. We don't have to fund any program Congress decides not to fund. The power of the purse resides in the Congress of the United States. A majority of the Congress does not favor advancing funding for Planned Parenthood and certainly not the $28 million that goes through the HHS grant-writing process, so I suggest we don't fund it. That is what I think. Let's not fund it. Why are we funding it?

Well, we have to fund it, SESSIONS. You don't understand.

What don't I understand?

If it is not funded, you are shutting down the government.

So if we do not provide the money for a nongovernmental agency that we think is not spending the taxpayers' money wisely, we are shutting down the entire government of the United States? I suggest that is a ludicrous position, one that goes beyond any rationality, and I am prepared to say so.

How did this happen? How could they say that?

We are funding the government. We are passing a bill that funds all the government agencies. It just doesn't fund this nongovernmental agency—the money they would like to have to advance their agenda, which isn't my agenda, so I am not for funding it. I got elected.

How did this happen?

Well, the President says he will veto the bill, and since Congress hasn't passed any of the appropriations bills in series like we should be doing, it is going to be cobbled together in one monumental matter, one monumental omnibus bill or continuing resolution. The President is going to veto the entire Federal funding because he doesn't want us to cut $28 million. He wants it to be spent the way he thinks it should be spent.

I think we should tell the President: Mr. President, you have your power. You can sign your agreement—not valid beyond your tenure—with Iran even though we disagree with it. A substantial majority of both Houses opposes it, but apparently, you have the lawful authority to do so. But you don't have the lawful authority to spend money on an entity—not even a government entity—that Congress chooses not to spend money on. This is our business.

We are in a bad trend here of Congress just capitulating in favor of the Executive. By any historical standard, I have never seen a more supine Congress.

So should we fund this program? I say no. Don't put it in there. And I think we should send a note to the President:

Dear Mr. President, we funded the Defense Department, we funded Medicare, we funded Medicaid, we funded other programs, hundreds of them, at $1 trillion. That would be in this bill, basically, around $1 trillion. That is a thousand billion dollars. But we have chosen to cut $28 million of one of the programs we don't think is good. Congress doesn't like it, and Congress chose not to fund it. And somebody told us that you declared that if we do that, you are going to veto the entire funding for the government of the United States, including the Defense Department and all the other programs that aid us, including the Environmental Protection Agency. You are going to veto funding for those agencies and blame the Congress and go on to say Congress caused this. Wow.

He is going to say that we who funded the government and he who blocked the funding for the government have a disagreement over this amount of money, and as a result he is going to veto the funding for the government and accuse the Republicans, who passed the bill to fund the government, of shutting down the government.

Now, some people are afraid of the President.

Oh, he always wins. The President always wins, and Congress always loses. SESSIONS, don't you understand?

But the facts of the case matter. The situation matters. If we follow the budget and we appropriate at a level for the Defense Department that the President wants and Congress wants and we do all these things, but we just choose not to fund this program, I don't believe the President has the moral authority, the political clout to tell the American people that the Congress shut down the government when he vetoes the bill that will fund the government.

So I just want to say that it is time for this Congress to do its duty, and we should fund programs that need funding and not fund programs that don't need funding, and we should try wherever possible to reach a compromise the way we have done in the Armed Services Committee. All the members of the committee argued about this, that, and the other, and we created a military bill which we think is a healthy bill and which had overwhelming bipartisan support. Almost all of the appropriations bills that have come out of the committees have had bipartisan support, I think many of them unanimous, Republicans and Democrats—every one of them—supporting them. We get along around here a lot better than people say. But there are certain things Congress should not cede. It should not cede to the Executive the power of the purse. That is all I am saying.

At this point in time, we will be dealing directly with the HHS grant programs that are giving money to an entity that I don't think should be funded. I am not voting to fund it. I think that is a reasonable position. And I think it would be extraordinary if the President were to take the view that he will not fund the Department of Defense and other programs of the government because of a disagreement over this issue.

Indeed, colleagues, I believe the House has proposed legislation that would have generous funding for women's health. The money that would have gone to Planned Parenthood would instead go through a general plan of community health centers and other quasi-government entities that serve women throughout the country.

So I thank the Presiding Officer for allowing me to say that. It is a matter we are going to have to wrestle with as a Congress. In the long run, I truly believe Congress needs to fulfill its constitutional role, and that congressional role calls on it to evaluate every dollar spent by this government, to examine those programs that we think are valid and fund them, and if they need more funding, to give them more funding considering the debt situation the country is in and to not fund programs we do not think should be funded.

What other role do we have in the Congress greater than that, the power of the purse. The President is not authorized to demand Congress spend money on every program he desires, a program that sells body parts and other things of that nature that I do not think is decent and good. So I am not for funding it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, I rise in strong opposition to continued attacks on women's access to health care. Today, the Senate majority leader is attempting to advance a bill to ban abortion after 20 weeks. This is a blatantly unconstitutional proposal that injects politics into a private and deeply personal decision, one that should remain between a woman and her medical provider and her family.

This bill is the latest—but not the last, I know—in a serious of unrelenting attacks on safe and legal abortion in this country. It not only represents a cynical affront to well-settled law, it poses a serious threat to women's health. Let me tell you why. Nearly 43 years ago, the U.S. Supreme Court held that the Constitution protects, as a fundamental right, a woman's ability to decide whether and when to start a family. This bill is plainly at odds with that holding and plainly at odds with the Constitution, which is why Federal and State courts have found laws like this one unconstitutional time and time again, but our colleagues on the other side of the aisle are now pushing forward with this bill and doing it at the expense of women who need medical care in the most desperate of circumstances.

Bills like this one demonstrate a callous disregard for the risks women face during pregnancy—women like Danielle Deaver, from Nebraska, who went to the doctor in a desperate attempt to save her pregnancy when her water broke at 22 weeks. Tests revealed that Danielle's amniotic fluid had ruptured, and her doctors explained that the baby could not be expected to survive, but that was not all. The rupture also put Danielle at risk, at risk of an infection that could jeopardize her fertility and her ability to have children in the future. Together, Danielle and her husband made the heartbreaking decision to terminate her pregnancy, but because Danielle lived in a State with an abortion ban that made no exception for a woman's health and had not been challenged in court, her doctor was unable to help. Danielle endured 8 days of severe pain and infection before delivering a daughter who survived for just 15 minutes.

Christy Zink of Washington, DC, was 21 weeks pregnant when an examination revealed that her pregnancy suffered from a severe fetal anomaly—meaning, effectively, that the entire hemisphere of the brain was missing. Christy and her husband consulted her physician and other doctors in an attempt to save her much wanted pregnancy, but after hearing of a near inevitability that if delivered, their child would not survive, she and her husband ultimately made the very difficult personal decision to end her pregnancy.

The bill we are discussing today has no exception for cases where a woman's pregnancy experiences a fetal anomaly. If a ban like this were to become law, families like Christy's would have no options. As a father of two grown children, with one grandchild and another on the way, I know what it feels like to celebrate the news that your wife or your daughter or daughter-in-law is pregnant, to accompany them to doctor's visits and checkups, to look forward to welcoming a child or grandchild into your family, and to look on with hope and worry as the pregnancy progresses, but my family has been very fortunate. I can only imagine the pain and heartbreak a family experiences when they are faced with the kind of tragic news Danielle and Christy received when they learned something was wrong, but the idea that Congress should insert itself into those moments and act to limit the difficult choices available to women and their families confronting unimaginable pain and sorrow is unconscionable.

This bill ignores women like Danielle and Christy. It ignores the unique circumstances surrounding every woman's pregnancy. Instead, it substitutes the judgment of Congress for that of medical professionals, even going so far as to threaten doctors with a 5-year prison sentence for providing women with the care they need.

Make no mistake, this is an extreme proposal. Unfortunately, it represents just the latest salvo in an unending campaign to make safe and legal abortion virtually impossible to access. Since the 114th Congress was gaveled into session, we have seen no fewer than 65 legislative attacks on the right to choose. Just last month, the Senate voted on a measure that would have defunded Planned Parenthood, a health care provider that serves millions of Americans, including more than 54,000 people in my State of Minnesota. That legislation failed, but as the end of the fiscal year approaches, some of my colleagues on the other side of the aisle—both in the House and in the Senate—have pledged not to support a spending bill that continues funding for Planned Parenthood. They prefer to see the government shut down rather than allow a single penny to support the family planning services, the cancer screenings, and tests for sexually transmitted diseases that Planned Parenthood provides.

My good friend from Alabama Senator SESSIONS—and he is a good friend—suggested that we instead send that money to community health centers. They do not have the staffing, they do not have the capacity to provide these needed services for the millions of people Planned Parenthood serves. That is why the public does not agree. According to a poll released last week, more than 7 in 10 Americans oppose shutting down the government to defund Planned Parenthood.

One of the reasons the public does not buy into these tactics is they understand that access to reproductive health services, including contraception and abortion, has a powerful effect on the decisions women and their families make every day, decisions about whether to start a job or how much a family can afford to save for college.

For the vast majority of Americans, this is not political; this is personal. It is not a place for Congress to interfere. I urge my colleagues to oppose legislation that would restrict the ability of women and families to make their own reproductive choices.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. Madam President, tomorrow this Chamber will vote on something called the Pain-Capable Unborn Child Protection Act, legislation I have cosponsored, that would recognize that a women has a legal right to have an abortion up to the point of 5 months' gestation; that is, after 5 months' gestation, an unborn child is beginning to grow hair on their head, their fingernails are growing.

By this time in development, mothers are beginning to feel the baby kicking and moving for the very first time. In other words, this is the point at which the child literally becomes viable, becomes a human being, capable of life outside of the mother. Obviously, a typical period of pregnancy is 40 weeks. So obviously we hope that in most cases a child will remain in the womb until it is fully developed. But the fact is, talk to any neonatologist, talk to any physician, they will tell you that at a point around 20 weeks, certainly 5 months of gestation, you have no longer a child dependent upon their mother for life but somebody who can actually live independently.

Indeed, as many of us have done, go into some of these nurseries, where they have literally babies who weigh 1 pound or less, and see what medical science is able to do to actually save the lives of these premature babies—in a way that will allow them to grow up and be healthy and productive. It is nothing less than a medical miracle.

But at 20 weeks of gestation, which is 5 months, an unborn child is without a doubt a life—a life worth defending and worth protecting. This is something that is commonly accepted around the world. I don't know how many people realize that actually this legislation would bring the United States in line with the developed countries around the world. As a matter of fact, the United States is just one of seven countries worldwide that permit access to an elective abortion after 5 months of gestation, and we are in some pretty tough company. Right now we are in company with China, Vietnam, and North Korea. The United States, China, Vietnam, and North Korea basically permit an abortion up until the time a child is born naturally.

This bill is also important because it would significantly curtail the horrifying practices depicted in the videos we have seen of Planned Parenthood's operations over the summer. I am surprised to see in the press that only about 49 percent of the American people have actually seen these videos because they are so horrific, but I think they are also shocking. And perhaps it is that people would just rather turn their gaze and look away rather than see the barbaric practices depicted in

these videos. But indeed these videos show Planned Parenthood executives callously discussing the value of an unborn child's organs, and it is truly morally reprehensible. I think, unfortunately, it reveals a dark side of humanity—one that prizes the organs of an unborn child over the potential life that child could have. And I have asked myself: How did we get here? How did we become so desensitized to this practice? And if there is anything these videos have done, hopefully it is to awaken the conscience of the American people as well as the Members of Congress to realize exactly what is going on and to conduct the investigations that are now underway by four committees of this Congress and to do what we can, such as passing this Pain-Capable Unborn Child Protection Act. It would make out of bounds the sort of late-term abortions that apparently this sort of enterprise depicted in the video depends upon.

This legislation is a unique and powerful opportunity for us to act and defend the lives of unborn children across this country. It is the best chance we have to advance a culture of life in this country. I am not suggesting that it is going to be easy or that we will have this vote and we will be finished. We will not be. I remember the long road to passage of the Partial-Birth Abortion Ban Act over a decade ago, and I think the distinguished majority leader, who has set this matter for a vote, recognizes that this is the beginning of raising the visibility of this horrific practice and asking the American people whether they are comfortable with the sort of conduct they see depicted on these videos or whether we ought to think again about whether we want to be part of a coalition of China, Vietnam, and North Korea when it comes to sanctioning these late-term abortions after a baby has literally become viable in the womb.

If this bill becomes the law of the land, it will be the first time Congress has significantly and meaningfully advanced the pro-life agenda in over a decade. It took a long time for us to get the passage of the Partial-Birth Abortion Ban Act over a decade ago. And I don't think we should underestimate the difficulty of passing this legislation and other pro-life legislation, but we need to start. These videos have given us the opportunity because they have awakened America's conscience.

This legislation, if passed, would save the lives of thousands of unborn children and make impossible the sort of organ-harvesting practice that we have seen on fully developed, unborn babies that we have seen depicted in these videos.

Tomorrow the Senate will have a unique opportunity to stand up for the most vulnerable, and if we are not here to stand for those who cannot speak for themselves, the most vulnerable in our society, not the least of whom are the unborn, what are we here for? I hope my Senate colleagues will vote to advance this legislation and in doing so vote to invoke a life of culture in this country.

Moving this bill forward should be seen as a moral imperative by every Member of the Chamber. We can unite behind an understanding of obvious right and wrong and save thousands of lives by making the Pain-Capable Unborn Child Protection Act a reality.

Madam President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

PAPAL VISIT

Mr. MCCONNELL. Madam President, I know many Americans are looking ahead to the visit of Pope Francis this week with a great deal of interest. Thousands will gather on the Capitol grounds for the chance to hear him speak. I think I can speak for every colleague when I say the Senate welcomes him with open arms. We look forward to his visit.

GOVERNMENT FUNDING

Madam President, it obviously is going to be a busy week in the Senate. That is true of the legislative issues before us as well. One is government funding.

Earlier this year, a new majority took office with a different outlook on government funding from that of the previous majority. We thought it made sense to actually pass a budget and then to fund it. So we passed a budget for the first time in 6 years. Then we passed all 12 appropriations bills through a committee for the first time in 6 years. Democratic colleagues voted for and praised the appropriations bills in committee. Had we passed the 12 appropriations bills on the floor, it would have funded the government without the dramas of the past. But Democrats didn't change their minds and decided to pursue a regrettable ''filibuster summer'' strategy of blocking all government funding for months. Some blocked bills they had just praised, all with the aim of pushing Washington into another one of these manufactured crises they just cannot seem to shake. It is truly unfortunate, but they have succeeded in making this a reality we now face.

We have to push forward, and we will. I will have much to say on the issue as the week progresses. Discussions on the best way forward are ongoing. Discussions about the character of our country continue as well.

Madam President, tomorrow we will take up a bill the House of Representatives has already passed. It is legislation that would allow America to join the ranks of most civilized nations when it comes to protecting the lives of the most innocent and vulnerable.

We—along with countries like North Korea—are one of just seven nations to allow late-term abortions after 20 weeks, in other words, 5 months, when science and medical research tell us unborn children can feel pain. As the father of three daughters, I find that both tragic and heartbreaking. Many Americans feel the same way. Polls show that both men and women support protections for innocent life at 5 months.

I am asking colleagues to open their hearts and work with us to help defend the defenseless. Help us pass the Pain-Capable Unborn Child Protection Act. I will have more to say about this important bill before we take a vote on it tomorrow.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I rise today in strong support of the Pain-Capable Unborn Child Protection Act. This bill recognizes an indisputable fact and it stands for an indispensable principle. The fact is that each of us was a living human being before birth. The principle is that each human being has inherent dignity and worth.

The Supreme Court's decision in Roe v. Wade degraded the Constitution, and the regime of virtually unrestricted abortion that it spawned continues to degrade our culture. It degraded the Constitution by reducing it to little more than a prop and using it as a cover for imposing the opinions of individual Justices. This decision is perhaps the best example of what Justice Benjamin Curtis warned about in his dissenting opinion in Dred Scott v. Sandford. He wrote that when the opinions of individuals control the Constitution's meaning, ''we have a government which is merely . . . an exponent of the individual political opinions of the members of [the Supreme] Court.'' That is exactly what Roe v. Wade is.

In addition to degrading the Constitution, the abortion regime spawned by Roe and maintained by its progeny continues to degrade our culture. This effect is inevitable because that regime is built on the dark proposition that humanity itself has no inherent worth that demands respect and that individual members of the human family can be killed for any reason at any time before birth.

It was not always like this. Just 25 years before Roe v. Wade, the United States voted for the Universal Declaration of Human Rights. The very first statement in the preamble recognizes ''the inherent dignity and . . . the equal and inalienable rights of all members of the human family.'' Article 3 states that everyone has the right to a life.

Just 2 years after the U.S. Supreme Court created an unlimited right to abortion in Roe v. Wade, the Federal Constitutional Court of Germany came to a very different conclusion. Reviewing a law that allowed abortions in the first 12 weeks of pregnancy, the German court said that human life is the supreme value in the constitutional value and ''the vital basis for humanity and the prerequisite of all other basic rights.'' What a contrast.

The United States has degraded human dignity by striking down a law

protecting preborn children. Germany promoted human dignity by striking down a law endangering preborn children. Our Supreme Court said that a preborn child is not a person under the U.S. Constitution and would not even address whether that child is a living, human being. The German court said that every human individual possessing life is covered by the German Constitution, including preborn human beings.

One of the most successful coverups in legal and social history has misled Americans into believing either that abortion is not legal for any reason at any time in this country or that this radical abortion regime is the norm around the world. Neither is true. Today the United States is one of only seven nations in the entire world to allow elective abortion after 20 weeks of pregnancy. Other members of that club include China and North Korea.

The bill before us would prohibit the unjustified killing in the womb of human beings who can feel pain. The bill recognizes three justifications: when abortion is necessary to save the life of the mother and when the pregnancy resulted from rape or from incest against a minor. This bill would do nothing more than move the United States a step away from the most extreme abortion position in the world.

The Supreme Court may be preventing us from upholding in law the inherent dignity of all human beings before birth. That does not mean, however, that we should not defend that dignity for as many members of the human family as we can. That is why I support the Pain-Capable Unborn Child Protection Act before us today.

This bill is consistent in two different ways with how the Supreme Court has set rules for abortion regulations in the past. In Roe v. Wade, the Court drew a line at certain points in pregnancy reflecting something that the Court found to be medically meaningful. The end of the first trimester, the Court said, was related to the relative safety of the abortion procedure. The end of the second trimester, the Court said, marked the time when a preborn child could potentially live outside the womb, at least with artificial aid. The Court said that these lines, which identify when certain abortion regulations are permissible, should be drawn ''in the light of present medical knowledge.''

That is exactly what this bill does. As its findings state, there is substantial medical evidence that a preborn child is capable of experiencing pain by 20 weeks after fertilization, if not earlier. I might add that this is not a recent discovery. Americans United for Life, for example, published a monograph more than 30 years ago reviewing the medical evidence. Dr. Vincent Collins, professor of anesthesiology at the University of Illinois, wrote that the entire sensory nervous system is functioning well before the 20-week point.

More recently, Dr. Maureen Condic, Associate Professor of Neurobiology and Anatomy at the University of Utah School of Medicine, has testified before Congress and written that the scientific evidence regarding fetal pain is undisputed. That evidence shows that the brain's circuitry responsible for the detection, and its response to pain is established well before the 20-week mark.

This bill is consistent with precedent in another way. The Supreme Court has approved actually prohibiting abortion after a point when the preborn child takes on an important quality that justifies protection. In Roe v. Wade that reality was the viability or the ability to survive outside the womb with artificial aid.

In this bill, that quality is the ability to feel pain, which has been universally recognized as compelling. Both medicine and the law, for example, impose a duty to relieve or to avoid pain. Just look at the Web site of the National Institutes of Health. It includes an article by Dr. Eric J. Cassell, Professor of Public Health at the Cornell University Medical College. He writes that the obligation of physicians to relieve human suffering stretches back into antiquity, and he calls relief of suffering ''one of the primary ends of medicine.''

The clinical guidelines for acute pain published by the Federal Government stated that ''the ethical obligation to manage pain and relieve the patient's suffering is at the core of the health care professional's commitment.'' The American Academy of Pain Medicine has publicized an Ethics Charter which outlines how physicians must implement ''the ethical imperative to provide relief from pain.''

If medical professionals have a fundamental obligation to relieve human suffering, they should be prohibited from imposing human suffering before birth. In its most recent abortion decision, the Supreme Court acknowledged that certain ethical and moral concerns can justify a specific abortion prohibition. The prevention of intentional pain and suffering, the very core and one of the primary ends of medicine, certainly qualifies and justifies the policy in this bill.

Turning to the law, the Eighth Amendment to the U.S. Constitution prohibits cruel and unusual punishment. Federal courts across the country are considering whether the drugs used in lethal injection cause extreme or unnecessary pain and, therefore, violate the Eighth Amendment. Some have said that it does.

If the infliction of pain can make executing the guilty unconstitutional, I believe that the infliction of pain should make aborting the innocent illegal.

Or look at the civil side of the law. Juries award multimillion dollar verdicts against medical professionals and facilities for failing to relieve pain in their patients. One article in the Western Journal of Medicine reviewing such cases concluded that ''there is a standard of care for pain management, a significant departure from which constitutes not merely medical malpractice but gross negligence.'' If failing to prevent pain in the sick can make a physician liable, physicians should be prohibited from inflicting pain on healthy children before birth.

Madam President, I began by saying that Roe v. Wade and the abortion regime it spawned has degraded both the law and our culture. I am echoing the thoughtful words of President Ronald Reagan, who in 1983 published an essay entitled ''Abortion and the Conscience of a Nation.'' He wrote that abortion-on-demand is not a right granted by the Constitution but was an act of raw judicial power. And he wrote, ''We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life.''

The American people have embraced this view. By more than 2 to 1 Americans support what this bill would do—prohibiting abortions after 20 weeks—and the percentage of women supporting a 20-week ban is even higher than the national average.

I think opponents of this legislation owe the American people an explanation. Why does a physician's ethical duty to prevent pain begin only when someone is born? Why shouldn't that duty begin when someone can feel pain? Why do we care so much about preventing even the most despicable criminals from feeling pain but turn a blind eye to the pain inflicted on innocent preborn children?

The Supreme Court has said from the beginning that the right to abortion must be balanced with other compelling interests. Why does medical knowledge matter when it facilitates abortions but not when it can prevent the pain caused by abortion?

This bill recognizes the indisputable fact that each of us, including each individual Member of the Senate, was a living human being before we were born. This bill reflects the indispensable principle that each individual member of the human family has inherent dignity and worth. Prohibiting the killing of innocent human beings who can feel pain is only a small step in the right direction, but it is a step we must take. I don't think there is a legitimate excuse for not taking that step.

It is horrifying to me that some in the Senate don't understand this or, if they do, continue to march down the path of indiscriminate abortion on demand. I think they are going to have to pay a price for that someday. It is a shame it has come to this type of a standard where you cannot protect preborn children who can feel the pain of abortion and feel the pain of some of the medical techniques some of these abortionists use.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. 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. LEE. Madam President, it is customary when rising in support of legislation to speak in gracious terms about the opportunity to vote for the legislation in question. This is a good day for the Senate. The American people can be proud. This bill represents legislating at its very best. That is what we say. I have said it in the past myself many times.

While I will soon join the majority—though maybe not the necessary supermajority—of our colleagues voting to take up the Pain-Capable Unborn Child Protection Act, it is a tragedy that we should have to. That late-term abortions, abortions after children are viable and their nervous systems can feel pain, are legal in this country, is itself an affront to American democracy and a stain on America's great history.

It is not the fault of the American people, who, like the rest of the civilized world, are appalled by the violent extremism of aborting viable unborn infants. Rather, in 1973, it was originally the fault of a constitutionally unhinged and scientifically illiterate Supreme Court majority.

Four decades on, the fault is now fully shared by a Democratic Party so corrupted by special interest politics that it has forsaken the one principle—standing up for the little guy—that once earned them all Americans' gratitude and respect. Our friends on the other side of the aisle still claim that surrendered high ground, but that claim gets harder to take seriously every time they not only abandon but deny the very humanity of the littlest guy or girl of all. Let's not forget that the Democratic Party today is not just the party of taxpayer-subsidized, late-term abortion on demand; it is also the party of taxpayer subsidized, late-term, sex-selective abortion on demand. Seven or eight or nine months along, with eyes and a nose, a full head of hair, with a beating heart and a perfect smile and late-night hiccups, they think it should be legal for a doctor to take her life, just because she is a girl or just because she may have Down Syndrome or a cleft palate or any reason really. To the Democratic Party today, there is no reason so superficial or bigoted that it shouldn't negate the right to life of an unborn child or a born child, for that matter.

As was confirmed by the recently released video testimony of abortion industry insiders, some abortion clinics—clinics funded by the Federal Government—kill infants that are born alive. There is a word for that, and it isn't ''health care.'' Yet even though Philadelphia abortionist and serial infant killer Kermit Gosnell was convicted of first-degree murder for doing just that, physician-assisted infanticide is something like a stated principle of the Senate Democratic caucus. Remember, it was on this very floor a few feet from here that in 1999, one of our colleagues on the other side of the aisle said that legal protection of a child should begin only ''when you bring your baby home.''

When we get down to it, what difference does a few centimeters make, anyway? Why should it be legal to kill a perfectly healthy 8-month-old, 6-pound little girl right here and illegal to kill her over here? After all, abortion is not the first peculiar institution that has arbitrarily dehumanized certain Americans based on geography, especially with such a high progressive principle at stake.

As a Supreme Court Justice, of all people, put it in a 2009 interview with the New York Times, describing the social, political, and moral attitudes that led to the Supreme Court's decision in Roe v. Wade, ''Frankly, I had thought that at the time Roe was decided, there was concern about population growth and particularly growth in populations that we don't want to have too many of.''

As chilling as that sounds—and one certainly must wonder which populations liberals wanted to cull—to me, the most important part of that statement is not the hint toward genetic cleansing at the end; rather, it is the word ''frankly'' at the beginning. That was a window into the soul of abortion extremism, and we see it again and again and again.

On the rare occasions when we hear abortion advocates speaking frankly, it terrifies us, and duly so. The conspirators exposed in the Center for Medical Progress videos are only the most recent example. Watch the videos, listen to what they say, and pay attention to how they say it. In their detached, dehumanizing euphemisms and stomach-turning humor, they speak not like fairy tale monsters, but the real thing—the rational, rationalizing men and women with prestigious degrees and cultivated tastes who hide their barbarism in bureaucracy.

But we can rest assured, there will be no such talk here today. There will be no such talk here tomorrow. There will be no frank, candid public discussion of late-term abortions because that might eventually lead us to the truth—and only one side in this debate is interested in that.

When it comes to the reality of abortion, pro-choice politicians choose not to debate; they choose to deceive. They will come down to this floor for the next 2 days not to defend what we all know is indefensible, rather they will try to cloak their extremism in a fog of denial and distraction. Politicians who defend the right to kill born-alive little girls will, with straight faces, rail about a war on women. Politicians who defend lax, unsanitary clinic standards will, with straight faces, lecture us all about their commitment to women's health. Politicians who resurrect embarrassing, medieval superstitions about when life begins will, with straight faces, thunder against the scourge of Republican science-deniers—as if none of us has touched a pregnant mom's tummy and felt a little kick, as if those grisly Planned Parenthood videos didn't exist, as if none of us took high school biology.

But they know the truth. In unguarded moments, as we have heard, they speak the truth and one day the truth will set us all free and the Democratic Party will stop taking its problems out on the kids. We are not there yet, but as the desperate tactics on the other side of the question reveal, we are getting closer and closer all the time.

Truth doesn't wait on partisanship. The truth is, a ban on late-term abortions after 5 months should be the law of our land. The truth is that unborn children can feel pain after only 2 months of development. In the words of University of Utah Professor Maureen Condic, with whom I met last week, ''Based on universally accepted scientific findings, the human fetus detects and reacts to painful stimuli as early as eight weeks following sperm-egg fusion.''

Now, for our unfrozen cavemen Senators on the other side of the aisle whose primitive minds are confused and frightened by modern science, sperm-egg fusion is when biology tells us that human life begins, on day one, a fact that is neither a mystery nor above the pay grade of a curious seventh grader. At 8 weeks, we know a fetus can feel pain. That is not just scientific consensus; it is ''universally accepted,'' ''entirely uncontested'' in Dr. Condic's words.

Why then does the bill before us allow abortions even up to 20 weeks? Because that is where the science is directly observable. That is how modest a compromise this bill is. As Dr. Condic puts it, ''Fetuses at 20 weeks have an increase in stress hormones in response to painful experiences that can be eliminated by appropriate anesthesia.'' In other words, at 20 weeks, an unborn child can feel pain. We can see them feel it. We can observe them as they feel it.

That is also the age, according to the New England Journal of Medicine, at which an unborn child is viable outside the woman. Prenatal surgeons can now treat unborn children as young as 16 weeks, and with every innovation and advance in perinatology, modern medicine stretches its miraculous light further and further into what used to be ''the valley of the shadow of death.''

These are the facts: At 20 weeks, a little boy or a little girl has a chance to seize the great adventure of life, and they feel pain when that chance is violently taken away from them, just like any child would, just like our own would, just like we would. We owe it to them to give them that chance. The science actually goes much further. This bill is only the least we can do right now.

Our generation doesn't yet know what chapter we are writing in America's long struggle to defend the equal dignity of all human life, but we all do know—even our friends on the side of the aisle, I think—that this story has a happy ending. Like generations past that overcame ignorance and bigotry to welcome marginalized Americans into our hearts and our society, we, too, shall overcome, because even though the unborn don't have a voice, they do have an unflinching ally: the truth, not just the philosophical truth expressed in our Declaration of Independence but the biological, medical, and scientific truth that unborn children are children. There is no us and them, just us, and deep down we all know it. We know that children are a gift and deserve our protection. We know mothers are heroes and deserve our support. The bill before us would provide them a little bit more of both.

Despite its majority support, this bill might not pass this time, and America's moms and children waiting for the laws of the United States to catch up to the justice and compassion reflected in the laws of nature and of nature's God will have to wait a little longer—but not too long. For if our national story has taught us anything, it is that extremism in defense of violence will not long stand. This bill will one day soon be the law of the land. So, too, will those passed last week in the House of Representatives and still others yet to come.

The arc of American history may be long, but the American people have a way of bending it toward life, and after decades of violence and lies and corruption, help is on the way. Maybe it is a good day for the Senate after all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

GOVERNMENT FUNDING

Mr. DONNELLY. Madam President, here we are again. There is just over a week before funding runs out to keep our government open, and some in Congress are threatening to shut down the Federal Government again to advance their own political agendas.

I have said before and I will say it again, most Hoosiers think Congress can play a role in improving the economy, but at the very least we shouldn't make things worse. That is exactly what Congress has done with the Export-Import Bank. The Ex-Im Bank helps level the playing field for American businesses, it helps protect and create jobs here at home, returns money to the Treasury, and over 100 companies in Indiana use the Ex-Im Bank.

In July, some in Congress blocked the bipartisan effort to reauthorize the bank just so a few Members could play politics. As a result, the Export-Import Bank is unable to provide any new financing to American businesses. In fact, we just found out, we have already seen some companies moving American jobs overseas because of this. Despite the lessons learned just 2 years ago, we are once again debating whether Congress can meet its most basic needs and duties: keeping the government open.

Frankly, it is embarrassing that some in Congress are willing to bring us to the brink of a government shutdown and would rather play games with our recovering economy than solve the problems and challenges in front of us.

The truth is, there is reason to be optimistic in our country. Unemployment is dropping, and nowhere in the world are there more opportunities to invest and to innovate in a brighter future and stronger economy than right here in the United States, but to realize our full potential, we have real work to do. We need to create more good-paying jobs with which we can support a family and strengthen our communities, we need to invest in a 21st century infrastructure, and we need to prepare and train a workforce ready to lead the world in both innovation and production.

Over the last several weeks we have heard a lot of rhetoric about making America great again. America is already great. It starts with the basics, and that is what we need to get back to—by showing up to work every day and doing our jobs, just like every Hoosier does.

I am an optimist. I know we can do great things for our country. Let's do the job we were sent here to do in Congress—work together and keep the government open. It is the least we should do. I am ready to do it. I hope my colleagues will join me.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Madam President, I note that my colleague from South Carolina has arrived on the floor, and I would happily yield to him if he wishes to go. Otherwise, I will be very brief.

Mr. GRAHAM. The Senator may proceed.

Mr. BLUMENTHAL. Madam President, I want to second the very powerful remarks made by my colleague from Indiana. In Connecticut, what I hear again and again is the need for this body to address jobs and the economy. They are talking about putting people back to work and moving our economy forward. That is what I have sought to do from day one in the U.S. Senate and what I will continue to fight to do. That is what we should be doing through reauthorizing the Export-Import Bank, creating more jobs in an infrastructure program worthy of the name, and repairing and reinvigorating our roads, bridges, ports, airports, and our railroads which need to be made more safe and reliable. That is what we should be doing in programs for veterans—particularly in veterans health care—putting our veterans to work, programs that provide for skill training and job opportunities for them.

There are so many momentous issues facing our Nation today, and that is the challenge we should be facing in the U.S. Senate. Yet tomorrow we will be voting on a bill that is divisive, dangerous, and doomed to failure. Even today, we are spending valuable time debating it.

The bill before us is both unconscionable and unconstitutional. It is a waste of time because tomorrow it will be defeated, in effect. We are engaged in a political charade here. The timing may not be accidental, but there is no good time for a blatantly and plainly unconstitutional proposal. Sadly, it is only the latest in a long line of unconstitutional proposals since the U.S. Supreme Court's decision in Roe v. Wade which enshrined a woman's constitutionally protected right to make her own reproductive decisions. There have been incessant and constant attempts by politicians to substitute their own judgment for hers, for her doctor's, her family's, and for her religious advisers. These decisions should be a woman's to make.

The onslaught on women's health care, unfortunately, has been a fact of life in this Nation. The bill before us now will ban abortion care after 20 weeks of pregnancy except for so-called exceptions. The inadequacy of those exceptions alone doom this bill to unconstitutional status. The legislation represents an unconstitutional interference as a matter of policy and law with the woman's right to choose the care that is best for her and the failure to recognize the many complex factors that may be involved in that decision, medical complications that often lead to a woman's decision to seek a late-term abortion. The bill would place in her way a host of unnecessary, unwise, and burdensome requirements.

In effect, this bill would force women—including all who have been through the traumatic experience of rape or incest—to meet a combination of a myriad of reporting and record-keeping requirements. In many cases, the bill would require survivors of heinous crimes to make multiple appointments with multiple providers before having the right to reproductive care and force her to relive her traumatic experiences before having the benefit of those services. It would place numerous nonmedical requirements on doctors, such as forcing them to determine whether survivors of rape or incest have reported their experience to appropriate law enforcement entities, essentially forcing doctors to choose between criminal penalties and doing what is best for patients' health, which is why the American College of Obstetricians and Gynecologists oppose this

measure. None of these requirements placed on women or their doctors are rooted in science, health, or safety. None of these requirements are consistent with the constitutionally protected right to access reproductive care and abortion.

Simply put, women's health care decisions should be left to women, their families, themselves, their doctors, and themselves. That is the essence of the constitutionally protected right of privacy that underlies all of these rights. It is the right to be left alone from men and women in this Chamber who would intrude and invade that right.

This measure also implicitly encourages an ongoing and indeed intensifying assault on women's health care among the States. Many other unconstitutional and unconscionable attacks on women's health care are increasing at the State level and making it harder for women to access reproductive health care in general. There is an increasing drumbeat of regulations and restrictions that attack women's health care and make it harder to access as State governments pass more regulations. Those regulations number now 230 in the past 5 years. They are nothing more than embarrassing attempts to deny women's health care in the guise of invasive and unnecessary medical tests, arbitrary building regulations, and financially unsustainable procedures. That is why Senator BALDWIN and I have proposed the Women's Health Protection Act, joined by 31 of our colleagues, to make sure that those State laws are stopped before they cause the costs, fear, and uncertainty, as they are bound to do and as they have done in many States around the country. These State laws are beyond wrong. They are dangerous to women's health care.

My hope is that we will be proactive in protecting a woman's right to care, not encourage the worst of State practices that are embodied in these restrictive State laws.

Finally, I am dismayed that the House of Representatives actually has taken a step toward gutting a measure designed to help veterans. The Border Jobs for Veterans Act of 2015—a bipartisan measure that I cosponsored with my colleague Senator FLAKE designed to do just what the title says: to utilize the skills and expertise of our veterans to help fill vacancies at our borders, to use veterans to stop illegal immigration—that bill has been gutted and unfortunately has been made a vehicle to deny health care to women. The provisions of this transformed legislation are a disservice to our veterans. I thought veterans legislation would be out of bounds for this fight. Sadly, apparently not.

I urge my colleagues to find more productive ways to use our time, to address the needs, to expand job opportunities, to move our economy forward, and to drive economic growth. A bipartisan goal we should all share is to reauthorize the Export-Import Bank and to make sure we serve the best instincts of this Nation and preserve our Constitution from these unwarranted attacks.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized for 15 minutes, and ask the Chair to let me know when my time is close to being up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I am the author of legislation we will be voting on tomorrow, so I am very proud of the product. I have worked with my colleagues to try to come up with a solution to what I think is a problem that needs to be addressed.

To my good friend from Connecticut, I appreciate where he is coming from. He is a fine man. We just disagree on this. He has legislation called the Women's Health Protection Act. He has legislation that will roll back State limitations on abortion that have been proved by the Supreme Court. He disagrees with what the States are doing in light of what the Supreme Court would allow a State to do. He has a piece of legislation that would at the Federal level change all these State laws. I respect his point of view. The point I am trying to make is that he wouldn't have introduced the legislation if he didn't think this was an important topic.

To my colleagues on the other side, you have legislation that I would gladly allow you to bring to the floor. I want to have a debate on what we are trying to accomplish here. You have legislation that—I am sure the reason you did it is you would like to change State laws you don't agree with. It is a little bit disingenuous to say we shouldn't be talking about these topics because you drafted legislation on this topic.

What am I trying to accomplish? We are one of seven nations in the entire world that allow abortion on demand at 20 weeks, the fifth month of pregnancy. I would like to get us out of that club. Why? Because at 5 months I really don't believe it makes us a better nation to have abortion on demand. There are exceptions in this bill—for the life of the mother and in the cases of rape, you have to tell the physician this pregnancy was as a result of a rape—but there is no reporting requirement to the police or anything else. That is a balance we have tried to achieve. But what I would suggest is that most Americans agree with me, that most Americans believe that at the fifth month, we should not have abortion-on-demand, we should not be in a club of seven nations on the entire planet that allow abortion at this stage in the birthing process.

The theory of the case is pretty simple. Medical science has evolved to the point now that if you operate on a baby at 20 weeks—which you can—to save that baby's life or to help them medically, medical science says you have to provide anesthesia because the baby can feel excruciating pain. We now know scientifically that at the fifth month of the birthing process, at 20 weeks, doctors will not operate on the baby without anesthesia. Here is the question: Should we be allowing abortion-on-demand at that point in time? Should we be crushing the skulls? Should we be destroying the baby's life? Should we be one of seven countries that allow this heinous practice in the fifth month? We do have exceptions—for life of the mother, rape, and incest.

I would suggest that we should be talking about this. I suggest that we should have done this a long time ago, that we should have gotten out of this club of seven nations that allow a baby to be aborted in the fifth month.

Medical encyclopedias advise and encourage young parents at this stage in the pregnancy to interact with the unborn baby and sing and speak because the baby can associate sound. We are talking about 5 months, folks. We are talking about changing the law so that this country will not allow abortion-on-demand at this late stage in the birthing process. This is something I am proud to be talking about. I am honored to lead the fight, and all I ask is that we have a vote.

The vote is whether or not to have a debate. Our Democratic friends are going to deny us a debate as to whether or not this is a good idea. We can't even proceed to the bill. I am willing to allow them to bring up their legislation as an amendment to mine, the Women's Health Protection Act, where they want to repeal State laws that put limits on abortions consistent with the Supreme Court's decisions. I am not afraid of my idea, and they shouldn't be afraid of theirs.

This is a debate worthy of a free people. This is a debate worthy of democracy. If this is not worth talking about, what is? When do you become you? When do you have a soul, if you have one at all? What kind of Nation do we want to be in 2015?

Roe v. Wade says that for the first trimester, abortions are off limits, but when medical viability is reached, the State has a compelling interest in providing protection to the unborn child. That was 1973. Has anything changed since 1973? I would argue a lot has changed, and all for the better in terms of medical science. We can do things now for patients, including for the unborn, that one could not even imagine in 1973. But the theory of the case here is not medical viability at 20 weeks, but a new concept that I hope most Americans will embrace. Now that we know the baby has developed to the point where it would feel excruciating pain if it were operated on to save its life, is it appropriate for legislative bodies, such as ours, to come to that

baby's aid and take abortion-on-demand off the table?

Here is what I believe: I believe this is constitutionally sound. I believe this is a debate worthy of a free people. I believe the time has come for America to get out of the club of seven that allows this procedure at 20 weeks, the fifth month of the birthing process. I think this is something we should talk about, and I think it is worthy of our time.

To my friends on the other side, you have views about this topic too. You have introduced legislation regarding abortion that would roll back State protections of the unborn. I am not afraid of that debate. I disagree with you. Bring your legislation forward.

What are you afraid of? Why won't you let me debate my bill? Why can't we have a discussion as a free people about where we want to be in 2015 regarding the unborn child?

To my friends on the other side, the unborn child is not the enemy. The unborn child is something that every American should care about. And here is what I think: In the fifth month of pregnancy an overwhelming number of Americans—not all, but most—are going to side with me and my colleagues who have helped me through this journey and say: No, America will not allow this. We are not going to be one of seven nations that allows abortion-on-demand in the fifth month. We are going to withdraw from that club, and if we do, it will be a good thing. We will be a better people if we stop this practice in the fifth month, knowing that we have exceptions for the life of the mother in cases of rape and incest. This doesn't make us anything other than a caring, better people.

This is why I ran for office, to have debates like this—not just this, but like this. I want to talk about creating jobs and growing the economy and stopping radical Islam. There is so much we need to do, but here is the question: Do we need to do this? I think so. I think with all my heart and soul that America needs to get out of this club, that America needs to come to the aid of a baby who is 20 weeks into the birthing process, and we should stand united and stop this practice. I think this makes us a better people.

I think at the end of the day, this debate is worthy of our time and, quite frankly, is long overdue. I am very disappointed that we can't even have the debate. But this I promise: As long as I am here—and many others on our side, and hopefully some on that side over there—this debate will continue until we get the right answer.

We came together in a very large vote—bipartisan in nature—to ban abortion in the last trimester, except in rare circumstances. That was the right thing to do. Abortions in the seventh, eighth, and ninth month do not make us a better people. There was bipartisanship to stop that procedure.

Here is what I believe: I believe over time the American people are going to side with me and my colleagues, we are going to rise to the occasion, and we are going to say something pretty basic. At 5 months we are not going to allow abortion-on-demand because that baby can feel excruciating pain, and we are not going to put that baby through the process of having their life terminated in such a gruesome fashion.

These Planned Parenthood videos and this discussion about harvesting organs from children late in the birthing process have awakened America. I promise this is a debate worthy of this body, worthy of this country, and one that we are going to have over and over again until we can get a vote. I am not going to stop. You have stopped me if we don't get those 60 votes to debate this. If we can't get the bill to the floor for a debate, I think that is a bad thing.

I think life is more than just about money. I think the quality of our country is more than our financial situation. I think the quality of our Nation, in many ways, is founded not on our finances, but our character. And here is what I believe: America needs to get out of this club of seven that allows little babies to be aborted at a time when doctors cannot operate on them without providing anesthesia because it hurts so much.

Think about what I just said. Medical science will not put the baby through an operation to save its life without anesthesia because it hurts so much. All I am asking is: Just don't crush that baby's skull unless there is a very good reason. Is that too much is ask? I don't think so. Is that worthy of our time? I definitely believe so. Are we going to keep pushing? You better believe it.

I thank Senator PORTMAN, Senator ERNST, and others who have helped me so much.

I thank Senator MCCONNELL for reserving some time to have this discussion. I hope it turns into a debate. The Senate needs to be on record, and this is an opportunity for all of us to be on record as to where we think the country should be in 2015.

Here is what I think: I think in 2015 America needs to withdraw from the club of seven nations that will allow a baby at 20 weeks to be aborted for any reason at all.

I look forward to this discussion. I hope we can have a debate. I am not afraid of my ideas, and they shouldn't be afraid of their ideas. But I promise everybody who cares about this that we will not stop, and to me, it has always been about the baby. I think most Americans will side with me and my colleagues and say over time with a very strong and loud voice: We do not want abortion-on-demand in the fifth month of pregnancy unless there is a darn good reason because that doesn't make us a better people. Quite frankly, it is the opposite.

I thank the Presiding Officer for his support. To my colleagues over here, and hopefully a few over there, I look forward to this journey until one day when we can withdraw from the club of seven and protect unborn children in a way that I think most Americans would appreciate.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. ERNST. Mr. President, a short while ago, I had the opportunity to meet with a very special family from Newton, IA. Micha Pickering, an adorable, energetic 3-year-old boy was born prematurely at just 22 weeks gestational age—the equivalent of 20 weeks after fertilization, the method of measurement in the bill before us.

You will notice the picture I have in the Chamber. This is Micah, that energetic 3-year-old boy. He was just in the office when this picture was in there, and Micah ran up and said: That's me. And then he said: That's a baby. This is Micah when he was born. We are talking about 5 months. Think about that for a minute.

Micah's parents and the doctors and nurses at the University of Iowa hospitals and clinics were dedicated to his survival. Micah's mother Danielle has recounted the first time she got to meet her son in the hospital:

> The second I was able to meet Micah changed my life. He was so small. I didn't know what to expect. Would he look 'normal'? Could I bond with this baby? Those questions were a mess in my head as I was wheeled into his room two hours after his birth. The sight I saw was a perfectly formed baby.
>
> We didn't understand at the time that Micah was right on time, but now we do. . . . You can be knowledgeable on every part of prematurity, but that does not change the fact that Micah was just as much full of life at 22.4 weeks as he is now at almost 3 years old.

I can attest that this little boy pictured behind me is indeed full of life.

The bill before us today—the Pain-Capable Unborn Child Protection Act—would protect up to 10,000 lives like Micah's every year by preventing abortions after 20 weeks or about 5 months of development. As Micah proves, at 5 months babies can live.

The United States is currently only one of seven countries in the world that allows abortions after 5 months. We are currently in the same company as China and North Korea. We must do better.

Substantial medical evidence indicates that at about 5 months of development, unborn babies can feel pain. This means that thousands of unborn lives end painfully through abortion in our country every year. Is this really whom we want to be as a nation? We are a country that stands for life. Just earlier I heard a colleague across the

aisle talking about how God intends that we should protect bumblebees and pteropods but what about human life. In order to rise to meet that commitment, we must protect the most vulnerable in our society, particularly those who cannot protect themselves.

The majority of men and women across this great Nation agree. According to a Quinnipiac poll from last November, 60 percent of those surveyed support a law prohibiting abortion after 5 months of pregnancy.

Although passionate advocates on both sides of this issue of life often disagree, there should be no disagreement when it comes to protecting the life of an unborn child who has reached the point of development at which he or she can feel pain. As we can see from the photo behind me, an unborn baby in its fifth month of development is not just a clump of cells; he or she can suck his or her thumb, yawn, stretch, and make faces. They have 10 fingers and 10 toes. They can also feel pain, and as Micah proves, they can survive outside of the womb. As a mother and a grandmother, I urge my colleagues not to deny these babies the right to life.

Micah's mom has said it best: ''I bet that if Micah could have gone up to everyone who opposes this bill and gave them a big hug, he could change all their minds.''

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Mr. President, in just 10 days, funding for the government will expire. So we have just 10 days for the Senate and the House to come together and figure out a way to keep the government doors open.

We have been here before. In 2013—and I remember all too well, as I am sure all of the Members of this Chamber do—the impact of that shutdown. It was devastating. It resulted in economic confidence falling to its lowest level in several years. It took $24 billion out of our economy and cost us 120,000 private sector jobs. Yet at a time when we should be coming to the table to do our jobs to avoid a government shutdown, we are back again talking about limiting women's access to their own health care choices.

Once again, those who want to limit women's access to health care and take away our constitutionally protected rights are threatening to wreak havoc across the entire U.S. economy, just as they did in 2013.

This attack on women is not just at the Federal level; sadly, we are seeing it in New Hampshire as well. The New Hampshire Executive Council recently voted not to renew the State's contract with Planned Parenthood. That vote was totally out of touch with the needs of women across New Hampshire, and it puts women's health care at risk.

For many in New Hampshire, Planned Parenthood is the most affordable and accessible way to get the care they need, including basic preventive care such as family planning services—everything from breast and cervical cancer screenings and immunizations to HIV testing.

Last year alone, Planned Parenthood served more than 12,000 women in New Hampshire. Planned Parenthood is a trusted health care provider and an important part of our health care system. In some areas of New Hampshire, Planned Parenthood is the only local provider for women to receive affordable care.

On behalf of the millions of women who are served by Planned Parenthood, I will continue to oppose any effort to defund women's health care services, but of course, as we know, this week the attack on women's access to health care does not end with Planned Parenthood. Tomorrow we will vote on a bill that would ban women's access to abortion after 20 weeks.

The choice to terminate a pregnancy is a difficult and very personal decision. If that choice needs to be made later in a pregnancy, it is often the result of very complex circumstances—the kinds of situations where a woman and her doctor need every medical option available. This bill would place an added burden on women who are placed in that difficult situation. Women who are survivors of rape and incest would have that added burden. Furthermore, it threatens doctors, putting them at risk for harsh Federal criminal penalties.

Each woman, in consultation with her own family, her own health care providers, and her own conscience, should be able to follow her own beliefs when it comes to her own health care. We must protect women's reproductive constitutional rights, and I intend to continue to stand up for women as others here play politics with their health care.

Our colleagues on the other side of the aisle know they don't have the votes to pass this legislation. They know they don't have the votes to pass other legislation related to women's health that would limit women's access to comprehensive health services. Yet on the eve of a government shutdown, they are using precious floor time to bring these bills to a vote. This is shortsighted and, furthermore, I think it is irresponsible.

I remember the 2013 shutdown well. The impact on New Hampshire, on this country, was significant. Small- and medium-sized businesses across the State suffered from economic disruptions and financial losses. Their government contracts were frozen or they were disrupted. Their SBA loans were stalled. That shutdown, much like the one that is being threatened now, came at the peak of the fall tourism season. National parks and forests were closed, including the White Mountain National Forest in New Hampshire. The impacts on our tourism and outdoor recreational facilities were severe, not just in New Hampshire but across the country. FHA and VA loans were put on hold. Thousands of Federal employees who live in New Hampshire were furloughed. To shut down the Federal Government for any reason is reckless and irresponsible, but to do this, to contemplate doing this in order to deny women access to health care services, is reprehensible.

I hope this week or any other week we will not tolerate it, and we will move to the business of funding the government and addressing the challenges we face and leave the personal decisions about personal health care choices to the women and families and health care providers who should be making those decisions, not having the government make that decision.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FISCHER. Mr. President, I rise today to express my support for the Pain-Capable Unborn Child Protection Act, a bill that protects children from late-term abortions. As cosponsor of this commonsense proposal, I am grateful the Senate will be taking a vote on this very important piece of legislation. Our constituents should know where we stand on this issue.

The American people support reasonable limits on dangerous late-term abortions. A November 2014 Quinnipiac poll shows that 60 percent of Americans support legislation limiting abortions after 20 weeks. In line with this prevailing view, several States have already passed laws limiting late-term abortions.

I note that Nebraska was actually the first State to pass language like the Federal Pain-Capable Unborn Protection Act. I was a member of our legislature at the time, and I was proud to be a cosponsor of that piece of legislation that was offered by my good friend, former Nebraska speaker Mike Flood. Speaker Flood's proposal passed in our unicameral legislature by a bipartisan vote of 44 to 5. We had prochoice Senators, both Republicans and Democrats, who supported it. We had pro-life Senators, both Republicans and Democrats, who supported it. Nearly 90 percent of our legislature came together and supported that bill. Why? Well, because it is a piece of reasonable legislation. Americans recognize that and also recognize that opposition to this legislation is extremism.

This isn't a new idea. Eleven States already have protections against late-term abortions that are similar to this bill. Science clearly indicates that at 20 weeks, these babies can feel pain.

On this issue, party affiliation should not matter. On this issue, whether we declare we are pro-life or whether we say we are pro-choice should not matter. These designations didn't matter in my State of Nebraska. We looked at the facts. We came together from both sides of the aisle and passed a sensible, compassionate bill. Let's do the same here in the Senate.

We all agree that we must support women who find themselves with unplanned pregnancies. Too many women experience despair, pain, and judgment during an unplanned pregnancy. Rather than offering condemnation, we should show kindness and understanding. We should offer assistance for these women, these expectant mothers who need to know we will continue to support them in the challenging years ahead.

I recognize that abortion remains an emotionally charged issue here in this country, but I also recognize that people of good will can disagree on the matter. I respect those opinions that are different from my own. But this legislation is not controversial, and it shouldn't divide us.

Before us today is a fundamental question of whether it is worth protecting human life capable of feeling pain. For anyone who believes otherwise, I would challenge them to explain when a life is worth protecting if not when she feels pain? Nebraska affirmed this principle 5 years ago. The rest of the Nation should do so as well.

Thank you, Mr. President, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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.

Ms. WARREN. Mr. President, I will be honest. I am deep-down furious at the Republican scheme to defund Planned Parenthood. I didn't think the Republican leadership could sink any lower than trying to defund women's cancer screenings and access to birth control, but then I saw the bill we are voting on tomorrow and I felt sick to my stomach. Here we are just days away from another reckless Republican government shutdown, and the Republicans think the best use of our time is to vote on a bill to give the government the power to intrude on the most wrenching, intimate, private medical decisions a woman will ever make.

The Republicans want a debate over a 20-week abortion ban, so let's talk about exactly what that means. Nearly 99 percent of all abortions take place within the first 21 weeks of a woman's pregnancy. Let me repeat. Nearly 99 percent are in the first 21 weeks. So based on statistics alone, this bill won't make a big difference in the number of abortions, but for the women who get hit, the consequences can be truly horrific.

Let's start with the research. Who are these women? Who are the 1 percent who get an abortion after 20 weeks? Who? Women or girls who are the victims of rape, incest, or domestic violence and were to frightened to ask for help any sooner. Who? Women whose doctors have told them that if they don't end their pregnancy—pregnancies they really wanted—their kidneys could fail or their hearts could give out or they couldn't get the chemotherapy they may need to save their lives. Who? Women who go for an ultrasound and get the worst possible news—that their fetus has a giant hole in its stomach or organs outside its body or a deformed head and the fetus either has no chance of survival or has a severe abnormality that would mean a short life filled with pain. Research also shows that women who have had later abortions are more likely to be young—very young girls, really—and didn't understand they were pregnant. They are more likely to live in places where getting an abortion means driving 3 hours or more to find a doctor who will perform one. They are more likely to be poor and need to save up money to pay for the procedure. That is who gets hit by this.

I have taken a close look at the Republican bill to see just how hard they get hit. I want to put it right out here in the open for everyone to see.

There are no—I repeat—no exceptions in this bill for the condition of the fetus. Even if a woman knows at 20 weeks that her child will die immediately after birth, she would still be required to carry that pregnancy for months.

An 18-year-old survivor of rape or incest must wait until she can provide written proof that she received counseling from a doctor, and then that counseling is loaded with hurdles: The counseling must come only from a doctor who refuses to perform abortions and who doesn't work in an office with another doctor who does. Think about it. Prolong the pain and anxiety, and for anyone who lives in a rural area or anyone who is making it barely paycheck to paycheck and cannot miss multiple days of work, make it twice as hard to get any help.

If the victim of rape or incest is a minor, it gets even worse. A girl—a girl who is 10, 12, 14 years old—this girl must face the same challenges and must provide written proof that she reported the crime to the police, even if turning in a family member or announcing to the world that she has been raped could destroy her life in a million different ways. I cannot imagine that the Senate would pass a law to require a frightened 12-year-old girl to submit written proof that she had called the police to report a rape by her mother's boyfriend before she could terminate that pregnancy. That kind of cruelty is barbaric, and it has no place in our laws.

But this is not just about the tiny number of people who must seek abortions after 20 weeks; this horrifying bill that we will vote on tomorrow is just one more piece of a deliberate, methodical, orchestrated rightwing plan to attack women's health and reproductive rights. A funding cut here, a new restriction here, month after month, year after year, and Rowe v. Wade will be chipped away to nothing. That is what this is all about. That is what this has always been all about.

We have lived in an America where women died in back-alley abortions. We have lived in an America where high school girls tried poisons and coat hangers to try to end pregnancies. We have lived in an America where young woman who faced unwanted pregnancies took their own lives. We have lived in that America, and we are not going back—not now, not ever.

We stand here on the brink of another reckless Republican government shutdown. We all remember what happened the last time the Republicans shut the government down: $24 billion was flushed down the drain for a political stunt—$24 billion that could have gone to help mothers and their babies with prenatal care, better infant nutrition, Head Start classes, medical research on birth abnormalities. Instead, the money was flushed away by Republicans who want to play political games more than they want to help children and families all across this country.

I urge my colleagues to vote no on this terrible bill. Stand up to this rightwing assault on women and families. Instead of trying to do the job of physicians and telling women what is best for their own medical care, Republicans in the Senate should start doing the job of legislators and get to work on this Nation's budget.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Missouri.

Mr. BLUNT. Mr. President, the image I am putting up right now beside me is the cover of Time magazine from June 2014, the first issue in June, June 2, 2014. According to the corresponding feature story, the baby on this cover, Emalyn Aubrey Randolph, was born prematurely at 29 weeks into the pregnancy. She weighed 2 pounds and 10 ounces. The legislation we are actually talking about today, unlike the legislation I just heard described—which we may very well talk about later—the legislation which we are talking about today and which we will vote on tomorrow takes us back only a few weeks before this cover-story baby was born at 29 weeks.

We know of lots of cases after 20 weeks—where we have seen babies survive an early birth.

In 2010, Freida Mangold was born at 21 weeks and 5 days into her mother's pregnancy. Both had complications. The baby was born, and after intensive care she was able to go home. In Florida in 2006, Amillia Taylor was delivered by an emergency C-section when she was 21 weeks and 6 days into that pregnancy. She received medical care and survived.

In Iowa in 2012, Micah Pickering was born prematurely at 22 weeks and 1 day. Micah and her family are actually here visiting with the Senate tomorrow. Micah just turned 3 this past July. She will be meeting with Members of the Senate to talk about and to be the example that her parents will be talking about of what happened to a baby who was born 22 weeks and 1 day into the pregnancy.

In my State of Missouri, we know of a remarkable story where the Cowan family in Kansas City welcomed their twin sons into the world 39 days apart. Little Carl was so small that his mother Elene could put her wedding ring over his wrist when he was born at 24-weeks and 1 day. He weighed barely a pound—twins are often small anyway; he was a twin—at that point in the pregnancy. Thirty-nine days later, his twin brother David came into the world. Carl is busy catching up with David in his size as things go on.

In St. Louis, Andrew Konopka was born at 23 weeks. Andrew weighed a pound and a half. He was born at Mercy Hospital there. Today he is 8 years old and is doing well. His family lives in Webster Groves.

Also in St. Louis last year, Zeke Miller was born at 27 weeks on December 10, 2014. He weighed 2 pounds and 15 ounces. Zeke was in the hospital 111 days. He is now 9 months old. Just last week his parents were excited to hear that Zeke no longer needs to be on oxygen. He has passed another milestone.

Across the State line in Overland Park, KS, at the Overland Park Medical Center, babies born as early as 23 weeks of pregnancy are receiving care in the neonatal intensive care unit. Their neonatal unit has been featured for its emphasis on what it calls ''kangaroo care'' because in ''kangaroo care'' the baby's parents come and have that skin-to-skin, parent-to-baby contact so that the baby knows for sure there is somebody out there ready to take care of it.

I recognize there is no national consensus on the issue we are talking about or even the issue of the early months of pregnancy. However, the overwhelming majority of Americans know that at this stage—20 weeks—they are not talking about a clump of cells; they are talking about a baby. The baby has 10 fingers and 10 toes. It has unique fingerprints that nobody has ever had and nobody will ever have again. It has a beating heart. Thanks to advanced ultrasound technology, this is about the time when people find out whether they are the parents of a little boy or the parents of a little girl.

The fact that the baby at 20 weeks is a baby is obvious to the larger culture. In fact, this cover story in Time magazine—no advocate, as a rule, for outlandishly conservative social structure—Time magazine tells stories of young babies fighting for their lives and doctors who are fighting to save them.

Let me quote from the article. It says, ''. . . fragile babies being looked after by a round the clock SWAT team of nutritionists, pharmacologists, gastroenterologists, ophthalmologists, pulmonary specialists, surgeons. . . . ''

It concludes: In some ways, the work of the NICU will always seem like an exercise in disproportion—an army of people and a mountain of infrastructure caring for a pound of life. But it is a disproportion that speaks very well of us.

That is not me saying that is a disproportion that speaks very well of us; it is Time magazine. The value that our society places on little 1- and 2-pound premature babies in the neonatal intensive care unit is remarkable. It speaks well for us, according to Time.

So many of us have experienced now or have friends—in fact, my guess would be that as Members of the Senate go do hospital visits, nothing is more riveting than that moment you sometimes get to spend in the neonatal unit with a baby who is so little that you don't know how it survived, but it has, and you know with the technology we have today, that baby is very likely to go home.

When everyone in your family is healthy, you have a lot of problems. When someone in your family is sick, you have one problem, and the one thing that is the focus in the case of these families and these babies is what they are about to do right then, which is everything they can do to save a life that has all it takes to survive, but it just needs some help.

So while the culture is embracing the value of these lives—these little lives who can survive—on the one hand, our laws really don't reflect that science has made that almost an indisputable argument. We know that babies born 20 weeks after conception can survive. Down the road in Maryland, a doctor says he will end a human life at 28 weeks—that is about 7 months—into a pregnancy. Several States and the District of Columbia allow life to be ended with an abortion in the ninth month of pregnancy. Can anyone on either side of this debate defend that? If they can't, really you should favor this fairly easy-to-achieve view of this issue.

There are only seven countries in the world, including ours, that allow this to happen, these lives to be ended after 20 weeks. These babies can feel pain, as I just talked about. They have or are very quickly going to have the ability to survive with some help.

By the way, the seven countries include China, North Korea, Vietnam, and the United States of America—not a list I think we want to be on.

Shortly my colleagues and I will be able to cast a vote on the Pain-Capable Unborn Child Protection Act.

I would like to close by saying a baby is a baby, and science tells us they can feel pain. This bill is a commonsense idea. It is broadly supported. I hope the Senate will take a step to protect these lives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise today to speak in opposition to my Republican colleagues who are once again bringing forward a political attack on the freedom of American women to make their own personal health care decisions. Instead of focusing on improving access to health care for women, Republicans are pursuing a divisive policy that jeopardizes women's health and puts politicians and the government between a woman and her doctor. Instead of spending our time on bipartisan budget negotiations, Republicans are wasting what is precious time on another failed attempt to strip funding for critical women's health programs, denying women the health services they need.

They have scheduled yet another show vote. They know it is destined to fail, and many believe it is just to pander to extreme allies by taking away women's constitutionally protected health care choices. I have to say I object to this dangerous political game. Women's access to quality health care isn't a political game. It is not one for me and many of my other colleagues who join me on the floor today, nor is it a game for women and their families across the country and in my home State of Wisconsin.

Too many States have enacted what are record numbers of laws—over 230 of them in the past 4 years—that restrict a women's access to reproductive health services and the freedom and right to make her own health care decisions.

The bill before us today would impose a 20-week abortion ban nationwide and would have real and grave consequences for American families.

Last year I heard from a woman from Middleton, WI, who at 20 weeks was devastated to find out that her baby had a severe fetal anomaly and that there would be no chance of surviving delivery. She had to undergo an emergency termination, and a clinic in Milwaukee was the only place in Wisconsin that would do the procedure, but because at the time our Republican Governor was set to sign into law a new measure imposing unreasonable requirements on providers, this particular clinic was preparing to close its doors and would not schedule her procedure. She and her husband were forced to find childcare for their two sons and travel to another State to get the medical care she needed.

Since hearing this mother's story, Wisconsin's Republican lawmakers have attempted to enact even more restrictions, including a bill recently

passed in the Wisconsin State Senate to ban abortions after 20 weeks with no exceptions for rape or incest. In addition, this bill's medical emergency exception is similar to what is included in Senator GRAHAM's Federal proposal. It says nothing about the health of the mother.

The threat in Wisconsin and States across the country is clear. When Congressmen and politicians play doctor, American families suffer. This is why my good friend and colleague from Connecticut Senator BLUMENTHAL and I have introduced a serious proposal, the Women's Health Protection Act. This proposal would put a stop to these sorts of legislative attacks on women's rights and freedoms. Our bill creates Federal protections against restrictions such as the proposal before us that unduly limit access to reproductive health care and do nothing to further women's health or safety and certainly intrude upon personal decisionmaking. It is time that we place our trust back in women to carefully consider their options and make their own health decisions, and I look forward to working with my colleagues to advance this important legislation.

We know that this week's Republican spectacle is not meant to produce a serious debate about protecting women's reproductive health; it is about the narrow Republican agenda to take our country backward and roll back the important health benefits for American families. We have seen this with the numerous failed attempts by Republicans to repeal the protections in the Affordable Care Act, protections that have empowered millions of women with more choices and stronger health care coverage. Today women can finally rest assured that they will not be charged more for coverage just because they are women, and someone's mother can get a lifesaving mammogram without the fear of high medical bills.

Over 75 times, congressional Republicans have tried to roll back this measure, which provides health security and economic security for millions of American families. It seems that Republicans would gladly go back to the days where being a woman was a preexisting condition and when insurance companies could drop your coverage just because you got sick or older or had a baby.

We are not going to go back to those days, just as we are not going to create a future where politicians in Washington take away from freedom and the right of women to make their own personal health decisions. I am committing to putting a stop to the relentless and ideological attacks on American families and will continue to fight to ensure that both men and women have the freedom to access the health care they need.

The American people do not want Congress playing doctor, and they are sick and tired of Republicans manufacturing crisis after crisis. Just 2 years after they shut down the government because of a partisan battle with the President over the Affordable Care Act, they are again threatening to shut down the government over another partisan attack on funding for women's health care. These political games could come at a serious cost to America's economic strength and the well-being of working families.

It is time for Republicans to stop playing dangerous games with women's health. It is time for Republicans to stop manufacturing crisis after crisis. It is time for Republicans to join Democrats and work in a bipartisan manner to keep the government open and negotiate a budget agreement that ends sequestration and invests in economic growth, invests in our middle class, invests in our national security, and invests in women's health.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, this week Pope Francis will be making a historic visit to Washington, DC, to address those of us in Congress and millions of Americans across the United States.

While I am not a Catholic, one of the tenets of the Catholic Church that I have long respected is adherence and devotion to the sanctity of life. We have an issue before us regarding the very essence of what life is and how life is treated in this country. So my colleagues who don't agree with the legislation before us and who don't even want us to have a debate on this are trying to, through a procedural motion, stop us from moving forward to discuss an issue that ought to be debated before the American people and certainly before this body.

It is no secret now that the science has proven that pain can be experienced by an unborn child in the womb. And the taking of that life—many of us believe that life begins at conception, but even if you don't adhere to that, it is now a fact, a pure fact, that it is a viable life at the age of 20 weeks and that life can experience pain. Surgery can be provided for that life. Anesthesia is given to that unborn child in the womb to prevent it from experiencing the pain that may result from surgery that is trying to correct perhaps an abnormality or some condition in the womb and give that child an opportunity to be a healthier baby and to live out the privilege of living.

I have spoken a number of times on this floor about the sanctity of life and how we as elected representatives and the American people—people of conscience and conviction—need to protect the sanctity of life. In doing so, it means that we have to discuss the issue of abortion. This is not a pleasant or comfortable issue to debate on the Senate floor, but we are not elected to come here to just discuss and debate pleasant issues; we are here to face difficult and often emotional issues, to face it honestly, to face it openly, and to cast our votes either for or against.

There are few, if any, issues that I believe are potentially more divisive and emotional than the issue of abortion because it goes to the heart of the meaning of life itself. It is about protecting those who cannot protect themselves. The story of America is a history of inclusion and an impulse to protect and uplift those who have been on the margins of society, and no human being is more on the margin of society than an unborn child who is seen not as a human life but is seen as something that can be dissected, can be torn apart, can be harvested, and the organs can be sold for research.

That is not the issue we will be debating in this vote coming up, but it has been debated and it has been raised—I have been on the floor listening to a number of these speeches that raised it a number of times—that somehow Republicans are denying women health care coverage because we are not wanting to fund an organization, Planned Parenthood, that uses some of the most brutal and inhumane efforts to harvest from unborn children organs to sale for the use of research. We had that debate and we had that vote. Unfortunately, we came up short on that vote. That, in and of itself, is an issue that we must continue to debate and continue to deal with, but the issue before us now is the ability to debate, discuss, vote, and hopefully pass legislation that is based on science—not on theory, not on ideology but based on science.

We now know that a child growing in the womb of its mother at the age of 20 weeks can experience pain, and we also now know that under the procedures that are used by Planned Parenthood, those children are harvested—they are dissected, harvested, some of their organs are carefully preserved and sold. It is almost beyond comprehension that a nation that has reached out to be inclusive to the most vulnerable, that at this point in life for a child views it as nothing more than something to be harvested. The descriptions of how Planned Parenthood describes the cold, calculating, numerical profit that might occur from the sale of certain organs and the techniques used to go into the womb to make sure that certain organs are preserved while others are crushed, just goes beyond comprehension.

Yet to stand on the floor and simply say Republicans are taking away women's health—no, we aren't. We are simply saying we don't want the taxpayers to fund an organization that practices these methods, that takes the lives of children, and that ignores the pain that is incurred in doing so. We want to transfer that money to women's health organizations—about five times as many in my State as there are Planned Parenthood organizations—that will provide for every aspect of women's health care except for abortion. The question before us on that vote was: Should the taxpayer fund something of this nature? And, unfortunately, we came up short because our colleagues simply would not support us in the effort to do so.

This goes to the soul of the Nation. This goes to who we are. This goes to a country which has been compassionate and reached out to those on the margin but now turns its back on those who are the most vulnerable. It is not just a matter of politics. It is not, as has been said on the floor, that Republicans want to roll back important health care coverage for mothers, deny women's health and access to health care. It is not a manufactured crisis, a dangerous game we are playing. How can you describe as a dangerous game the provision before us on the Senate floor that addresses the issue of the excruciating pain a child feels, which we now know is scientifically documented and proved in the taking of that life, for the harvesting of that life's organs? How can you describe that as a dangerous game?

If we treat this with such total irrelevance, in terms of what is happening here, it says something about our country. I deeply regret our colleagues on the other side of the aisle are even denying us the opportunity to go forward. We are on a procedural motion here where they can kill the debate. They can prevent us from doing what the American people have sent us here to do—to deal with tough issues, state our positions, and let our yes be yes and our no be no. Once again, we are in a situation now where even that procedure to get to that point is being denied. I regret we are here.

I have noticed the discussions on the floor have been quite somber. The statements made are made softly. That doesn't mask the kind of emotion and the kind of passion that many of us feel. What it shows is grief. What it shows is the grief over a practice conducted in this advanced Nation of ours. It is a grief over the fact we are taking hundreds of thousands and have taken millions of lives of unborn children. It shows a special emotion and a special grief over the fact that we know those children are experiencing the pain of dismemberment—of arms and legs being ripped apart, of organs being harvested for sale.

So without the shouting, without the accusations, it is a sincere belief and grief over what is happening in this country. As has been stated by my colleagues, only seven other countries in the world allow this kind of practice. It is shameful that one of those countries is the United States of America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, I am going to make a reference to a 20-week sonogram. I will introduce, however, Donelle Harden. I am a little bit biased, but I think she is the best communication director in the U.S. Senate, and you can see she is 31 weeks pregnant. At the conclusion of my remarks, I want to demonstrate clearly what a 20-week sonogram looks like and what a baby does look like.

By 20 weeks, a woman has reached the halfway point of the pregnancy and has the opportunity to learn the gender of her child. By 20 weeks, there is conclusive scientific evidence that a baby can feel pain, they can hear sounds, and they can react to sounds. They twist, they kick, they yawn, and they stretch, and some even open their eyes and suck their thumbs. But most importantly, they feel pain.

The United States is just one of seven countries with populations of more than a million that allows abortions past 20 weeks. Other countries who join ours in this practice are countries like China and North Korea and Vietnam.

The abortion procedure after 20 weeks is known as late-term abortions. We have been talking about this on the floor, and I think people are pretty familiar with it—much more so now than they were just a short while ago. It is very unpleasant and very shocking. During the procedure the baby is rotated and the forceps are used to pull the baby's legs, arms, and shoulders through the birth canal. Once this is done—because the head is too large—an incision is made at the base of the baby's skull to allow a suction catheter to be inserted to remove the cerebral material—that is the brains—collapsing the skull and allowing the baby to be completely removed.

Now, I lay this out for you because people need to know what inhumane practices are taking place in America. When you start to devalue the life of a child just because it hasn't been born yet, you start devaluing life in general, situations like what happened in Philadelphia are allowed to occur.

As I am sure the occupier of the Chair remembers very well, in May of 2013, Kermit Gosnell was convicted of three first-degree murder charges for killing babies who had been born alive at his abortion clinic in Philadelphia. Testimony from the trial indicated he and his staff snipped the necks of more than 100 infants who survived abortion attempts. Viable babies were delivered and then murdered. Furthermore, Gosnell endangered the health and lives of the women who came to his clinic by reusing disposable medical equipment, performing procedures in unsanitary conditions with unsanitary instruments, overdosing them, and causing serious injuries to their bodies. On at least two occasions women died after visiting his clinic. Talk about a war on women, this guy is on the front lines.

The Commonwealth of Pennsylvania turned its back on these women when it never once inspected the clinic in 17 years, despite receiving complaints against Gosnell and being notified that a woman died in the clinic. Pennsylvania Department of State wouldn't investigate the complaints they received. These kinds of things can happen when human life is considered disposable.

This year, we have seen 10 videos released by the Center for Medical Progress, showing Planned Parenthood executives and employees across the country detailing the sale of baby parts and how they manipulated and delayed the abortions. What we are saying is they delayed an abortion from taking place so the baby could mature and the parts they were using as their specimens would be of greater value to the customers they were selling the baby parts to. The heartless way they talked about these things and the complete disregard for the life of the baby that is being dissected are shocking and sickening.

It is no wonder over the past decade Americans have been waking up to the scientific facts and the moral implications regarding abortions. There was a Gallup poll in 2010 that called pro-life the ''new normal'' for Americans. But 3 years later, in 2013, the Gallup poll showed that 64 percent of Americans—that is 2 to 1, a majority of Americans by 2 to 1, which is a very strong majority—supported banning abortions after the first trimester. That is just one of many polls showing this trend to favor life. In the first trimester you are only talking about 12 weeks at that point.

What is really interesting about these polls is that in each of them women always support these bans at a higher rate than men. As I have learned from my wife and two daughters, only women can really understand what is at stake.

I had the opportunity to experience firsthand and be there at the time of the birth of my four children and my 12 grandchildren. Life is truly a miracle. It is not just the life of a child but also that of the mother. Thanks to the progress of science it is more evident than ever that abortion ends life. Medical data is now also showing significant risks to women's health and well-being.

Now, what I am going to show—what Donelle is going to show—is the baby she is carrying right now. That sonogram was taken at 20 weeks. At 20 weeks you can see all the details of the baby, and I would like to have Donelle point out the ear of the baby the sonogram shows. It is very, very clear—the kidney, the heart, the spine, the teeth, the lips, and the brain. Now, that was 20 weeks.

What we have here in the United States is an opportunity for those in favor of abortion to go far longer than just the 20 weeks. They can go all the way up to, in America, the time of birth. All they have to do is show the health of the mother is at risk and this can be done. The Pain-Capable Unborn Child Protection Act would ban these abortions and protect these babies.

We have 46 Senators signed to the bill. The House has passed its own version, and I think we have the opportunity to take a major step forward. That is what this is all about. I have hope. I have run into so many people who have not had the opportunity to get some of the graphic details of what Planned Parenthood has been doing in murdering these babies and selling their parts, but I hope this is an opportunity.

We are going to have a vote so that we will have an opportunity to do this, and I am very hopeful some of these Senators who have not acknowledged this is going on, that they will do so. This is what it is all about. This is what the baby is, and this is what we have the opportunity to reform in our system.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, this week the Senate is considering the Pain-Capable Unborn Child Protection Act. This legislation would protect unborn children who have reached the age of 20 weeks—that is 5 months of pregnancy—from being killed by abortion.

Five months into a pregnancy, babies are sucking their thumbs, they are yawning and stretching, they are actively moving around, they respond to noises, and they feel and respond to pain.

The scientific evidence on this point is incontrovertible. Five months into a pregnancy, unborn babies feel pain. Their stress hormones spike, and they shrink from painful stimuli. In fact, some scientific evidence suggests that babies of this age feel pain more keenly than adults since some of the neural mechanisms that inhibit pain don't fully develop until after birth.

Babies are regularly born weeks or months early in this country and with medical care survive and often thrive.

A Time magazine article from May 2014 that highlighted the tremendous advances that have been made in the treatment of premature babies noted that 76 percent of babies born at 25 weeks of pregnancy—or about 6 months—will go on to leave the hospital.

A May 2015 article of the New York Times entitled ''Premature Babies May Survive at 22 Weeks if Treated, Study Finds'' highlighted a recent study published in the New England Journal of Medicine reporting on successes in treating extremely early premature births. One baby mentioned in the New York Times article, Alexis Hutchinson, was delivered at 22 weeks and 1 day. She weighed 1.1 pounds at delivery. Today, the Times reports, ''aside from being more vulnerable to respiratory viruses, Alexis is a healthy 5-year-old girl.'' Let me repeat that. Alexis Hutchinson, who was born at 22 weeks and 1 day—or approximately halfway through her mother's pregnancy—is today a healthy 5-year-old girl. Yet, under the laws of this country, a baby of the very same age can be killed by abortion.

The Centers for Disease Control and Prevention estimates that more than 15,000 late-term abortions are performed each year in the United States. Many of those babies could have survived if instead of being aborted they had been born in a hospital and given medical care.

Late-term abortion procedures are so brutal, it is difficult to even talk about them. Americans would rightly shrink in horror from performing one of these procedures on an animal. How, then, are we allowing these procedures to be performed on our children?

Right now only seven countries in the world allow elective abortion after 5 months of pregnancy. It is hard to believe the United States is one of them. Among those countries are China and North Korea. Unfortunately, our country is on that list. I suggest that might not be the company we want to keep when it comes to protecting human life.

A society is measured by how it treats its weakest and most vulnerable members, and we have been failing some of ours. But we have a chance with this legislation to start fixing that today.

Ultimately, it is very simple: That unborn baby—the one with the fingers and toes, who sucks her thumb and responds to her mother's voice—that unborn baby is one of us, and as such she deserves to be protected. I hope the United States Senate will vote in support of protecting our unborn and vote in favor of this legislation when we have that opportunity tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Pope's visit this week to our Nation's Capital reminds us all of how very important it is to show compassion and concern for the most innocent and vulnerable among us. Unborn children who fall into this category are entitled to the same dignity all human beings share. This is true even when their presence might be uncomfortable or create difficulties, the Pope reminds us.

We are now considering moving to a bill known as the Pain-Capable Unborn Child Protection Act. This legislation would make no change to our abortion policy in the first 20 weeks of pregnancy. At 20 weeks of fetal age, when the unborn child can detect and respond to painful stimuli, the bill would impose some restrictions on elective late-term abortions. Such a change to existing law would put us in line with the vast majority of other countries around the globe.

I want to emphasize that the United States is in the small minority of countries around the world that allow abortion on demand after the fifth month of pregnancy. As some of my colleagues have mentioned earlier, we are just one of seven countries that take this unusual position. China, North Korea, and Vietnam are among the other seven. Are these countries really the ones we in the United States want to align ourselves with on this particular human rights issue?

Many of us in this Chamber actively supported the Americans with Disability Act. Could anyone here support an abortion after 5 months because the unborn baby had a cleft lip? What about a late-term abortion of a baby with hemophilia? Under current law, it is quite possible to destroy unborn babies with these or other more serious abnormalities in utero. I believe these babies' lives have the same value as those of other unborn babies without disabilities.

There are some who say they cannot support this legislation. I say to them, if you do not support restrictions on abortion after the fifth month of pregnancy, when some babies born prematurely at this stage now are surviving long-term, then what exactly is your limit on abortion?

Scientists say the unborn child can feel pain perhaps even as early as 8 weeks and most certainly by 20 weeks' fetal age. The American people overwhelmingly support restrictions on late-term abortions.

Doctors tell us that about a quarter of the babies born prematurely, around 5 months, will survive long term if given proper medical assistance.

Dr. Colleen Malloy, an assistant professor of pediatrics at Northwestern's School of Medicine, testified before a congressional panel just 3 years ago that infants born at 20 weeks' fetal age now are ''kicking, moving, reacting, and developing right before our eyes in the Neonatal Intensive Care Unit.'' She explained that treatment of neonatal pain is standard in such cases and added that there is no reason to believe an infant born prematurely would feel pain any differently from the same infant if still in the womb.

We also have the statements from Dr. Anthony Levatino, a practicing gynecologist with decades of experience. Dr. Levatino estimates that he performed over 1,000 abortions in private practice, until his adopted daughter died in a car crash. The death of his child was a life-changing event that ultimately led him to stop performing abortions. Dr. Levatino testified before the House Judiciary Committee—again, 3 years ago—that performing an abortion on a 24-week-old child is painful for that unborn baby. In the words of Dr. Levatino, ''If you refuse to believe that this procedure inflicts severe pain on an unborn child, please think again.''

Scientific studies confirm what Dr. Levatino has noted—that the unborn can experience pain after the fifth month. In fact, at least one medical school professor says it is indisputable that unborn babies can react to painful stimuli as early as 8 weeks after conception.

Dr. Maureen Condic, a neurobiology professor who earned her Ph.D. at Berkeley, explains that the unborn child at this stage of development reacts to painful stimuli just as other human beings do at later stages. In

both the case of the unborn child and human beings at later stages of development, the response is the same: to actively withdraw from the painful stimulus.

As stated in a paper written by Dr. Condic:

> The scientific evidence that the human fetus can detect and react to painful stimuli as early as 8 weeks . . . is indisputable. The neural circuitry responsible for the most primitive response to pain, the spinal reflex, is in place by eight weeks. . . . Connections between the spinal cord and the thalamus, the region of the brain that is largely responsible for pain perception in both the fetus and the adult, begin to form around 12 weeks, and are completed by 18 weeks.

Babies delivered prematurely also show pain-related behaviors, according to Dr. Condic. Also, the earlier infants are delivered, the stronger their response to pain is, she reports. It is perhaps for this reason that many doctors use anesthesia when operating on late-term babies in utero. Research suggests that these babies do better and recover faster when anesthesia is used during utero surgery.

Many expectant mothers today are encouraged to talk to their babies in utero or play soft music for the babies' benefit. Unborn babies can hear as early as the fifth month and find their mom's voice soothing, new research suggests. Babies even learn while in the womb, absorbing language earlier than previously suspected, according to another report. Regardless of whether you characterize yourself as pro-choice or pro-life, common sense tells us that if such techniques work to soothe the unformed baby, then the reverse likely is true as well. Late in pregnancy, unborn babies aren't impervious to dismemberment with steel tools in utero.

Some say abortion saves and helps women. Remember that 5 years ago a woman walked into a Pennsylvania abortion clinic expecting that she would have her pregnancy terminated and would walk out of that clinic without major side effects. She was 41 years old and 19 weeks pregnant. She had three children and was a grandmother. She and her daughter entered the clinic, but she never made it out alive. Her name was Karnamaya Mongar. She was one of the many victims of Kermit Gosnell. He operated a clinic in West Philadelphia for four decades. He made a living by performing abortions that no other doctor should ever do. The grand jury report that framed the case around Kermit Gosnell stated: ''Gosnell's approach was simple: keep volume high, expenses low—and break the law. That was his competitive edge.''

According to the grand jury report:

> The bigger the baby, the bigger the charge. Ultrasounds were forged so that the Government would never know how old aborted babies truly were. Babies were born alive, killed after breathing on their own, by sticking scissors into the back of the baby's neck and cutting the spinal cord. These were live, breathing, squirming babies.

This doctor didn't care about the well-being of these aborted babies. He didn't care about the health of the women.

Extremely experienced doctors like Dr. Levatino, whom I mentioned earlier, also tell us that abortion is ''seldom if ever a useful intervention'' when life-threatening conditions require immediate care late in pregnancy. In most of these late second and third trimester cases, any attempt to perform an abortion ''would entail undue and dangerous delay in providing appropriate, truly life-saving care.'' The number of babies whose lives Dr. Levatino had to terminate in such cases was zero, he testified.

The bill we are talking about that we are going to vote on tomorrow is a commonsense measure aimed at protecting women and children across the country. I urge my colleagues to embrace the sanctity of human life and vote to move to this bill so it can at least be considered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I first want to commend the Senator from Iowa. Senator GRASSLEY has done a great job of a detailed report on why this bill is so extremely important, and I thank him for his comments.

My remarks will be somewhat abbreviated. Today I rise to speak about this very important legislation, absolutely crucial legislation the Senate is considering tomorrow. Like so many Americans, I agree that we have a responsibility to protect those who cannot defend themselves. That is why I am a cosponsor of the Pain-Capable Unborn Child Protection Act—this critical legislation which simply prohibits abortions after an unborn child reaches 20 weeks of development.

Scientific evidence—Senator GRASSLEY reported about that—has shown that after 20 weeks, a child's brain has developed to a point where they can experience pain. With modern medical advances, even children born at this early stage have a chance to survive. It is appalling that the United States is one of only seven countries where elected abortions after 20 weeks are legal. How can our country take pride in protecting human rights when we continue to allow this practice to happen within our own borders?

A poll conducted by the Quinnipiac University found that a majority of Americans now support the banning of this abhorrent practice. Representing the values shared by a majority of Americans should be a bipartisan effort. We need to work together to protect innocent life.

So many Americans are troubled by the recent videos of Planned Parenthood employees selling fetal tissue for a profit. Those videos have helped the American people understand exactly what life at conception means. This legislation is a line of defense for protecting unborn children from Planned Parenthood's unconscionable practices.

I commend the States that have stopped this practice in the absence of a Federal law. Thirteen States maintain prohibitions of abortion at 20 weeks. This includes my home State of Kansas. It is now time for the Senate to act and ensure that this practice is banned all across the Nation. I encourage my colleagues to unite on this issue and support this critical legislation.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, the Pain-Capable Unborn Child Protection Act will do exactly that: protect unborn children who can feel pain. Studies have shown that babies can feel pain by 20 weeks or 5 months into pregnancy, and it is unconscionable to subject a child, at any stage in their life, to such pain.

Anesthesiologists protect these children from the pain of surgery in the womb. Today these premature babies have a one in four chance of living a full and complete life.

Do a quick Google search and type in ''20-week baby'' or ''20-week baby pictures.'' Take out your smartphone and Google it. The results of that search will pull up something like you see here to my right—a baby whose facial features are clearly visible. In fact, only seven countries in the world allow babies 20 weeks or older to be aborted—seven countries. The United States is one of them, along with North Korea and China, to name a few.

Overwhelmingly, Americans support this commonsense legislation. According to a November 2014 poll, 60 percent of Americans support a ban on abortion at 20 weeks, including nearly 60 percent of American women. This is a bill that a majority of the American people are behind, protecting babies after 20 weeks when they can feel pain.

We must continue to fight for the most vulnerable in our society—the elderly, the disabled, and the unborn—for they don't have a voice up here on Capitol Hill. Their right to life is protected by our Constitution and is part of the framework of the Declaration of Independence, and because of that, we speak up.

During the Gosnell trial, we all learned about the gruesome methods of ending the life of just-born children by using a method similar to dismemberment, which occurs in several clinics throughout our country. Science tells us that this method causes pain to the baby, some of whom were a little over 20 weeks old.

Why do we allow these late-term abortions? If Gosnell aborted these children moments before they were removed from the womb, would the loss of life have been any less tragic or less appalling?

We cannot stand idly by and allow such painful terminations of human life to continue. We must continue to be a voice for those who don't have a voice. The Senate needs to join the House of Representatives and get this legislation passed and on the President's desk.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, I appreciate the opportunity to speak tonight. I am rising in strong support of the Pain-Capable Unborn Child Protection Act. This is an opportunity for all of us to give voice to the unborn.

The fight to preserve the sanctity of life is something I have consistently and proudly supported. I am proud of my record with regard to supporting the sanctity of life. I am proud of my 100-percent pro-life voting record by supporting legislation in the House and now here in the Senate.

Earlier this year I reintroduced the Child Custody Protection Act. It prevents the transportation of minors across State lines for the purposes of eluding parental notification laws. This is a big deal in my State. The legislation simply says that parents have the right to be involved in their kids' most important decisions. It is supported, by the way, by an overwhelming majority of Americans. Parental notification laws are key to reducing the number of abortions in this country and should be supported. We should not allow parental notification laws to be circumvented.

I understand that there are raw emotions that are evoked by these issues, and I know there are fundamental disagreements on the issue of abortion. However, I hope there are steps we can take to promote a culture of life, and I think passing the Child Custody Protection Act is certainly one of those. I hope the Senate will take up that legislation soon so that we can indeed come together as a group and promote the sanctity of life. I think another way to do this is to support the pain-capable legislation I will talk about in a moment.

Along with millions of other Americans, I have watched these deeply disturbing Planned Parenthood videos that were recently released. The videos graphically show how some at Planned Parenthood view the unborn as something to be exploited and not as precious life that deserves to be protected. Because of the shocking nature of these videos, congressional committees of jurisdiction are properly now investigating. Beyond that, I call on the Obama administration to begin a criminal investigation into this matter to determine if employees of a federally funded organization have violated the law. These acts must not be tolerated.

Last month I cosponsored and voted for legislation that would end Federal funding for Planned Parenthood while ensuring that taxpayer dollars would continue to be offered to community health organizations to continue to provide health services to women across my State of Ohio and across America. By the way, there are seven times more community health organizations in the State of Ohio than there are Planned Parenthood clinics. So this is an opportunity for us to shift that funding to where women can get the health care support they need. These health care issues for women are a national priority and should continue to be. We need to strengthen women's health initiatives without having to fund Planned Parenthood from the paychecks of American workers.

The pain-capable legislation that is currently being debated here on the floor is really about science, and it is about advances in medical technology. Scientific evidence now tells us that at the age of 20 weeks post fertilization, an unborn child can feel pain. It is time to recognize this fact and take the necessary steps to protect unborn children and welcome them to life. I believe this legislation is a very important part of that overall goal.

I have visited the neonatal units at the great children's hospitals in my home State of Ohio. I have seen the amazing work that is done there by our doctors, nurses, and other medical professionals. It is incredible. I encourage all of my colleagues to make visits in their own States. I have seen firsthand this amazing work. I have seen as they help babies who were born extremely premature come to life. It is inspirational to see what they are doing. These newborns represent the miracle of life, and it is our duty to make sure they are protected. We have seen advances in neonatal care to allow these babies to survive and to live to their full potential. Just a few years ago this was not necessarily the case, so these medical advances have been really exciting, and it is one more reason to pass this legislation.

As we continue to enhance our medical technologies, more and more people are able to see that we are not talking about unviable fetuses, but unborn children who could one day grow up and become part of our American family. As a result, increasingly, the American people believe that ending a child's life should be as rare as possible and that we should work together to reduce the number of abortions performed in this country. That is progress.

The debate on this legislation is not just about morals or values or religious views. It is about protecting innocent life from a painful act that they do not deserve. We have a responsibility to protect unborn children and give them the chance to succeed. This legislation and this vote before us here tomorrow in the Senate is an opportunity to make that happen.

The United States of America is only one of only seven countries in the world to provide and allow for elective abortions after 20 weeks. Think about that. On that short list, by the way, are North Korea and China. What does that say about our national character if we know these unborn children are feeling excruciating pain, yet we choose not to act? When our Founders declared our independence, they wrote of certain unalienable truths endowed by our Creator, they said, and among them, of course, are life, liberty, and the pursuit of happiness. Life is the very first one. So let's stand together today and take a unified step toward protecting life.

This is a commonsense bill. It has the support of the American people. I urge my colleagues on both sides of the aisle to help provide a voice for those who cannot provide that voice for themselves, to take this important step toward holding up the sanctity of life, and to pass this important legislation.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, we as a Nation treat bugs in a very unique way. There is a little bug called the American burying beetle. They are in many areas of the country. They are all over Oklahoma. In southeastern Oklahoma, in a lot of areas where there is commercial construction, we have to wait through the early part of the spring because, in the springtime, the American burying beetle lays little eggs and those eggs multiply in the ground and little bugs start crawling up. The folks at the Fish and Wildlife Service tell us not to step on those bugs because they could possibly be threatened, and construction needs to stop during the springtime so the Earth is not disturbed during that time period. We don't want to disturb the Earth because those eggs might be damaged, and we will have fewer of the American burying beetle.

I bring that up not because I am so enamored with that bug, but because our Nation has a history of protecting life—life wherever it may be—whether it is a burying beetle in southeastern Oklahoma or whether it is a child.

For some strange reason, in this room, the conversation tends to go more towards the American burying beetle and their eggs and protecting that bug than it is about protecting children. So I bring up today something that I don't think should be that controversial. What are we going to do with children who can feel and experience pain? Will we as a Nation guard children? That would be a pretty straightforward thing, I would say.

In 1973 the Supreme Court of the United States struggled with how to be able to define life. This whole conversation the Supreme Court had behind closed doors as they struggled with a decision that we now know as Roe v. Wade. In January of 1973, after struggling behind closed doors, the Supreme Court came out with a decision

that was brand new to American law, coming from actually common law, and that was viability. What used to be in common law when they would discuss quickening, when the child could kick and move, they would now consider this child a child worthy of protection. They asked the question: When is it possible for a fetus to be alive? In January of 1973, they said they would have to leave it up to medical technology as to when that child would be viable.

Fast forward up to today. Let's talk about when a child is considered viable. Let's talk about what happens now. We know at 20 weeks that child can respond to different stimuli. That child feels pain. That child can respond to normal things that are happening around it. I can distinctly remember, with both of my daughters, my wife and I went in at 20 weeks to be able to look at the sonogram because at 20 weeks, that was the first time the doctor could say whether we were going to have a boy or a girl, and we could see the health of my two daughters. That was a big day for us, to be able to go in and see the sonogram and to know it is a girl and to be able to watch them move around in the womb, to dream about what her name would be and what they would look like. Now one daughter is in college, and one is in high school. But the first time I ever laid eyes on them, they were 20 weeks old, when we got a peak into the womb with the sonogram.

This bill asks a simple question, this bill that deals with pain-capable. This pain-capable bill asks the question: Is the child alive at five months, when the baby can kick, suck its thumb, stretch, yawn, make faces; when medical science tells us they can experience pain, is that child alive?

Recently The New York Times did a report studying this one issue about children that are born extremely early—at this exact time we are discussing right now—how many of the children that are born even that early make it. The New York Times' latest study said more than 25 percent of them make it.

Let me tell my colleagues about one of them. Her name is Violet. She is the daughter of a friend of mine. She is a pretty amazing young lady. She was born at this exact date we are discussing, and she was born at 14 ounces. She would fit into your hand, less than a pound. That tiny little girl who had such a tough start is a 1-year-old now. She is not 14 ounces, she is 15 pounds and—thanks for asking—she is doing great. She is healthy and strong and she is beautiful. You ought to see her beautiful face with the bow on the top of her head—a sparkling little girl. She was born at 14 ounces.

I am asking our Nation to think about this again. The discussion in 1973 about viability needs to catch up to the science of today. At 14 ounces and at 5 months of gestation, that little girl is doing great. Yet in many places in our country—not all but in many places in our country—that child can still be executed in the womb and no one would bat an eye.

This is a conversation our Nation needs to have. I can't imagine it would be controversial to make a simple statement. When a child can feel pain, when a child is viable—even the Supreme Court from 1973 would look at this time period and say that is viability—at that moment, should we as a nation step up and protect children? This shouldn't be about whether a child can feel pain. We know that child can feel pain. It is not even about viability. We know that child is viable. In fact, I know her name. It is about when our laws catch up to our morals and to our science.

Late-term abortions in many areas of our country are already illegal. Let's address this. As a people and as a nation, I am asking a simple thing. When we know the child can feel pain, when we know they are viable, let's treat them as a child. Let's honor that child as alive, and let's say we don't do abortions when we know that child is viable. It is a straightforward issue that I hope will not be controversial. This is not about women's health. This is about the health of little boys and little girls who need our Nation to stay with them.

This bill we can pass. A lot of important things we are dealing with—the budget, the Iran nuclear negotiations—but can we not stop for a moment and say our Nation will guard our most vulnerable? Can we not protect our children? I think we can do both.

I yield back.

Mr. ENZI. Mr. President, I rise today in support of the Pain-Capable Unborn Child Protection Act, which protects unborn babies who are capable of feeling pain from abortions. I am proud to be a cosponsor of the Senate version of this bill and applaud our Leader for bringing the bill to the floor.

According to the National Library of Medicine, a baby's major systems and structures develop at week 5 of fetal development. Blood cells, kidney cells, and nerve cells develop at this time; and the baby's brain, spinal cord, and heart begin to develop. During the sixth and seventh weeks, a baby's brain forms into five different areas and a baby's heart beats at a regular rhythm, with blood pumping through the main vessels. Lungs start to form during week 8, and all essential organs have begun to grow by week 9.

The National Library of Medicine reports that a baby's face is well-formed between weeks 11 and 14. Bones become harder between weeks 15 and 18, and the baby's liver and pancreas produce secretions. Between weeks 19 and 21, a baby can hear and swallow.

Some of my colleagues are aware that this issue is very personal for me. Our daughter Amy was born three months premature. She weighed 2 pounds and the doctor's advice was to wait and see. We took Amy to Wyoming's biggest hospital to get the best kind of care we could find. When my wife, Diana, and I would visit her, the nurses often told us it wasn't looking good. We were even asked if we had had Amy baptized. When we said she was, a relieved nurse said, ''Good. We've never lost a baptized preemie.''

Amy is a fighter, and she lived. Today, she is a teacher in Wyoming, and Diana and I were so proud to see her get married last year. What I learned from watching Amy is how hard a 6-month old baby struggles to live. I want babies like Amy to be protected. I firmly believe that every life demands our respect as a special gift from God, and I urge my colleagues to support the Pain-Capable Unborn Child Protection Act as a step in the right direction.

The PRESIDING OFFICER. The Senator from Oklahoma.

MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

20TH ANNIVERSARY OF THE AFTER-SCHOOL ALL-STARS

Mr. REID. Mr. President, today I recognize the 20th anniversary of the After-School All-Stars of Greater Las Vegas, NV.

In 1995, Elaine Wynn established the Greater Las Vegas Inner-City Games to provide thousands of young Nevadans with a fun, safe, and positive place to go during after-school hours. In 2003, the program was expanded to include more services and the program was transformed into the After-School All-Stars.

Over the past two decades, After-School All-Stars has provided more than 120,000 underprivileged Southern Nevadans with a free and comprehensive after-school program. Today, the After-School All-Stars program has reached 12 states, including the District of Columbia.

After-School All-Stars takes pride in providing its students with the opportunity to participate in exciting and engaging activities, while also building self-esteem. This important program teaches its participants the value of saying no to drugs and yes to hope and offers students academic support, enrichment activities, and health and fitness awareness. Through its mission, After-School All-Stars is working to graduate students from high school, prepare them for college and future careers, and encourage them to give back to their communities.

This organization has impacted the lives of Nevada students for 20 years, and I applaud the After-School All-Stars program of Greater Las Vegas for their dedication to improving the lives

of at-risk students throughout Southern Nevada. I congratulate the program's board of directors, staff, and volunteers on decades of success and wish them the best in the years to come.

OBSERVING NATIONAL POW/MIA RECOGNITION DAY

Mr. CRAPO. Mr. President, today I wish to join Americans across our great Nation in recognizing National POW/MIA Day—a day to honor prisoners of war, POW, and those missing in action, MIA.

Throughout the history of our Nation, Americans have answered the call of duty to defend our country and its interests. They bravely step forward knowing of the sacrifices they may endure. At home, we enjoy the security and freedoms they have fought to ensure. We must not forget the costs of our freedoms and the Americans who sacrificed for our country. We must be resolute in our duty to bring them home should they go missing or be taken prisoner when serving our Nation.

The safe return of those who have gone missing in action or are prisoners of war remains at the forefront of my thoughts and prayers. Likewise, the challenges of families of missing servicemembers as they await the return of loved ones cannot be forgotten. POW/MIA families and veterans have remained committed to the pursuit of facts. Finding resolution for military families, who have supported the brave men and women who protect our freedoms, must also remain a priority.

We cannot forget the remarkable service of those who put their lives on the line to secure the return of missing military personnel. Those courageous Americans and their families deserve gratitude for the work they do to bring Americans home.

Thank you for the service of our Nation's servicemembers, their families, and all those who work to ensure the return home of America's best and bravest.

ADDITIONAL STATEMENTS

TRIBUTE TO SECRETARY JOHN MCHUGH

• Mr. INHOFE. Mr. President, on behalf of myself and the senior Senator from Rhode Island, Mr. REED, who serves as the cochair of the Senate Army Caucus, together with the members of the caucus, I proudly wish to pay tribute to the Honorable John M. McHugh, former Member of the House of Representatives, colleague, friend, and inspirational leader as he leaves his current post as one of the longest serving Secretaries of the Army in U.S. history.

To say this patriot has faithfully served his country is an understatement. After over 42 years of public service, John leaves our Army, our Nation, and our world both safer and more secure. Moreover, his tireless advocacy and bold leadership for our soldiers, civilians, and their family members are legendary. From improvements in family and mental health programs to unprecedented strides in combating sexual assault and suicide, John M. McHugh has truly earned the oft-stated moniker of ''The Soldier's Secretary.''

Raised in Watertown, NY, John served as assistant city manager and went on to serve four terms in the New York State Senate. From there, this great leader was asked to run for Congress, ultimately representing his district in the House of Representatives for nearly 17 years, and rising to be the ranking member of the House Armed Services Committee.

As Congressman McHugh demonstrated repeatedly, it takes thoughtful, determined, and visionary leadership to ensure the security of our Nation. As a Representative of the 24th and later the 23rd District of New York, which includes one of our most important Army posts, Fort Drum, John ensured that cutting-edge facilities and programs supported our warfighters. To say that Fort Drum is the ''House that McHugh Built'' is very apropos. From MILCON projects to weapons systems, the soldiers, civilians, and families of that historic post were always cared for and supported, and John ensured that the 10th Mountain Division had all of the tools it needed to be at the tip of the spear of our Nation's defense. Moreover, his exceptional work as the cochair of the Army Caucus for over 15 years and as a critical member of the West Point board of visitors was instrumental in improving Congress's understanding of the Army's needs.

During his tenure as the second-longest serving Secretary of the Army, John M. McHugh has been at the very forefront of national military strategy, policy, and programs. His expert leadership, bold initiatives, and pragmatic management of the oldest and largest military service has ensured that our Army remains the finest fighting force the world has ever known. And it has been no easy task.

John presided over some of the toughest missions the Army has ever faced. From overseeing one of the largest retrogrades in military history; while holding the Army together as it was hit by sequestration; to reorganizing, revamping, and restructuring our force, while our soldiers conducted combat operations around the world, Secretary McHugh led with distinction and results.

Of particular note, John's determination, devotion, and love of our servicemembers ensured that our most sacred and hallowed ground, Arlington National Cemetery, overcame years of neglect and transformed its management and oversight.

With profound admiration and deep respect, we pay tribute to Secretary McHugh for all he has done for our Nation. We thank him for his dedication and sacrifice. We wish him all the fullest measure of peace and happiness as he boldly takes on new challenges in the next phase of his life.•

TRIBUTE TO PINKY KRAVITZ

• Mr. MENENDEZ. Mr. President, today I am honored to recognize Mr. Pinky Kravitz on the occasion of his retirement from the WOND-AM 1400 after many years of remarkable broadcasting throughout the Garden State.

Mr. Kravitz could be heard over the airways for more than 59 years as a radio broadcaster. He started his illustrious career first in 1956 as the host of a live call-in show on WLDB-AM, now known as 1490 WBSS. Since 1958, he has continuously hosted numerous radio programs with WOND-AM 1400, including Pinky's Corner, a live call-in program, and WMGM Presents Pinky, a weekly television program. Additionally, his written word could be heard across numerous publications and newspapers, most recently for the Press of Atlantic City. His radio show was one of the longest-running shows in the country, proof of his wide appeal and heartfelt reporting.

Known widely as ''Mr. Atlantic City'' due to his promotion of the area, Mr. Kravitz was the unshakable spokesman of Southern New Jersey. A fierce advocate for the region, his voice was unmistakable, as he consistently sought to highlight the very best of what makes New Jersey great. His in-depth programming spoke to many, as he resonated with the hearts and minds of our friends and neighbors. Mr. Kravitz represented the very best of engaging, informative, entertaining, and responsible broadcasting.

In addition to these and many more accomplishments, Mr. Kravitz was the first inductee into the New Jersey Broadcasters Hall of Fame in 2012, a testament to his impact on the industry. He was also the first recipient of the New Jersey Broadcasters Association, NJBA, Lifetime Achievement Award.

I was honored to appear on Mr. Kravitz's radio show on several occasions. He was always the utmost professional while embracing the nature of substantive, meaningful journalism. For many years, his radio and television shows consistently sought to provide the region with a unique and fair perspective while maintaining a sense of familiarity and comfort, an accomplishment in and of itself.

I recognize, commend, and applaud Mr. Pinky Kravitz in light of his extraordinary service to WOND-AM 1400 and his unwavering dedication to the airways of New Jersey.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on September 18, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bills:

S. 230. An act to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

S. 501. An act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes.

H.R. 23. An act to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

MESSAGE FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 758. An act to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes.

H.R. 3134. An act to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

H.R. 3504. An act to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

The message also announced that the House has passed the following bills, with amendment, in which it requests the concurrence of the Senate:

S. 764. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. 1603. An act to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, September 21, 2015, he had signed the following enrolled bills, previously signed by the Speaker pro tempore (Mr. THORNBERRY) of the House:

S. 230. An act to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

S. 501. An act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes.

H.R. 23. An act to reauthorize the National Windstorm Impact Reduction Program, 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. 758. An act to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3134. An act to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

H.R. 3504. An act to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 21, 2015, she had presented to the President of the United States the following enrolled bills:

S. 230. An act to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska.

S. 501. An act to make technical corrections to the Navajo water rights settlement in the State of New Mexico, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 623. An act to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes (Rept. No. 114–145).

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. MORAN:

S. 2061. A bill to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas; to the Committee on Energy and Natural Resources.

By Ms. HIRONO:

S. 2062. A bill to amend title 38, United States Code, to extend authority for operation of the Department of Veterans Affairs Regional Office in Manila, the Republic of the Philippines; to the Committee on Veterans' 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. VITTER (for himself and Mr. CASSIDY):

S. Res. 260. A resolution honoring the life and legacy of Calvin G. Moret; considered and agreed to.

ADDITIONAL COSPONSORS

S. 163

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 163, a bill to establish a grant program to help State and local law enforcement agencies reduce the risk of injury and death relating to the wandering characteristics of some children with autism and other disabilities.

S. 175

At the request of Mrs. BOXER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 175, a bill to provide for certain land to be taken into trust for the benefit of Morongo Band of Mission Indians, and for other purposes.

S. 235

At the request of Mr. WYDEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 502

At the request of Mr. LEE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 502, a bill to focus limited Federal resources on the most serious offenders.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 579

At the request of Mr. GRASSLEY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 598

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 740

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 740, a bill to improve the coordination and use of geospatial data.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 968

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1020

At the request of Mr. VITTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1314

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1314, a bill to establish an interim rule for the operation of small unmanned aircraft for commercial purposes and their safe integration into the national airspace system.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1512

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1661

At the request of Mr. ISAKSON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1661, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 1794

At the request of Mr. MERKLEY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1794, a bill to prohibit drilling in the Arctic Ocean.

S. 1831

At the request of Mr. TOOMEY, the names of the Senator from Michigan (Mr. PETERS), the Senator from Louisiana (Mr. VITTER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1918

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1918, a bill to amend the Endangered Species Act of 1973 to extend the import- and export-related provision of that Act to species proposed for listing as threatened or endangered under that Act.

S. 1964

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1964, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home with their families, and for other purposes.

S. 2016

At the request of Mr. KAINE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2016, a bill to amend chapter 44 of title 18, United States Code, to promote the responsible transfer of firearms.

S.J. RES. 22

At the request of Mrs. ERNST, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Federal Water Pollution Control Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 260—HONORING THE LIFE AND LEGACY OF CALVIN G. MORET

Mr. VITTER (for himself and Mr. CASSIDY) submitted the following resolution; which was considered and agreed to.

S. RES. 260

Whereas Calvin G. Moret was born on August 15, 1925, in New Orleans, Louisiana;

Whereas, in 1943, Calvin G. Moret joined the Tuskegee Airmen and completed his advanced training in P–51 Mustangs;

Whereas the Tuskegee Airmen were the first African-American military airmen;

Whereas, on November 20, 1944, Calvin G. Moret graduated as a Flight Officer as part of class 44–I–SE in the Tuskegee Airmen program;

Whereas, according to the Veterans History Project of the Library of Congress, Calvin G. Moret served as a flight instructor;

Whereas Calvin G. Moret was a recipient of the Congressional Gold Medal, presented in the rotunda of the United States Capitol, for his service to the United States;

Whereas Calvin G. Moret was the last surviving Tuskegee Airman pilot in Louisiana;

Whereas Calvin G. Moret contributed oral histories to the collection of the National WWII Museum;

Whereas, on June 29, 2013, the Urban League of Greater New Orleans presented Calvin G. Moret with the Whitney M. Young Legacy Award;

Whereas, in 2014, Calvin G. Moret became the fifth honorary member of the Black Pilots of America; and

Whereas Calvin G. Moret was a distinguished speaker for the National WWII Museum at major exhibits, including the ''Fighting for the Right to Fight: African American Experiences in World War II'' exhibit: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life of Calvin G. Moret, who was dedicated to serving the community and recording the experiences of the members of the Tuskegee Airmen;

(2) recognizes the lasting contributions made by Calvin G. Moret to World War II educational programming and the National WWII Museum; and

(3) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to the family of Calvin G. Moret.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 36, to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes; which was ordered to lie on the table.

SA 2668. Mr. LANKFORD (for Mr. VITTER) proposed an amendment to the bill S. 1109, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes.

TEXT OF AMENDMENTS

SA 2667. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 36, to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADDITIONAL FUNDING FOR THE PREGNANCY ASSISTANCE FUND.

(a) FINDINGS.—Congress finds the following:

(1) In 2011, 730,322 legal induced abortions were reported to the Centers for Disease Control and Prevention.

(2) Forty-nine percent of all pregnancies in America are unintended. Excluding miscarriages, 42 percent of unintended pregnancies end in abortion.

(3) Of those unintended pregnancies ending in abortion, 50 percent of the women have incomes below 200 percent of the poverty level.

(4) The pregnancy assistance fund is an initiative to support women facing unplanned pregnancies, new parents and their children by providing for health care needs, supportive services and helpful prenatal information and postnatal services.

(b) ADDITIONAL FUNDING.—Section 10214 of Public Law 111-148 (42 U.S.C. 18204) is amended by adding at the end the following: ''In addition to amounts authorized to be appropriated in the previous sentence, there are authorized to be appropriated, and there are appropriated from funds not otherwise obligated, to carry out section 10210, an additional $25,000,000 for each of fiscal years 2016 through 2019, and an additional $50,000,000 for each of fiscal years 2020 through 2024.''.

SA 2668. Mr. LANKFORD (for Mr. VITTER) proposed an amendment to the bill S. 1109, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes; as follows:

On page 2, strike lines 11 through 20 and insert the following:

''(1) the term 'covered settlement agreement' means a settlement agreement (including a consent decree)—

''(A) that is entered into by an Executive agency; and

''(B)(i) that—

''(I) relates to an alleged violation of Federal civil or criminal law; and

''(II) requires the payment of a total of not less than $1,000,000 by 1 or more non-Federal persons; or

''(ii) that—

''(I) relates to the rule making process of the Executive agency or an alleged failure by the Executive agency to engage in a rule making process; and

''(II) requires the payment of a total of not less than $200,000 in attorney fees, costs, or expenses by the Executive agency or entity within the Federal Government to a non-Federal person;

On page 2, line 23, strike ''and''.

On page 2, line 26, strike the period and insert ''; and''.

On page 2, after line 26, insert the following:

''(4) the term 'rule making' has the meaning given that term under section 551(5).

On page 4, line 3, strike ''and''.

On page 4, between lines 16 and 17, insert the following:

''(VII) a description of where amounts collected under the covered settlement agreement will be deposited, including, if applicable, the deposit of such amounts in an account available for use for 1 or more programs of the Federal Government; and

On page 7, line 25, insert ''or that entered into a settlement agreement that involves regulatory action or regulatory changes'' after ''covered settlement agreement''.

On page 8, line 11, strike ''and''.

On page 8, line 15, strike the period and insert a semicolon.

On page 8, between lines 15 and 16, insert the following:

''(D) the total amount of attorney fees, costs, and expenses paid to non-Federal persons under settlement agreements (including consent decrees) of the Executive agency during that fiscal year; and

''(E) the number of settlement agreements (including consent decrees) between the Executive agency and non-Federal persons that involve regulatory action or regulatory changes, including the promulgation of new rules, during that fiscal year.

On page 8, strike line 25 and all that follows through page 9, line 20.

On page 9, line 21, strike ''(c)'' and insert ''(b)''.

TRUTH IN SETTLEMENTS ACT OF 2015

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 140, S. 1109.

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

The bill clerk read as follows:

A bill (S. 1109) to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes.

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

Mr. LANKFORD. I ask unanimous consent that the Vitter amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2668) was agreed to, as follows:

(Purpose: To apply the disclosure requirements to settlements between agencies and private entities and require information regarding the use of funds collected under settlement agreements)

On page 2, strike lines 11 through 20 and insert the following:

''(1) the term 'covered settlement agreement' means a settlement agreement (including a consent decree)—

''(A) that is entered into by an Executive agency; and

''(B)(i) that—

''(I) relates to an alleged violation of Federal civil or criminal law; and

''(II) requires the payment of a total of not less than $1,000,000 by 1 or more non-Federal persons; or

''(ii) that—

''(I) relates to the rule making process of the Executive agency or an alleged failure by the Executive agency to engage in a rule making process; and

''(II) requires the payment of a total of not less than $200,000 in attorney fees, costs, or expenses by the Executive agency or entity within the Federal Government to a non-Federal person;

On page 2, line 23, strike ''and''.

On page 2, line 26, strike the period and insert ''; and''.

On page 2, after line 26, insert the following:

''(4) the term 'rule making' has the meaning given that term under section 551(5).

On page 4, line 3, strike ''and''.

On page 4, between lines 16 and 17, insert the following:

''(VII) a description of where amounts collected under the covered settlement agreement will be deposited, including, if applicable, the deposit of such amounts in an account available for use for 1 or more programs of the Federal Government; and

On page 7, line 25, insert ''or that entered into a settlement agreement that involves regulatory action or regulatory changes'' after ''covered settlement agreement''.

On page 8, line 11, strike ''and''.

On page 8, line 15, strike the period and insert a semicolon.

On page 8, between lines 15 and 16, insert the following:

''(D) the total amount of attorney fees, costs, and expenses paid to non-Federal persons under settlement agreements (including consent decrees) of the Executive agency during that fiscal year; and

''(E) the number of settlement agreements (including consent decrees) between the Executive agency and non-Federal persons that involve regulatory action or regulatory changes, including the promulgation of new rules, during that fiscal year.

On page 8, strike line 25 and all that follows through page 9, line 20.

On page 9, line 21, strike ''(c)'' and insert ''(b)''.

The bill (S. 1109), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1109

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 ''Truth in Settlements Act of 2015''.

SEC. 2. INFORMATION REGARDING SETTLEMENT AGREEMENTS ENTERED INTO BY FEDERAL AGENCIES.

(a) REQUIREMENTS FOR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Chapter 3 of title 5, United States Code, is amended by adding at the end the following:

''§ 307. Information regarding settlement agreements

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered settlement agreement' means a settlement agreement (including a consent decree)—

''(A) that is entered into by an Executive agency; and

''(B)(i) that—

''(I) relates to an alleged violation of Federal civil or criminal law; and

''(II) requires the payment of a total of not less than $1,000,000 by 1 or more non-Federal persons; or

''(ii) that—

''(I) relates to the rule making process of the Executive agency or an alleged failure by the Executive agency to engage in a rule making process; and

''(II) requires the payment of a total of not less than $200,000 in attorney fees, costs, or expenses by the Executive agency or entity within the Federal Government to a non-Federal person;

''(2) the term 'entity within the Federal Government' includes an officer or employee of the Federal Government acting in an official capacity;

''(3) the term 'non-Federal person' means a person that is not an entity within the Federal Government; and

''(4) the term 'rule making' has the meaning given that term under section 551(5).

''(b) INFORMATION TO BE POSTED ONLINE.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the head of each Executive agency shall make publicly available in a searchable format in a prominent location on the Web site of the Executive agency—

''(i) a list of each covered settlement agreement entered into by the Executive agency, which shall include, for each covered settlement agreement—

''(I) the date on which the parties entered into the covered settlement agreement;

''(II) the names of the parties that settled claims under the covered settlement agreement;

''(III) a description of the claims each party settled under the covered settlement agreement;

''(IV) the amount each party settling a claim under the covered settlement agreement is obligated to pay under the settlement agreement;

''(V) the total amount the settling parties are obligated to pay under the settlement agreement;

''(VI) for each settling party—

''(aa) the amount, if any, the settling party is obligated to pay that is expressly specified under the covered settlement agreement as a civil or criminal penalty or fine; and

''(bb) the amount, if any, that is expressly specified under the covered settlement agreement as not deductible for purposes of the Internal Revenue Code of 1986; and

''(VII) a description of where amounts collected under the covered settlement agreement will be deposited, including, if applicable, the deposit of such amounts in an account available for use for 1 or more programs of the Federal Government; and

''(ii) a copy of each covered settlement agreement entered into by the Executive agency.

''(B) CONFIDENTIALITY PROVISIONS.—The requirement to disclose information or a copy of a covered settlement agreement under subparagraph (A) shall apply to the extent that the information or copy (or portion thereof) is not subject to a confidentiality provision that prohibits disclosure of the information or copy (or portion thereof).

''(2) PERIOD.—The head of each Executive agency shall ensure that—

''(A) information regarding a covered settlement agreement is publicly available on the list described in paragraph (1)(A)(i) for a period of not less than 5 years, beginning on the date of the covered settlement agreement; and

''(B) a copy of a covered settlement agreement made available under paragraph (1)(A)(ii) is publicly available—

''(i) for a period of not less than 1 year, beginning on the date of the covered settlement agreement; or

''(ii) for a covered settlement agreement under which a non-Federal person is required to pay not less than $50,000,000, for a period of not less than 5 years, beginning on the date of the covered settlement agreement.

''(c) PUBLIC STATEMENT.—If the head of an Executive agency determines that a confidentiality provision in a covered settlement agreement, or the sealing of a covered settlement agreement, is required to protect the public interest of the United States, the head of the Executive agency shall issue a public statement stating why such action is required to protect the public interest of the United States, which shall explain—

''(1) what interests confidentiality protects; and

''(2) why the interests protected by confidentiality outweigh the public's interest in knowing about the conduct of the Federal Government and the expenditure of Federal resources.

''(d) REQUIREMENTS FOR WRITTEN PUBLIC STATEMENTS.—Any written public statement issued by an Executive agency that refers to an amount to be paid by a non-Federal person under a covered settlement agreement shall—

''(1) specify which portion, if any, of the amount to be paid under the covered settlement agreement by a non-Federal person—

''(A) is expressly specified under the covered settlement agreement as a civil or criminal penalty or fine to be paid for a violation of Federal law; or

''(B) is expressly specified under the covered settlement agreement as not deductible for purposes of the Internal Revenue Code of 1986;

''(2) if no portion of the amount to be paid under the covered settlement agreement by a non-Federal person is expressly specified under the covered settlement agreement as a civil or criminal penalty or fine, include a statement specifying that is the case; and

''(3) describe in detail—

''(A) any actions the non-Federal person shall take under the covered settlement agreement in lieu of payment to the Federal Government or a State or local government; and

''(B) any payments or compensation the non-Federal person shall make to other non-Federal persons under the covered settlement agreement.

''(e) CONFIDENTIALITY.—The requirement to disclose information under subsection (d) shall apply to the extent that the information to be disclosed (or portion thereof) is not subject to a confidentiality provision that prohibits disclosure of the information (or portion thereof).

''(f) REPORTING.—

''(1) IN GENERAL.—Not later than January 15 of each year, the head of an Executive agency that entered into a covered settlement agreement or that entered into a settlement agreement that involves regulatory action or regulatory changes during the previous fiscal year shall submit to each committee of Congress with jurisdiction over the activities of the Executive agency a report indicating—

''(A) how many covered settlement agreements the Executive agency entered into during that fiscal year;

''(B) how many covered settlement agreements the Executive agency entered into during that fiscal year that had any terms or conditions that are required to be kept confidential;

''(C) how many covered settlement agreements the Executive agency entered into during that fiscal year for which all terms and conditions are required to be kept confidential;

''(D) the total amount of attorney fees, costs, and expenses paid to non-Federal persons under settlement agreements (including consent decrees) of the Executive agency during that fiscal year; and

''(E) the number of settlement agreements (including consent decrees) between the Executive agency and non-Federal persons that involve regulatory action or regulatory changes, including the promulgation of new rules, during that fiscal year.

''(2) AVAILABILITY OF REPORTS.—The head of an Executive agency that is required to submit a report under paragraph (1) shall make the report publicly available in a searchable format in a prominent location on the Web site of the Executive agency.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 5, United States Code, is amended by adding at the end the following:

''307. Information regarding settlement agreements.''.

(b) REVIEW OF CONFIDENTIALITY OF SETTLEMENT AGREEMENTS.—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report regarding how Executive agencies (as defined under section 105 of title 5, United States Code) determine whether the terms of a settlement agreement or the existence of a settlement agreement will be treated as confidential, which shall include recommendations, if any, for legislative or administrative action to increase the transparency of Government settlements while continuing to protect the legitimate interests that confidentiality provisions serve.

MANDATORY PRICE REPORTING ACT OF 2015

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 231, H.R. 2051.

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

The bill clerk read as follows:

A bill (H.R. 2051) to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes. There being no objection, the Senate proceeded to consider the bill, which had been reported from

the Committee on Agriculture, Nutrition, and Forestry, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Agriculture Reauthorizations Act of 2015''.

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

TITLE I—MANDATORY PRICE REPORTING

SEC. 101. EXTENSION OF LIVESTOCK MANDATORY REPORTING.

(a) EXTENSION OF AUTHORITY.—Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) CONFORMING AMENDMENT.—Section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

SEC. 102. SWINE REPORTING.

(a) DEFINITIONS.—Section 231 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

(1) by redesignating paragraphs (9) through (22) as paragraphs (10) through (23), respectively;

(2) by inserting after paragraph (8) the following:

''(9) NEGOTIATED FORMULA PURCHASE.—The term 'negotiated formula purchase' means a swine or pork market formula purchase under which—

''(A) the formula is determined by negotiation on a lot-by-lot basis; and

''(B) the swine are scheduled for delivery to the packer not later than 14 days after the date on which the formula is negotiated and swine are committed to the packer.'';

(3) in paragraph (12)(A) (as so redesignated), by inserting ''negotiated formula purchase,'' after ''pork market formula purchase,''; and

(4) in paragraph (23) (as so redesignated)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) a negotiated formula purchase; and''.

(b) DAILY REPORTING.—Section 232(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amended—

(1) in paragraph (1)(D), by striking clause (ii) and inserting the following:

''(ii) PRICE DISTRIBUTIONS.—The information published by the Secretary under clause (i) shall include—

''(I) a distribution of net prices in the range between and including the lowest net price and the highest net price reported;

''(II) a delineation of the number of barrows and gilts at each reported price level or, at the option of the Secretary, the number of barrows and gilts within each of a series of reasonable price bands within the range of prices; and

''(III) the total number and weighted average price of barrows and gilts purchased through negotiated purchases and negotiated formula purchases.''; and

(2) in paragraph (3), by adding at the end the following:

''(C) LATE IN THE DAY REPORT INFORMATION.—The Secretary shall include in the morning report and the afternoon report for the following day any information required to be reported under subparagraph (A) that is obtained after the time of the reporting day specified in that subparagraph.''.

SEC. 103. LAMB REPORTING.

Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall revise section 59.300 of title 7, Code of Federal Regulations, so that—

(1) the definition of the term ''importer''—

(A) includes only those importers that imported an average of 1,000 metric tons of lamb meat products per year during the immediately preceding 4 calendar years; and

(B) may include any person that does not meet the requirement referred to in subparagraph (A), if the Secretary determines that the person should be considered an importer based on their volume of lamb imports; and

(2) the definition of the term ''packer''—

(A) applies to any entity with 50 percent or more ownership in a facility;

(B) includes a federally inspected lamb processing plant which slaughtered or processed the equivalent of an average of 35,000 head of lambs per year during the immediately preceding 5 calendar years; and

(C) may include any other lamb processing plant that does not meet the requirement referred to in subparagraph (B), if the Secretary determines that the processing plant should be considered a packer after considering the capacity of the processing plant.

SEC. 104. STUDY ON LIVESTOCK MANDATORY REPORTING.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of Agriculture, acting through the Agricultural Marketing Service in conjunction with the Office of the Chief Economist and in consultation with cattle, swine, and lamb producers, packers, and other market participants, shall conduct a study on the program of information regarding the marketing of cattle, swine, lambs, and products of such livestock under subtitle B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635 et seq.).

(2) REQUIREMENTS.—The study shall—

(A) analyze current marketing practices in the cattle, swine, and lamb markets;

(B) identify legislative or regulatory recommendations made by cattle, swine, and lamb producers, packers, and other market participants to ensure that information provided under the program—

(i) can be readily understood by producers, packers, and other market participants;

(ii) reflects current marketing practices; and

(iii) is relevant and useful to producers, packers, and other market participants;

(C) analyze the price and supply information reporting services of the Department of Agriculture related to cattle, swine, and lamb; and

(D) address any other issues that the Secretary considers appropriate.

(b) REPORT.—Not later than March 1, 2018, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the findings of the study conducted under subsection (a).

TITLE II—NATIONAL FOREST FOUNDATION ACT REAUTHORIZATION

SEC. 201. NATIONAL FOREST FOUNDATION ACT REAUTHORIZATION.

(a) EXTENSION OF AUTHORITY TO PROVIDE MATCHING FUNDS FOR ADMINISTRATIVE AND PROJECT EXPENSES.—Section 405(b) of the National Forest Foundation Act (16 U.S.C. 583j–3(b)) is amended by striking ''for a period of five years beginning October 1, 1992'' and inserting ''during fiscal years 2016 through 2018''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 410(b) of the National Forest Foundation Act (16 U.S.C. 583j–8(b)) is amended by striking ''during the five-year period'' and all that follows through ''$1,000,000 annually'' and inserting ''there are authorized to be appropriated $3,000,000 for each of fiscal years 2016 through 2018''.

(c) TECHNICAL CORRECTIONS.—

(1) AGENT.—Section 404 of the National Forest Foundation Act (16 U.S.C. 583j–2) is amended—

(A) in subsection (a)(4), by inserting ''notice or'' after ''authorized to accept''; and

(B) in subsection (b), by striking ''under this paragraph'' and inserting ''by subsection (a)(4)''.

(2) ANNUAL REPORT.—Section 407(b) of the National Forest Foundation Act (16 U.S.C. 583j–5(b)) is amended by striking the comma after ''The Foundation shall''.

TITLE III—UNITED STATES GRAIN STANDARDS ACT REAUTHORIZATION

SEC. 301. REAUTHORIZATION OF UNITED STATES GRAIN STANDARDS ACT.

(a) OFFICIAL INSPECTION AND WEIGHING REQUIREMENTS.—

(1) DISCRETIONARY WAIVER AUTHORITY.—Section 5(a)(1) of the United States Grain Standards Act (7 U.S.C. 77(a)(1)) is amended in the first proviso by striking ''may waive the foregoing requirement in emergency or other circumstances which would not impair the objectives of this Act'' and inserting ''shall waive the foregoing requirement in emergency or other circumstances that would not impair the objectives of this Act whenever the parties to a contract for such shipment mutually agree to the waiver and documentation of such agreement is provided to the Secretary prior to shipment''.

(2) WEIGHING REQUIREMENTS AT EXPORT ELEVATORS.—Section 5(a)(2) of the United States Grain Standards Act (7 U.S.C. 77(a)(2)) is amended in the proviso by striking ''intracompany shipments of grain into an export elevator by any mode of transportation, grain transferred into an export elevator by transportation modes other than barge,'' and inserting ''shipments of grain into an export elevator by any mode of transportation''.

(3) DISRUPTION IN GRAIN INSPECTION OR WEIGHING.—Section 5 of the United States Grain Standards Act (7 U.S.C. 77) is amended by adding at the end the following:

''(d) DISRUPTION IN GRAIN INSPECTION OR WEIGHING.—In the case of a disruption in official grain inspections or weighings, including if the Secretary waives the requirement for official inspection due to an emergency under subsection (a)(1), the Secretary shall—

''(1) immediately take such actions as are necessary to address the disruption and resume inspections or weighings;

''(2) not later than 24 hours after the start of the disruption in inspection or weighing, submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

''(A) the disruption; and

''(B) any actions necessary to address the concerns of the Secretary relating to the disruption so that inspections or weighings may resume; and

''(3) once the initial report in paragraph (2) has been made, provide daily updates until official inspection or weighing services at the site of disruption have resumed.''.

(b) OFFICIAL INSPECTION AUTHORITY AND FUNDING.—

(1) DELEGATION OF OFFICIAL INSPECTION AUTHORITY.—Section 7(e)(2) of the United States Grain Standards Act (7 U.S.C. 79(e)(2)) is amended—

(A) by striking ''(2) If the Secretary'' and inserting the following:

''(2) DELEGATION OF AUTHORITY TO STATE AGENCIES.—

''(A) IN GENERAL.—If the Secretary'';

(B) in the first sentence—

(i) by striking ''and (A)'' and inserting ''and (i)'';

(ii) by striking ''or (B)(i)'' and inserting ''or (ii)(I)'';

(iii) by striking ''(ii)'' and inserting ''(II)''; and

(iv) by striking ''(iii)'' and inserting ''(III)''; and

(C) by adding at the end the following:

''(B) CERTIFICATION.—

''(i) IN GENERAL.—Every 5 years, the Secretary shall certify that each State agency with a delegation of authority is meeting the criteria described in subsection (f)(1)(A).

''(ii) PROCESS.—Not later than 1 year after the date of enactment of the Agriculture Reauthorizations Act of 2015, the Secretary shall establish a process for certification under which the Secretary shall—

''(I) publish in the Federal Register notice of intent to certify a State agency and provide a 30-day period for public comment;

''(II) evaluate the public comments received and, in accordance with paragraph (3), conduct an investigation to determine whether the State agency is qualified;

''(III) make findings based on the public comments received and investigation conducted; and

''(IV) publish in the Federal Register a notice announcing whether the certification has been granted and describing the basis on which the Secretary made the decision.

''(C) STATE AGENCY REQUIREMENTS.—

''(i) IN GENERAL.—If a State agency that has been delegated authority under this paragraph intends to temporarily discontinue official inspection or weighing services for any reason, except in the case of a major disaster, the State agency shall notify the Secretary in writing of the intention of the State agency to do so at least 72 hours in advance of the discontinuation date.

''(ii) SECRETARIAL CONSIDERATION.—The Secretary shall consider receipt of a notice described in clause (i) as a factor in administering the delegation of authority under this paragraph.''.

(2) CONSULTATION.—Section 7(f)(1) of the United States Grain Standards Act (7 U.S.C. 79(f)(1)) is amended—

(A) in subparagraph (A)(xi), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) the Secretary—

''(i) periodically conducts a consultation with the customers of the applicant, in a manner that provides opportunity for protection of the identity of the customer if desired by the customer, to review the performance of the applicant with regard to the provision of official inspection services and other requirements of this Act; and

''(ii) works with the applicant to address any concerns identified during the consultation process.''.

(3) GEOGRAPHIC BOUNDARIES FOR OFFICIAL AGENCIES.—

(A) OFFICIAL INSPECTION AUTHORITY.—Section 7(f)(2) of the United States Grain Standards Act (7 U.S.C. 79(f)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall allow a designated official agency to cross boundary lines to carry out inspections in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide inspection services in a timely manner;

''(B) a person requesting inspection services in that geographic area requests a probe inspection on a barge-lot basis; or

''(C) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(B) WEIGHING AUTHORITY.—Section 7A(i)(2) of the United States Grain Standards Act (7 U.S.C. 79a(i)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall allow a designated official agency to cross boundary lines to carry out weighing in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide weighing services in a timely manner; or

''(B) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(4) DURATION OF DESIGNATION AUTHORITY.—Section 7(g)(1) of the United States Grain Standards Act (7 U.S.C. 79(g)(1)) is amended by striking ''triennially'' and inserting ''every 5 years''.

(5) FEES.—Section 7(j) of the United States Grain Standards Act (7 U.S.C. 79(j)(1)) is amended—

(A) by striking ''(j)(1) The Secretary'' and inserting the following:

''(j) FEES.—

''(1) INSPECTION FEES.—

''(A) IN GENERAL.—The Secretary'';

(B) in paragraph (1)—

(i) the second sentence, by striking ''The fees'' and inserting the following:

''(B) AMOUNT OF FEES.—The fees'';

(ii) in the third sentence, by striking ''Such fees'' and inserting the following:

''(C) USE OF FEES.—Fees described in this paragraph''; and

(iii) by adding at the end the following:

''(D) EXPORT TONNAGE FEES.—For an official inspection at an export facility performed by the Secretary, the portion of the fees based on export tonnage shall be based on the rolling 5-year average of export tonnage volumes.'';

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following:

''(4) ADJUSTMENT OF FEES.—In order to maintain an operating reserve of not less than 3 and not more than 6 months, the Secretary shall adjust the fees described in paragraphs (1) and (2) not less frequently than annually.''; and

(E) in paragraph (5) (as redesignated by subparagraph (C)), in the first sentence, by striking ''2015'' and inserting ''2020''.

(c) WEIGHING AUTHORITY.—Section 7A of the United States Grain Standards Act (7 U.S.C. 79a) is amended—

(1) in subsection (c)(2), in the last sentence, by striking ''subsection (g) of section 7'' and inserting ''subsections (e) and (g) of section 7''; and

(2) in subsection (l)—

(A) by striking ''(l)(1) The Secretary'' and inserting the following:

''(l) FEES.—

''(1) WEIGHING FEES.—

''(A) IN GENERAL.—The Secretary'';

(B) in paragraph (1)—

(i) the second sentence, by striking ''The fees'' and inserting the following:

''(B) AMOUNT OF FEES.—The fees'';

(ii) in the third sentence, by striking ''Such fees'' and inserting the following:

''(C) USE OF FEES.—Fees described in this paragraph''; and

(iii) by adding at the end the following:

''(D) EXPORT TONNAGE FEES.—For an official weighing at an export facility performed by the Secretary, the portion of the fees based on export tonnage shall be based on the rolling 5-year average of export tonnage volumes.'';

(C) by redesignating paragraph (3) as paragraph (4);

(D) by inserting after paragraph (2) the following:

''(3) ADJUSTMENT OF FEES.—In order to maintain an operating reserve of not less than 3 and not more than 6 months, the Secretary shall adjust the fees described in paragraphs (1) and (2) not less frequently than annually.''; and

(E) in paragraph (4) (as redesignated by subparagraph (C)), in the first sentence, by striking ''2015'' and inserting ''2020''.

(d) LIMITATION AND ADMINISTRATIVE AND SUPERVISORY COSTS.—Section 7D of the United States Grain Standards Act (7 U.S.C. 79d) is amended by striking ''2015'' and inserting ''2020''.

(e) ISSUANCE OF AUTHORIZATION.—Section 8(b) of the United States Grain Standards Act (7 U.S.C. 84(b)) is amended by striking ''triennially'' and inserting ''every 5 years''.

(f) APPROPRIATIONS.—Section 19 of the United States Grain Standards Act (7 U.S.C. 87h) is amended by striking ''2015'' and inserting ''2020''.

(g) ADVISORY COMMITTEE.—Section 21(e) of the United States Grain Standards Act (7 U.S.C. 87j(e)) is amended by striking ''2015'' and inserting ''2020''.

SEC. 302. REPORT ON DISRUPTION IN FEDERAL INSPECTION OF GRAIN EXPORTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Agriculture of the House of Representatives, the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the Senate, and the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives a report that describes—

(1) the specific factors that led to disruption in Federal inspection of grain exports at the Port of Vancouver in the summer of 2014;

(2) any factors that contributed to the disruption referred to in paragraph (1) that were unique to the Port of Vancouver, including a description of the port facility, security needs and available resources for that purpose, and any other significant factors as determined by the Secretary; and

(3) any changes in policy that the Secretary has implemented to ensure that a similar disruption in Federal inspection of grain exports at the Port of Vancouver or any other location does not occur in the future.

SEC. 303. REPORT ON POLICY BARRIERS TO GRAIN PRODUCERS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture, in consultation with the United States Trade Representative, shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report that describes—

(1) the policy barriers to United States grain producers in countries the grain of which receives official grading in the United States but which do not offer official grading for United States grain or provide only the lowest designation for United States grain, including an analysis of possible inconsistencies with trade obligations; and

(2) any actions the Executive Branch is taking to remedy the policy barriers so as to put United States grain producers on equal footing with grain producers in countries imposing the barriers.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, that the bill, as amended, be read a third time and passed, and the motion to reconsider be made and laid upon the table.

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

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

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2051), as amended, was passed.

CONGRATULATING CAPTAIN KRISTEN GRIEST AND FIRST LIEUTENANT SHAYE HAVER ON THEIR GRADUATION FROM RANGER SCHOOL

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 257.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 257) congratulating Captain Kristen Griest and First Lieutenant Shaye Haver on their graduation from Ranger School.

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

Ms. COLLINS. Mr. President, I rise to honor and congratulate CPT Kristen Griest and 1LT Shaye Haver for their historic accomplishment of being the first two women soldiers to complete U.S. Army Ranger School and earn their highly coveted Ranger tabs.

Earning the right to wear a Ranger tab is not for the faint-hearted. The rigors of the course test even the strongest service members. Many try; few succeed.

Through their grit and determination, Captain Griest and Lieutenant Haver have demonstrated that character, courage, and tenacity, not gender, are the hallmarks of great servicemembers and leaders.

Just as teamwork and dedication are the benchmarks for military effectiveness, they are also the mandates of the U.S. Army Rangers who are tasked with our Nation's most challenging and difficult missions. Captain Griest and Lieutenant Haver, along with their fellow Ranger School classmates, braved the challenges and serve as role models for girls and boys—women and men—in the United States and around the world. This integrated class answered our Nation's call to service. They stood shoulder-to-shoulder, enduring the course's extreme mental and physical stress, together. Each carried his or her own weight, and at times the weight of others, proving that integration represents not just a lofty goal, but an achievable reality. Their collective and distinguished accomplishments embody the values of our Armed Forces and our Nation.

The journey toward integration, however, has been hard fought. Before them, the first African Americans and women who answered the call to service laid the foundation for making integration possible. These pioneers inherently understood the importance of their contributions to the realization of integration. They also recognized the undeniable truth that an integrated and balanced force is a successful force both on and off the battlefield.

The effectiveness of a military unit is almost always determined by the cohesion of its individual members, their dedication to the team, and their commitment to the mission. No individual servicemember can succeed by his or her efforts alone. Success is forged from equality and integration.

As we celebrate Captain Griest's and Lieutenant Haver's historic and inspiring achievements, we express our pride and gratitude for their personal courage and sacrifice. I am confident that the military and our country are more battle ready as a result. I am also confident that Captain Griest and Lieutenant Haver will continue to serve with distinction as they ''lead the way'' as our Nation's newest U.S. Army Rangers. As a result of their milestone achievements, they have inspired a nation.

With this in mind, I am pleased to offer this resolution with Senators MIKULSKI, AYOTTE, BALDWIN, BOXER, CANTWELL, CAPITO, ERNST, FEINSTEIN, FISCHER, GILLIBRAND, HEITKAMP, HIRONO, KLOBUCHAR, MCCASKILL, MURKOWSKI, MURRAY, SHAHEEN, STABENOW, WARREN, PERDUE, MURPHY, KIRK, TESTER, FLAKE, REED, DONNELLY, GRASSLEY, BLUMENTHAL, ISAKSON, WARNER, LEAHY, FRANKEN, RUBIO, HEINRICH, COONS, THUNE, MERKLEY, and GARDNER, honoring and recognizing the patriotism and historic contributions to the United States by Captain Griest and Lieutenant Haver, and extend my best wishes and heartiest congratulations.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 257) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 17, 2015, under ''Submitted Resolutions.'')

HONORING THE LIFE AND LEGACY OF CALVIN G. MORET

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 260, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 260) honoring the life and legacy of Calvin G. Moret.

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

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

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

The resolution (S. Res. 260) was agreed to.

The preamble was agreed to.

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

MEASURES READ THE FIRST TIME—H.R. 3134 AND H.R. 3504

Mr. LANKFORD. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The bill clerk read as follows:

A bill (H.R. 3134) to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

A bill (H.R. 3504) to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

Mr. LANKFORD. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, SEPTEMBER 22, 2015

Mr. LANKFORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 22; 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; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 36, with the time until 11 a.m. equally divided between the two leaders or their designees.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. LANKFORD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:53 p.m., adjourned until Tuesday, September 22, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

RICARDO A. AGUILERA, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE LISA S. DISBROW.

DEPARTMENT OF TRANSPORTATION

SHOSHANA MIRIAM LEW, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF TRANSPORTATION, VICE SYLVIA I. GARCIA, RESIGNED.

DEPARTMENT OF STATE

THOMAS A. SHANNON, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER AMBASSADOR, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS), VICE WENDY RUTH SHERMAN.

DEPARTMENT OF DEFENSE

JANINE ANNE DAVIDSON, OF VIRGINIA, TO BE UNDER SECRETARY OF THE NAVY, VICE ROBERT O. WORK, RESIGNED.

LISA S. DISBROW, OF VIRGINIA, TO BE UNDER SECRETARY OF THE AIR FORCE, VICE ERIC K. FANNING, RESIGNED.

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE SECRETARY OF THE ARMY, VICE JOHN M. MCHUGH.

JENNIFER M. O'CONNOR, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE, VICE STEPHEN WOOLMAN PRESTON, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JASON DOUGLAS KALBFLEISCH, OF ALASKA
RAHIMA KANDAHARI, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MARLAINA R. CASEY, OF THE DISTRICT OF COLUMBIA
REBECCA SCHWALBACH DALEY, OF VIRGINIA
REBECCA EDWARDS, OF VIRGINIA
PATRICK FENNING, OF VIRGINIA
FADI A. HADDAD, OF FLORIDA
ALBERT JOHN JANEK III, OF VIRGINIA
DAVID H. LIBOFF, OF FLORIDA
GWENDOLYN LLEWELLYN, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

LIDIA AVAKIAN, OF VIRGINIA
CARRIE LYNN BASNIGHT, OF FLORIDA
KARLA C. BROWN, OF CALIFORNIA
TABATHA L. FAIRCLOUGH, OF THE DISTRICT OF COLUMBIA
KWANG H. KIM, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

NISHA ABRAHAM, OF TEXAS
CLARISSA S. ADAMSON, OF THE DISTRICT OF COLUMBIA
MICHAEL KEITH AGNER, JR., OF FLORIDA
MEGAN AHEARN, OF PENNSYLVANIA
MAROOF P. AHMED, OF FLORIDA
NADIA SHAIRZAY AHMED, OF VIRGINIA
AAMIR ALAVI, OF CALIFORNIA
DANA O. AL–EBRAHIM, OF PENNSYLVANIA
DRU ALEJANDRO, OF FLORIDA
BETH M. ANDONOV, OF NEVADA
BRIAN DAVID ASCHER, OF FLORIDA
NATHANIEL F. AUSTIN, OF WASHINGTON
OSCAR D. AVILA, OF FLORIDA
KALA CARRUTHERS AZAR, OF VIRGINIA
JONATHAN BAAS, OF ARIZONA
ANDREW C. BAKER, OF CALIFORNIA
ANNA L. BALOGH, OF MASSACHUSETTS
SARAH S. BANERJEE, OF WASHINGTON
FRANCESCO CARLO BARBACCI, OF VIRGINIA
ZACHARY ISAAC BARTER, OF COLORADO
ANDREW BARWIG, OF COLORADO
NICOLE C. BAYER, OF CALIFORNIA
CALEB DANIEL BECKER, OF TEXAS
BRANISLAVA BELL, OF NORTH CAROLINA
ANNIKA R. BETANCOURT, OF CONNECTICUT
BRIDGET K. BINDER, OF MARYLAND
SHAILAJA BISTA, OF GEORGIA
D. JAMES BJORKMAN, OF UTAH
BRIDGET BLAGOEVSKI–TRAZOFF, OF NEW YORK
RICHMOND PAUL BLAKE, OF PENNSYLVANIA
JOSHUA AARON BLANC SMITH, OF CALIFORNIA
SEAN DANIEL BODA, OF FLORIDA
MATTHEW ANTHONY BOULLIOUN, OF CALIFORNIA
MICHAEL DAVIDSON BOVEN, OF MICHIGAN
ROYCE MELBERT BRANCH II, OF TEXAS
BRIAN JAMES BREUHAUS, OF NEW YORK
LASEAN WADE BROWN, OF GEORGIA
CAROLINE R. BUDDENHAGEN, OF FLORIDA
TIMOTHY JAMES BUGANSKY, OF OHIO
KEVIN J. BURGWINKLE, OF VIRGINIA
LAURA ALLISON BURNS, OF FLORIDA
ANDREW GEORGE BURY III, OF VIRGINIA
JOHN W. BUSH II, OF FLORIDA
CYNTHIA ROCHELLE CAPLAN, OF CALIFORNIA
THERESA ANN CARPENTER SONDJO, OF MARYLAND
YANCY W. CARUTHERS, OF MISSOURI
JEFFREY PHILIP CERNYAR, OF TEXAS
DEAN I. CHANG, OF PENNSYLVANIA
ERICA CECILIA CHIUSANO, OF CALIFORNIA
GRACE WOORI CHOI, OF CALIFORNIA
YUSHIN CHOI, OF CALIFORNIA
MICHAEL CHOI, OF NEW YORK
ROGER VINCENT CHUANG, OF CALIFORNIA
D. MARKO CIMBALJEVICH, OF INDIANA
SHOSHAUNA A. CLARK, OF COLORADO
VANESSA D. COLON, OF TEXAS
NATHAN J. COOPER, OF CALIFORNIA
JESSI MARIE COPELAND, OF VIRGINIA
ELISE S. CRANE, OF COLORADO
IAN CRAWFORD, OF VIRGINIA
REID MILLER CREEDON, OF MICHIGAN
CATHERINE CROFT, OF WASHINGTON
RYAN ELIZABETH CROWLEY, OF MARYLAND
CHAD SPENCER CRYDER, OF INDIANA
CHANSONETTA C. CUMMINGS, OF VIRGINIA
DAVID JUDE CUMMINGS, OF COLORADO
ANDREW A. DAEHNE, OF TEXAS
EDWARD FRANCIS DANOWITZ III, OF GEORGIA
CYNTHIA C. DAVILA, OF CALIFORNIA
STEWART E. DAVIS, OF THE DISTRICT OF COLUMBIA
JENNIFER L. DENHARD, OF FLORIDA
ANDREW R. DEVLIN, OF VIRGINIA
CINDY MARIE DIOUF, OF SOUTH DAKOTA
DAISY A. DIX, OF VIRGINIA
DUSTIN DOCKIEWICZ, OF CALIFORNIA
ANDREW HARRINGTON DOEHLER, OF MARYLAND
CHRISTY S. DOHERTY, OF VIRGINIA
KIRK EDWARD DONAHOE, OF PENNSYLVANIA
CLARE E. DOWDLE, OF THE DISTRICT OF COLUMBIA
RICHARD L. DUBOIS III, OF KANSAS
MICHAEL DUBRAY, OF CALIFORNIA
KARL DUCKWORTH, OF PENNSYLVANIA
ANDREW WEBER DUFF, OF VIRGINIA
SUSAN L. DUNATHAN, OF WASHINGTON
NAKASHIA CHERISE DUNNER, OF SOUTH CAROLINA
ANNA DUPONT, OF NEW YORK
SANDRA L. DUPUY, OF FLORIDA
JOSEPH R. DURAN, OF OKLAHOMA
JOEL DYLHOFF, OF ILLINOIS
HANNAH EAGLETON, OF MINNESOTA
DERRICK EDUARD ECKARDT, OF INDIANA
TIMOTHY R. EDGE, OF CALIFORNIA
KRISTEN MICHELLE EDIANN SMART, OF THE DISTRICT OF COLUMBIA
AMY ELIZABETH EICHENBERG, OF MICHIGAN
WREN S. ELHAI, OF VIRGINIA
GAVIN TOLLEFSEN ELLIOTT, OF CALIFORNIA
CHRISTOPHER CHARLES ELLIS, OF OREGON
MARY K. FANOUS, OF FLORIDA
CHRISTOPHER R. FARLOW, OF FLORIDA
JESSICA T. FARMER, OF MAINE
MARTHA C. FARNSWORTH, OF CONNECTICUT
BILAL FARUQI, OF NEW YORK
CHARLES A. FEE, OF WASHINGTON
MICHAEL JARED FELDMAN, OF MARYLAND
JAMES P. FELDMAYER, OF VIRGINIA
DANIEL D. FENECH, OF TEXAS
BETH RUSHFORD FERNALD, OF NEW HAMPSHIRE
LIAM E. FITZGERALD, OF VIRGINIA
SHARYN C. FITZGERALD, OF VIRGINIA
ROBERT WILLIAM FOLLEY, OF WISCONSIN
AMIRA A. FOUAD, OF CALIFORNIA
ADAM EDWIN FOX, OF IOWA
SACHA FRAITURE, OF MARYLAND
DAVID C. FREEMAN, OF VIRGINIA
DAVID FREITAS, OF CALIFORNIA
KATHERINE B. G. TARR, OF TEXAS
GREGORY ROBERT GAEDE, OF CALIFORNIA
JASON HOWARD GALLIAN, OF UTAH
EDUARDO GARCIA, OF TEXAS
NICHOLAS B. GEISINGER, OF VIRGINIA
LAUREN M. GIBSON, OF MARYLAND
BRIAN A. GILLESPIE, OF TENNESSEE
DARROW SLADE GODESKI MERTON, OF NEW YORK
TRACI L. GOINS, OF FLORIDA
KESHAV GOPINATH, OF CALIFORNIA
KAM J. GORDON, OF UTAH
NICHOLAS GRAY, OF WISCONSIN
LUKE S. GREICIUS, OF NEW YORK
KAY TRENHOLME HAIRSTON, OF VIRGINIA
ALEXANDER FERRELL HALL, OF WASHINGTON
JOHN RICHARD HALL, OF TEXAS
BARBARA HALL, OF THE DISTRICT OF COLUMBIA
JASON DAMON HALLECK, OF CALIFORNIA
JAMES NOEL HAMILTON, OF WASHINGTON
HAMMAD BASSAM HAMMAD, OF CALIFORNIA
JEFFREY HANLEY, OF PENNSYLVANIA
MICHAEL HARKER, OF NORTH CAROLINA
BRENDAN J. HARLEY, OF PENNSYLVANIA
MARY K. HARRINGTON, OF NEW HAMPSHIRE
JENNIFER ANNE–MARIE HARWOOD, OF MARYLAND
AMAL MOUSSAOUI HAYNES, OF NEW YORK
KARLENE M. HENNINGER FRELICH, OF FLORIDA
YASMEEN HIBRAWI, OF CALIFORNIA
CARLTON JEROME HICKS, OF VIRGINIA
ALLEN C. HODGES, OF WASHINGTON
CHRISTIANA MICHELLE HOLLIS, OF FLORIDA
REID STEVENSON HOWELL, OF OREGON
MAIETA HOWZE, OF NEW YORK
RICHARD DANIEL HUGHES, OF NEW YORK
JONATHAN HWANG, OF CALIFORNIA
ADAEZE J. IGWE, OF TEXAS
KUMI T. IKEDA, OF CALIFORNIA
AMIRAH TAREK ISMAIL, OF VIRGINIA
AARON THEODORE JACKSON, OF CALIFORNIA
DANIEL ALEXANDER JACOBS–NHAN, OF GEORGIA
KARI L. JAKSA, OF MICHIGAN
JESSICA LYNN JARCEV, OF WASHINGTON
JOSANDA EVELYN JINNETTE, OF TEXAS
JOO WEON JOHN PARK, OF VIRGINIA
ELVIN JOHN, OF TEXAS
DOUGLAS MAYES JOHNSON, OF ARIZONA
NADINE FARID JOHNSON, OF WASHINGTON
ALLISON BARR JONES, OF MAINE
BRITT JAMISON JONES, OF NORTH CAROLINA
DAVID JOSAR, OF PENNSYLVANIA
BARRY H. JUNKER, OF SOUTH DAKOTA
JAMES JOSEPH KANIA, OF NEW JERSEY
RISHI KAPOOR, OF VIRGINIA
ASHOK KAUL, OF NEVADA
KAMILAH MARESSA KEITH, OF GEORGIA
DERELL KENNEDO, OF TEXAS
JULIA HARTT KENTNOR CORBY, OF ARIZONA
GEOFFREY L. KEOGH, OF TEXAS
PHILIP R. KERN, OF WYOMING
AAMER ALAM KHAN, OF NEW JERSEY
UZMA FATIMAH KHAN, OF NORTH CAROLINA
MIRA J. KIM, OF ILLINOIS
JUSTIN KIMMONS–GILBERT, OF TEXAS
CHELSEA M. KINSMAN, OF NEW YORK
JENNIFER S. KLARMAN, OF FLORIDA
JOHN C. KNETTLES, OF WASHINGTON
VALERIE KNOBELSDORF, OF VIRGINIA
KEVIN J. KOCHER, OF FLORIDA
AHMED KOKON, OF NEW YORK
KENNETH KOSAKOWSKI, OF FLORIDA
JAN JERRY KRASNY, OF FLORIDA
ARIANA KROSHINSKY, OF NEW YORK
CHANANYA KUNVATANAGARN, OF PENNSYLVANIA
MATTHEW H. KUSTEL, OF CALIFORNIA
KAREN ANN KUZIS MEYER, OF WASHINGTON
VALERIE A. LABOY, OF TEXAS
MICHAEL W. LACYK, OF CALIFORNIA
BORCHIEN LAI, OF THE DISTRICT OF COLUMBIA
JEFFREY R. LAKSHAS, OF WASHINGTON
JIN–FONG YASUO LAM, OF FLORIDA
MATTHEW COURTNEY LAMM, OF WASHINGTON
RENEE LYNN LARIVIERE, OF VERMONT
BENJAMIN ISAAC LAZARUS, OF NORTH CAROLINA
BENEY JUHYON LEE, OF WASHINGTON
DANIEL K. LEE, OF CALIFORNIA
SCOTT T. LEO, OF CONNECTICUT
KRISTINA LESZCZAK, OF THE DISTRICT OF COLUMBIA
STEVE DAVIS LEU, OF CALIFORNIA
KUAN–WEN LIAO, OF NEW YORK
SHANNON LIBURD, OF NEW YORK
JOSEPH KUO LIN, OF CALIFORNIA
DAVID LINFIELD, OF FLORIDA
ALLISON WERNER LISTERMAN, OF NORTH CAROLINA
JEREMY PAUL LITTLE, OF WASHINGTON
PETER ALBERT LOSSAU, OF FLORIDA
MY LU, OF CALIFORNIA
JACLYN LUO, OF TEXAS
JOSHUA HOWARD LUSTIG, OF MARYLAND
JENNIFER L. MAATTA, OF WASHINGTON
EWAN JOHN MACDOUGALL, OF NEW YORK
DANIEL P. MADAR, OF SOUTH CAROLINA
MATTHEW A. MALONE, OF MARYLAND
CRISTOPH ALEXIS MARK, OF CALIFORNIA
DAN MARK, OF WASHINGTON
DOREEN VAILLANCOURT MARONEY, OF MARYLAND
THOMAS PATRICK MAROTTA, OF FLORIDA
TRACY MARTIN, OF NEW YORK
MARY RODEGHIER MARTIN, OF FLORIDA
CATHERINE LIND MATHES, OF KANSAS
BRIAN AARON MATTYS, OF NEW YORK
PAUL A. MCDERMOTT, OF TEXAS
KRISTINE R. MCELWEE, OF OREGON
TODD MICHAEL MCGEE, OF FLORIDA
KARL W. MCNAMARA, OF SOUTH DAKOTA
DAVID MCWILLIAMS, OF TEXAS
LAUREN ALEXANDRIA MEEHLING, OF ARIZONA
REAZ MEHDI, OF VIRGINIA
KRISTIN ASHLEY MENCER, OF TENNESSEE
RACHEL ATWOOD MENDIOLA, OF NORTH DAKOTA
SAUL MERCADO, OF NEW YORK
SHANNON M. MERLO, OF VIRGINIA
LITAH NICOLE MILLER, OF MISSOURI
RYAN S. MILLER, OF OHIO
SETH ADAM MILLER, OF THE DISTRICT OF COLUMBIA
CHAD GREGORY MINER, OF LOUISIANA
KYLE JOHN MISSBACH, OF TEXAS
MICHAEL JOHN MITCHELL, OF MINNESOTA
HOMEYRA NAVEEN MOKHTARZADA, OF THE DISTRICT OF COLUMBIA
CHARLES L. MONTGOMERY, OF CALIFORNIA
EVAN MORRISEY, OF WASHINGTON
SCOTT E. MURPHY, OF VIRGINIA
NINA MURRAY, OF NEBRASKA
ALI J. NADIR, OF NEW YORK
KERRIE ANN NANNI, OF TEXAS
JOSEPH JOHN NARUS, OF OREGON
CRISTINA MARIE NARVAEZ, OF FLORIDA
MEGAN JOHNSON NAYLOR, OF TEXAS
WILLIAM E. O'BRYAN, OF NEBRASKA
RACHEL MARIE O'HARA, OF MARYLAND
RACHEL OREOLUWA OKUNUBI, OF THE DISTRICT OF COLUMBIA
AMBER M. OLIVA, OF ALASKA
MARK GEORGE OSWALD, OF OREGON
DIANNA PALEQUIN, OF MICHIGAN
DAVID TODD PANETTI, OF MINNESOTA
JASON LEE PARK, OF NEW JERSEY
TYLER J. PARTRIDGE, OF ARIZONA
LEONARD K. PAYNE IV, OF FLORIDA
CASSANDRA J. PAYTON, OF FLORIDA
MEGAN MCCRORY PEILER, OF VIRGINIA
MIGAEL S. PENIX, OF NORTH CAROLINA
AMY PETERSEN, OF TEXAS
NATALIE L. PETERSON, OF OHIO
SHANNON ELISABETH PETRY, OF TEXAS
ROBERT MATTHEW PICKETT, OF OREGON
BRANDON NOBLE PIERCE, OF FLORIDA
MATTHEW COLE PIERSON, OF VIRGINIA
LISA N. PODOLNY, OF FLORIDA
KEVIN C. PRICE, OF VIRGINIA
LAURA QUINN, OF NEW YORK
HEDAYAT KHALIL RAFIQZAD, OF VIRGINIA
CHRISTOPHER RAINS, OF CALIFORNIA
BAHRAM M. RAJAEE, OF DELAWARE
AMANJIT RAMESH, OF VIRGINIA
SHANKAR RAO, OF CALIFORNIA
KEDENARD MADEILLE RAYMOND, OF MARYLAND
JUSTIN REID, OF CALIFORNIA
JAMES PATRICK REIDY, OF TEXAS

REBECCA RESNIK, OF MARYLAND
SALINA RICO, OF CALIFORNIA
ARMANDO DIEGO RIVERA, OF ARIZONA
JOHN TIMOTHY ROBBINS, OF TEXAS
KAHINA MILDRANA ROBINSON, OF CALIFORNIA
SEAN WILLIAM ROBINSON, OF FLORIDA
THAD W. ROSS, OF IDAHO
SAMUEL J. ROTENBERG, OF NEW YORK
JOHN RUNKLE, OF WASHINGTON
EMILY ANNE RUPPEL, OF MINNESOTA
RAOUL A. RUSSELL, OF TENNESSEE
JOHN JACOB RUTHERFORD IV, OF CALIFORNIA
WILLIAM C. SANDS, OF TEXAS
SCOTT R. SANFORD, OF WYOMING
JOHN DAVID SARRAF, OF PENNSYLVANIA
BRIAN J. SAWICH, OF NEW HAMPSHIRE
GEORGE A. SCHAAL, OF ARIZONA
JOANNA M. SCHENKE, OF TEXAS
CHRISTOPHER SCHIRM, OF ARIZONA
MIRIAM S. SCHIVE, OF MARYLAND
STEPHANIE LAURA SCHMID, OF THE DISTRICT OF COLUMBIA
CURTIS L. SCHMUCKER, OF FLORIDA
GARY SCHUMANN, OF FLORIDA
MATTHEW WILLIAM SCRANTON, OF DELAWARE
MONICA M. SENDOR, OF NORTH CAROLINA
SHEILA TAYLOR SHAMBER, OF FLORIDA
JAMES JONAS SHEA, OF MARYLAND
ALEXANDRA G. SHEMA, OF VIRGINIA
MARY ANN SHEPHERD, OF COLORADO
TIMOTHY SHRIVER, OF IOWA
SHANE A. SIEGEL, OF NEW YORK
JEFFREY HANCOCK SILLIN, OF THE DISTRICT OF COLUMBIA
JOAN LOUISE SIMON BARTHOLOMAUS, OF WASHINGTON
LEE JAMES SKLUZAK, OF VIRGINIA
BENJAMIN J. SMITH, OF ARIZONA
CHRISTOPHER FREDERIC SMITH, OF TEXAS
MARISSA L. SMITH, OF ARIZONA
RACHEL ELIZABETH SMITH, OF CALIFORNIA
SEAN ROBERT SMITH, OF PENNSYLVANIA
LACHLYN M. SOPER, OF TEXAS
JULIANA AURELIA SPAVEN, OF THE DISTRICT OF COLUMBIA
SILVIA FREYRE SPRING, OF MARYLAND
PAUL A. ST. PIERRE II, OF TENNESSEE
GREGORY S. STAFF, OF VIRGINIA
EVAN ROBERT STANLEY, OF FLORIDA
ANDREW STAPLES, OF WASHINGTON
JUSTIN JAMES STECKLEY, OF FLORIDA
ADAM T. STEVENS, OF CONNECTICUT
JACOB DARYL STEVENS, OF WASHINGTON
KARYN M. STOVALL, OF ILLINOIS
LUCIJA BAJZER STRALEY, OF MINNESOTA
ELISABETH CORBIN STRATTON, OF THE DISTRICT OF COLUMBIA
TRACY M. STRAUCH, OF VIRGINIA
MARY M. STREETZEL, OF FLORIDA
AKASH R. SURI, OF CALIFORNIA
BENJAMIN ANDRI SWANSON, OF SOUTH DAKOTA
SARAH HOWE SWATZBURG, OF NEVADA
SANDY A. SWITZER, OF CALIFORNIA
CODY W. SWYER, OF CALIFORNIA
TINA K. TAKAGI, OF CALIFORNIA
KAREN TANG, OF VIRGINIA
SHAWN TENBRINK, OF OHIO
JOHN THOMPSON, OF TEXAS
SEAN ANDREW THOMPSON, OF WASHINGTON
BRIAN ANDREW TIMM–BROCK, OF MARYLAND
TAYLOR C. TINNEY, OF FLORIDA
LESLIE M. TOKIWA, OF CALIFORNIA
GREGORY VINSON TOLLE, OF VIRGINIA
J. BARRETT TRAVIS, OF TEXAS
AARON CHAUNCEY TRUAX, OF NEW HAMPSHIRE
KARL EVAN TRUNK, OF WASHINGTON
CAITLIN JANE TUMULTY, OF MASSACHUSETTS
OLGA TUNGA, OF TEXAS
WILLIAM DAVID TUNGETT FROST, OF KENTUCKY
NICHOLAS TYNER, OF MASSACHUSETTS
DAVID MARK URBIA, OF MINNESOTA
ANNE M. VASQUEZ, OF FLORIDA
KARINA A. VERAS, OF NEW YORK
CHARLES F. VETTER, OF TEXAS
NHU VU, OF CALIFORNIA
VANJA VUKOTA, OF FLORIDA
PERSIA WALKER, OF CALIFORNIA
CYNTHIA H. WANG, OF CALIFORNIA
RONALD P. WARD, OF FLORIDA
JEFFREY M. WARNER, OF NEVADA
EILEEN WEDEL, OF FLORIDA
REBECCA WEIDNER, OF VIRGINIA
NELSON H. WEN, OF TEXAS
KEITH E. WEST, OF FLORIDA
ELIZABETH ANNE WEWERKA, OF FLORIDA
EMILY BUTLER WHITE, OF CALIFORNIA
ASHLEY M. WHITE, OF OHIO
ZAINABU ZAWADI WILLIAMS, OF MARYLAND
ERIC MICHAEL WILSON, OF THE DISTRICT OF COLUMBIA
ANDREW G. WINKELMAN, OF NORTH CAROLINA
KEVIN JAMES WITTENBERGER, OF FLORIDA
COURTNEY J. WOODS, OF ARKANSAS
ANDREW J. WYLIE, OF FLORIDA
STALLION EASE YANG, OF CALIFORNIA
HYUN YOON, OF FLORIDA
DENISE ROSALIND ZAVRAS, OF THE DISTRICT OF COLUMBIA
LU ZHOU, OF CALIFORNIA
MICHELLE ZIA, OF VIRGINIA
MATTHEW H. ZIEMS, OF ILLINOIS
YETTA JOY ZIOLKOWSKI, OF THE DISTRICT OF COLUMBIA
RAFAELA ZUIDEMA–BLOMFIELD, OF PENNSYLVANIA

THE FOLLOWING–NAMED PERSON OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER OF THE CLASS STATED:

FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JULY 6, 2010:

DERRIN RAY SMITH, OF FLORIDA

THE FOLLOWING–NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

STUART MACKENZIE HATCHER, OF VIRGINIA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID D. HALVERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH R. DAHL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY VETERINARY CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3064 AND 3084:

To be brigadier general

COL. ERIK H. TORRING III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS S. VANDAL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. VALERIA GONZALEZ–KERR

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOHN J. MORRIS

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral (lower half)

CAPT. ANDREW S. MCKINLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

To be rear admiral (lower half)

CAPTAIN MATTHEW T. BELL
CAPTAIN MELISSA BERT
CAPTAIN DAVID M. DERMANELIAN
CAPTAIN ROBERT P. HAYES
CAPTAIN ANDREW J. TIONGSON
CAPTAIN ANTHONY J. VOGT