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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal God, who calls us to a life rooted in faith, immerse our lawmakers in the wisdom of Your Spirit. Guide them with Your insights, enabling them to be salt and light in the world, living with humility and integrity. As they strive to be a force for good, direct them around the pitfalls that prevent them from fulfilling Your purposes. Inspire them to rely on Your love as they seek to faithfully serve You and country.

Lord, nurture within us all a godly sincerity and a daily reliance upon Your strength, wisdom, and love.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MAJORITY LEADER

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

### GOVERNMENT FUNDING

Mr. MCCONNELL. Mr. President, last night, 77 Senators voted to advance legislation that would keep the government funded through the fall at the bipartisan level agreed to by both parties. The bill hardly represents my preferred method for funding the government, but it is now the most viable

way forward after Democrats' extreme action forced our country into this situation.

Let's remember how we got here. Democrats knew the American people were unlikely to buy their desire for more bureaucracy and more debt, but they figured they might in a crisis. So Democrats pursued a deliberate strategy of blocking government funding all year in order to force our Nation to the brink. Democrats said they would block government funding legislation they had even voted for in committee. Some of these bills came out of committee overwhelmingly on a bipartisan basis. Democrats said they would block government funding of legislation they had actually praised in their press releases when these bills emerged from the Appropriations Committee with large majorities. Democrats even voted repeatedly to block the bill that funds our military, to repeatedly block the bill that funds medical care and pay raises for our troops. That is how far Democrats are willing to go—at a time of daunting international threats—in order to tear down the normal government funding process and force our country into this situation that we now face.

Well, I am not prepared to let the Democrats lead us over the cliff. The bill before us would keep the government open; it would allow time for cooler heads to prevail. That is why I joined 76 other Senators and voted to advance it yesterday.

But, look, obviously the best way to fund the government is by first passing a budget and then passing appropriations bills. The Senate also passed a budget. The Senate is prepared to pass appropriations legislation too. All that is needed is for Democrats to drop these endless filibusters.

We know that nearly all these funding bills are bipartisan. We know that Democrats and have supported and praised them. And with the CR behind us, we can turn back to the work of

trying to pass these appropriations bills.

### MEASURE PLACED ON THE CALENDAR—S. 2089

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2089) to provide for investment in clean energy, to empower and protect consumers, to modernize energy infrastructure, to cut pollution and waste, to invest in research and development, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### ORDER OF BUSINESS

Mr. REID. Mr. President, would the Chair announce the business of the day.

### RESERVATION OF LEADER TIME

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

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



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TSA OFFICE OF INSPECTION  
ACCOUNTABILITY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 719, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 719, an act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell (for Cochran) amendment No. 2689, making continuing appropriations for the fiscal year ending September 30, 2016.

McConnell amendment No. 2690 (to amendment No. 2689), to change the enactment date.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PAUL. 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. PAUL. Mr. President, I am reminded of that famous line from "Cool Hand Luke": "What we have here is a failure to communicate."

What we have here in Congress is a failure to legislate, a failure to exert congressional authority. What we have here is a failure to use our leverage. What we have here is a failure to use the power of the purse.

Conservatives across America are unhappy, and rightly so. We were told that when we took over Congress, when Republicans were elected to Congress, that things would be different: that if voters put us in charge, we would right the ship, we would stop the deficits. And here we are with another continuing resolution.

What is a continuing resolution? It is a continuation of the deficit spending of the past. It is a continuation of the waste. It is a continuation of the duplication. What is a continuing resolution? It is a steaming pile of the same old, same old.

Let me be clear: A continuing resolution is not a good thing. It is more of the status quo. It is a warmed-over version of yesterday's failures. It is an abdication of congressional authority. It is an abdication of congressional power.

Let's at least be honest. With a continuing resolution, no waste will be cut, no spending will be cut, no regulations will be stopped, and the debt will continue to mount.

We are told that we cannot win, that we need 60 votes to defund anything, but perhaps there is an alternate future where courage steps up and saves the day.

All spending is set to expire automatically. This is the perfect time to turn the tables, to tell the other side that they will need 60 votes to affirmatively spend any money. See, it doesn't have to be 60 votes to stop things. All spending will expire, and only those programs for which we can get 60 votes should go forward.

What would that mean? That would mean an elimination of waste, an elimination of duplication, an elimination of bad things that we spend money on.

If we had the courage, we could use the Senate's supermajority rules to stop wasteful spending. If we had the courage, we could force the other side to come up with 60 votes to fund things like Planned Parenthood. The budget is loaded with nonsense and waste.

Some will say our job is to govern, to preside. But to preside over what? To preside over a mountain of new debt? To be the same as the other side—to continue to add debt after debt? Our debt will consume us if we continue to preside over the status quo. It is as if we are on the Titanic and just simply reshuffling the chairs. A continuing resolution continues the wasteful spending of money.

I can go on and on about what we are wasting money on. I will tell of a few.

We spent \$300,000 last year studying whether Japanese quail are more sexually promiscuous on cocaine. I think we could poll the audience and save money. These things should never have had money spent on them, but if we do a continuing resolution, it will continue.

We spent several hundred thousand dollars studying whether we can relieve stress in Vietnamese villagers by having them watch American television reruns. I don't know about you, but I don't want one penny of taxpayer dollars going to this ridiculous stuff. If we continue, if we pass a continuing resolution, no reform will occur.

We spent \$800,000 in the last couple of years developing a televised cricket league for Afghanistan—\$800,000. Do you know how many people have a television in Afghanistan? One in 10,000 people. And I don't care if they all have TVs, it is ridiculous that our money, which we don't even have—we have to borrow it from China to send it to Afghanistan. If we pass a continuing resolution, we are agreeing to continue this nonsense.

We spent \$150,000 last year on yoga classes for Federal employees. So not only do we pay them nearly 1.5 times as much as private-sector employees, we give them yoga classes. If we pass a continuing resolution, this goes on and on. Nothing will change. The status quo will continue, and we will continue to spend ourselves into oblivion.

We spent \$250,000 last year inviting 24 kids from Pakistan to go to space camp in Alabama. We borrow money from China to send it to Pakistan.

It is crazy, it is ridiculous, and it should stop. We have the power to stop

it. Congress has the power to spend money or not spend money, and yet we roll over and we say: It must continue; we don't have the votes to stop it. Nonsense. The other side doesn't have the votes to continue the spending if we would stand up and challenge them.

We spent \$500,000 last year or the year before developing a menu for when we colonize Mars. We sent a bunch of college students to Hawaii to study this. We paid \$5,000 apiece. They got 2 weeks all expenses paid in Hawaii. And do you know what a bunch of college kids came up with? Pizza. This is where your money is going.

I could go on, hundreds and hundreds of programs. If we do not exert the power of the purse, this continues.

We should attach to all 12 individual spending bills—not glommed together—we should attach hundreds of instructions, thousands of instructions. Now, some of the media have said: Well, those would be riders on appropriations bills. Exactly. That is the power of the purse. If you object to the President writing regulations without our authority, Congress should defund the regulations. Congress should instruct him on ObamaCare, on what we object to. Congress should instruct him that we don't want money spent on Planned Parenthood. Hundreds and hundreds of instructions should be written into every bill and passed and sent to him.

Would we win all of these battles? Do we have the power to win every battle and defund everything we want? No. But do you know what we start out with? Our negotiating position right now is, we start out with defunding nothing. Why don't we start out with a negotiating position that we defund everything that is objectionable? All the wasteful spending, all the duplicative spending, let's defund it all. If there has to be a negotiation, let's start from defunding it all and see where we get, but it would take courage because we would have to let spending expire. If we are not willing to let the spending expire and start anew, we have no leverage. The power of the purse is there only if you have courage. We must have the courage of convictions to say enough is enough, that the debt is a greater threat to us than letting spending expire.

Now, several will report on this speech and say: Oh, he wants to shut down government. No, I don't. I just want to exert the power of the purse, and that means spending must expire. I am all for renewing the spending, but let's renew only the spending that makes sense. We have the power of the purse if we choose to exert it. Look at the mountain of debt. Look at the debt that continues to be added up. We have not been doing our job.

The way we are supposed to spend money in Congress is 12 individual appropriations bills. They have passed out of committee. Why aren't they presented on the floor? The Democrats have filibustered the only one presented. Let's present every one of

them, and let the public know—let everyone in America know—that it is Democrats filibustering the spending bills. It is Democrats who desire to shut down government. It is Democrats who desire not to have any restrictions on where the money is spent. It is Democrats who are saying: We don't want to end wasteful spending. We don't want to end any spending. We don't want any controls over spending. We want to continue the status quo. But we should not be complicit with them.

We have allowed this to go on for too long. It threatens the very heart of the Republic. It threatens our very foundation to continue to borrow \$1 million a minute. It is time that we stood up. It is time that we took a stand and said enough is enough.

When is the last time we did it in the appropriate fashion? When is the last time Congress passed each of the individual appropriations bills with instructions on how to spend the money? It was 2005, a decade ago. It has been a decade. In the last decade we have added nearly \$10 trillion in new debt. It is time to take a stand.

I, for one, have had enough. I have had enough. I am not going to vote for a continuing resolution. A continuing resolution is simply a continuation of the mounting debt. I, for one, will not do it. A continuing resolution is retreat. It is announcing your defeat in advance.

What we should do is take a stand. We should say to the other side: In the Senate, it requires a supermajority. What does that mean? It means 60 votes to pass spending. What would happen? Spending that is controversial, like Planned Parenthood, would fall away. They can ask for private donations. Good luck on that. You wouldn't find things being funded that are controversial. What would happen is there would no longer be funding for wasteful and duplicative projects.

We listed these a couple years ago. I think we had \$7 billion worth of just duplication. Did we fix it? No. Every year the President—even this President—puts forward \$10, \$15, \$20 billion worth of programs that could be eliminated. Do they ever get eliminated? No, because Congress is dysfunctional and we continue to pass a continuing resolution, which means we do nothing to exert the power of the purse.

Congress is a shadow of what it once was. Madison said that we would have coequal branches and we would pit ambition against ambition. We no longer do that. Congress is a withering shadow. It is a shadow of what it once was. Congress has no power, exerts no power, and we walk and we live in the shadow of a Presidency that is growing larger and larger and larger.

The President is not afraid. He says he has his pen and his phone. So he is writing and creating law. One of our philosophers we look to is Montesquieu, and Montesquieu said when the Executive begins to legislate,

a form of tyranny will ensue. That is what we have now; we have Executive tyranny. It is not just this President, though. It has been going on for a while, probably for 100 years. We have been allowing more and more power to accumulate in the hands of the Presidency.

What we need is a bipartisan taking back of that power. We need Congress to stand up on its own two feet and say: Enough is enough. We are reclaiming the power of the purse, and we are going to do whatever is necessary to get rid of the wasteful spending, the duplicative spending, the offensive spending, and we are going to do what the American people want and that is to spend only what comes in.

But I will tell you, I, for one, will oppose this continuing resolution. I recommend that everybody in America call their Congressmen and say: We are tired of the mounting debt. We want you to stand up. We want you to stand up and say enough is enough. Let the funding expire, and make the other side come up with 60 votes to spend the money.

It is time we took a stand. I hope we will.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

REMEMBERING FRANCES OLDHAM KELSEY

Mr. BROWN. Mr. President, in August this country lost a hero, a woman most have not heard of, but her story is legendary. Frances Oldham Kelsey passed away in August at the age of 101. She was a woman of tremendous courage and conviction. She was a trailblazing scientist. She earned her Ph.D. and then her medical degree from the University of Chicago while raising daughters. She did things that women of her generation were usually not allowed to do or certainly rarely encouraged to do.

As she began her professional life, it was the early 1960s and a horrific scourge was afflicting Europe and other countries around the world. Thousands of babies were dying in the womb, thousands more were born with severe birth defects—including deformed arms and legs that, as history will tell us, resembled flippers—missing organs, missing limbs.

The United States was largely spared from these terrible effects because of Dr. Frances Oldham Kelsey. As a medical officer at the FDA, Dr. Kelsey was charged with investigating and approving the drug called Kevadon, better

known in history by its generic name, thalidomide. The pharmaceutical company Merrell was expecting a speedy approval. After all, the drug was used around the world as a sedative and as a treatment for morning sickness. The drug had made a windfall for its German manufacturer, and Merrell was hoping for the same in our country. But Dr. Kelsey, who at that time was a woman in very much a man's world at the FDA, a woman who was not all that experienced, was willing to show her courage and demand further investigation before she would approve this drug.

With few studies providing the safety of Kevadon—thalidomide—she rejected the application. Merrell protested, drug companies were outraged, and a number of other employees at the FDA disagreed. She asked for, though, and reviewed more data, and again she rejected the application. Again, Merrell protested. Again, other people were outraged by this woman's decision. Merrell's executives called her a petty and nitpicking bureaucrat.

It is always easy to pick on a bureaucrat—a nameless, faceless bureaucrat, or a named bureaucrat with a face. It is easy to pick on bureaucrats. People here do it all the time.

They called her office, and they peppered her with letters. They went over her head to her FDA bosses. Dr. Kelsey again—imagine a young woman without sort of the support that a more experienced, older, and, particularly in those days, male researcher might have had. She held her ground. She continued to reject the application. Meanwhile, the horrible toll was mounting in places around the world where thalidomide was sold.

In late 1961, the German manufacturer pulled the drug, and health departments around the world began to issue warnings. In March 1962, Merrell, the drug company, seeing the handwriting on the wall, finally withdrew its thalidomide application.

That might have been the end of the story, but staffers for Senator Estes Kefauver, a Democrat from Tennessee who had long been battling pharmaceutical companies to strengthen our country's drug oversight, gave the Washington Post a tip. The Senator's staff wanted the country to know about this woman, Dr. Kelsey, wanted people to know about the heroine who had spared our children from the terrible consequences of this drug. They wanted them to know that Big Pharma—Senator Kefauver wanted them to know that Big Pharma, the big drug companies, had fought her every step of the way, putting pressure on the FDA, going over her head, sending her letters, perhaps indirectly threatening her. Fortunately, she stood her ground against a very powerful combatant, for want of a better term.

In no small part because of Dr. Kelsey and her persistence, we have the Kefauver Harris Amendment of 1962, which strengthened drug approval

standards. We have a branch of the FDA dedicated to testing and investigating new drugs. Who became the head of it? Dr. Kelsey. Over a 45-year career, she helped to rewrite our drug and medical testing regulations, she strengthened patient protections, and she cracked down on medical conflicts of interest. Her rigorous standards were not only instrumental in improving drug safety in the United States, they also set the world standard for drug safety. The United States is known all over the world as having the gold standard to protect the public by rigorous testing and rigorous examination to protect the public against drugs that can do damage.

Everybody thought thalidomide was harmless except Dr. Kelsey. Because she had the authority at the FDA to do it right and then was able to expand that authority working with Congress, uncounted lives, innumerable lives—we don't know how many lives were saved and how many people have been protected against harmful drugs. She had a 45-year career. She made a huge difference. Her accomplishments are heroic. She has received many honors.

But we should remember that for all of Dr. Kelsey's recognition, there are thousands more Federal employees working with little appreciation and sometimes not very high pay. I am sure Dr. Kelsey could have been making more money practicing medicine, but look at the lives she saved and look at the difference she made. Expand that to so many government workers, so many people who do their jobs.

Members of Congress—well-paid, well-dressed, getting good taxpayer benefits—love to attack the bureaucracy, love to call bureaucrats names, love to nitpick agencies, when, in fact, so many of them are making a huge difference in keeping the air we breathe, the water we drink, the drugs we take, the consumer products we use—keeping them safe. That is something those Federal employees should be proud of. They protect Americans from pollution and predatory lenders and faulty products and infectious diseases and dangerous drugs.

We have made so much progress over the past century because of Americans like Frances Kelsey, but unfortunately too many people in this town seem to have amnesia and are trying to turn back the clock.

I sit on the banking committee. We had a hearing today. I sit in the banking committee at least once a week for a couple of hours. I listen to my Republican colleagues who seem to have forgotten that the economy sort of imploded—almost imploded in 2008 and 2009. They seem to want to go back to those days of deregulation, not holding Wall Street accountable—the same kinds of things—the deregulation, the weakening of the FDA, the weakening of the Consumer Product Safety Commission, the weakening of the Department of Agriculture standards, and all of the things that we do, where this

country works better because we have government—call them bureaucrats—we have government bureaucrats who are working to protect the public interest.

So we should honor Dr. Kelsey not with awards but with action to protect her legacy. Yet people right now in this Congress—I heard a long speech last night from the junior Senator from Texas, not ever to be confused with the senior Senator from Texas—I heard him again threaten government shut-downs. When government shuts down, food is less protected and water is likely going to be less clean, and all of the things that happen when government is not doing its job.

I hope my colleagues join me in honoring Dr. Kelsey's legacy and remembering the work that heroic public servants in our Federal workforce do for this country.

#### AFFORDABLE CARE ACT

Mr. President, I want to read a brief letter. I was at my 45th high school class reunion. Some of us in this body might have reached an age close to that; most of you have not. At my 45th reunion, I met a woman who was there visiting someone else. She was much younger. She handed me this letter.

She said: Senator BROWN, I want to thank you for a couple of things. Thanks for the Affordable Care Act.

She has a photography business.

She said: Thanks to the Affordable Care Act, I was able to pursue my dream and open my business. I am diabetic. I was unable to self-insure due to my preexisting condition. I was forced to work low-wage jobs just so I could get insurance. Now, because of the Affordable Care Act—ObamaCare—I can thrive as an entrepreneur. Thank you.

I hear those stories. I meet people. Now 600,000 Ohioans have health insurance who did not have it prior to the Affordable Care Act, and 100,000 additional Ohioans who are not much older than these pages sitting here, who are 19, 20, maybe 25, have insurance on their parents' health plan. One million—that is in Ohio alone—1 million seniors in Ohio have no copay, no deductible, and get free preventive care tests for osteoporosis, tests for diabetes, and physical exams.

More than 100,000 seniors have saved an average of \$700 on their prescription drugs because of the Affordable Care Act. A family like this—the parents of a child who has juvenile arthritis or diabetes or whatever a child might be afflicted with can get insurance in spite of the child's preexisting condition.

When I hear in the Republican debates they all saying “Repeal ObamaCare,” it would be nice if one sort of gutsy reporter would say, “Well, what about all those millions of seniors who now get free preventive care? What about those millions of people who have consumer protections so they cannot be denied coverage because they have a sick child? What about those people who got so sick that their medical care was very expensive and

the insurance company cancelled their care? They cannot do that anymore. What about those people?” I just wish we would hear that question one time.

We honor Dr. Kelsey today, and we think about when government does things right in partnership with the private sector to make this country a better place to live.

Mr. 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.

Mrs. GILLIBRAND. 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. GILLIBRAND. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### WORLD TRADE CENTER HEALTH PROGRAM AND VICTIM COMPENSATION FUND

Mrs. GILLIBRAND. Mr. President, we just passed the 14th anniversary of the September 11 attacks. Americans all across the country honored the memory of 2,977 lives lost. There were moments of silence. There were testimonials from friends and family of the victims. There were statements, speeches, and posts online by my colleagues in Congress vowing to “never forget.” But the victims of September 11 are not just the men and women who were killed on that horrible day; the terror attacks on that day in 2001 are still claiming American lives. This includes the heroes who ran into the towers to save whom they could, who worked on the piles so that Americans might rebuild, and who would not abandon their community in a time of terrifying confusion and intense grief. Many of them are now sick because of their work at Ground Zero, and many are dying.

In 2010, after years of delay, we finally established the James Zadroga 9/11 Health and Compensation programs to provide our first responders, the survivors, and their families with the health care and benefits they very desperately needed. Tomorrow, at midnight, the bill authorizing this funding will expire.

More than 33,000 first responders and survivors have an illness or injury caused by the attacks or their aftermath. More than 1,700 have passed away from 9/11-related illnesses. More police officers have died since 9/11 from 9/11-related diseases than died on 9/11 itself. Since the 14th anniversary of the attacks earlier this month, another six 9/11 first responders have died. Think about that. In just a few short weeks, 6 more of our 9/11 heroes have died: John P. McKee, Roy McLaughlin, Reginald Umphery, Kevin Kelly, Thomas Zayas, and Paul McCabe. They were married, and they had kids. Their average age was just a few years older than mine—53. They will all miss birthday parties

and graduations. They will miss evening dinners and holidays. They leave behind mortgages, car payments, and college-tuition payments. These 9/11 illnesses not only rob families of their loved ones, but they leave them to face expenses without, in many cases, the family's primary breadwinner.

Two weeks ago, hundreds of first responders from all over the country traveled to Washington to lobby Congress not to let their health care program expire. If Congress doesn't act now, how many more first responders and their families are going to suffer medically and financially because we didn't do our job and reauthorize this program?

Let me tell you about just one responder, Ken George from Long Island. Ken was 37 on September 11, 2001. He was working for the New York City Highway Department, and after the attacks he went to do search and rescue work. He was there for a couple of weeks. Almost right away, Ken developed a cough, then asthma, and then the asthma led to restricted airway disease. Doctors found crushed glass from Ground Zero in his lungs. He was forced to retire in 2006 because his medical ailments became too burdensome, and now, as he put it, he is "financially hurting like you wouldn't believe."

We are not talking about statistics. We are not talking about data points on a chart. We are talking about a 51-year-old man with a wife and three kids, with crushed glass in his lungs because he chose to do the right thing. He chose to answer the call of duty, and he chose to search for survivors after 9/11. On top of everything else he is dealing with, Ken now has to worry if he will get the health treatments he needs and if his family will have the basic financial support they need.

The health program officially expires tomorrow at midnight, but these illnesses—Ken's and thousands of others'—never expire, and neither should their health care.

We must reauthorize and make permanent the World Trade Center Health Program and Victim Compensation Fund. The participants in the health program live in every single State. They live in 429 of the 435 congressional districts. Every Senator in this Chamber has constituents who are sick and dying and are in this program.

A majority of this body has already signed on as cosponsors of this legislation, including many after our day of action a couple weeks ago. So let's finish this job. Let's give our 9/11 heroes the care and compensation they deserve and so desperately need. Let's truly never forget. The clock is ticking. Let's do our job.

I yield the floor.

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

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

# RECESS

PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12 noon, recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Utah.

### TRANS-PACIFIC PARTNERSHIP AGREEMENT

Mr. HATCH. Mr. President, I rise today to say a few words about the latest developments in international trade.

As most of my colleagues know, this week officials from the Obama administration are meeting in Atlanta with representatives from our negotiating partners in the proposed Trans-Pacific Partnership, or TPP. Many reports indicate that our trade negotiators are hoping to conclude talks and finalize a deal over the next few days.

Now, as the Presiding Officer is aware, I was an original author of the legislation that renewed trade promotion authority, or TPA, earlier this year. I fought extremely hard to renew TPA because I believe it is an absolutely essential tool to ensure we get the very best trade agreements possible. For years I have been one of the most outspoken proponents in Congress for full engagement in the various trade agreements that have been under negotiation, including the TPP.

A strong Trans-Pacific Partnership Agreement could greatly enhance our Nation's ability to compete in an increasingly global marketplace and result in a healthier economy and more high-paying jobs that come with increased U.S. trade. After all, when we are talking about the 12 countries currently taking part in these negotiations, we are talking about 40 percent of the global economy. As a group, TPP countries represent the largest market for our goods and services exports. Trade with these countries already supports an estimated 4 million U.S. jobs, and, with a good trade agreement in place, I believe it can do even better.

The Asia-Pacific region, where this agreement is focused, is one of the most economically vibrant and fastest growing areas in the world. According to the International Monetary Fund, the world economy will grow by more than \$20 trillion over the next 5 years, and nearly half of that growth will be in Asia. Unfortunately, our share of exports to the Asia-Pacific has been on the decline, as exports to the region lag behind overall U.S. export growth. One reason U.S. companies have lost so much market share in this very impor-

tant part of the world is that many countries in the region maintain steep barriers to U.S. exports while they have been negotiating to remove many of the same types of barriers for other countries, most notably for places such as China and the European Union.

On average, Southeast Asian countries impose tariffs that are five times higher than the average U.S. tariff. In addition, their duties on U.S. agricultural products often reach triple digits. There are also numerous other barriers, such as regulatory restrictions, that impede access for U.S. exporters in many of these countries. These obstacles, and increased global competition, have made it increasingly difficult for U.S. companies to remain competitive in Asia.

Put simply, a strong TPP Agreement is the best tool we could have to increase the growth of U.S. exports to the Asia-Pacific region.

There are also important strategic and security reasons to support a strong TPP Agreement. We have all seen in recent years how the economies of our Trans-Pacific Partnership negotiating partners have been shaped by China's expanding economic influence. I think we would all prefer that the United States remain the world leader in trade. If we want to maintain and expand our influence in the Asia-Pacific, it is essential that we more fully engage in that region. A strong TPP Agreement will facilitate that engagement and help ensure that trade patterns develop under a U.S. model, operating under U.S. rules and applying U.S. standards.

A strong TPP Agreement can help us create high-paying jobs through increased exports, as well as help secure our strategic and economic position in the Asia-Pacific region. But to do all of that, we need a strong agreement. That is why I have been pushing the Obama administration to negotiate wisely in order to reach a TPP Agreement that advances our Nation's interests and provides significant benefits for American workers and job creators.

Despite these obvious advantages to concluding a TPP Agreement, I think it is critically important that the administration take the time necessary to get the agreement right. A number of key issues are outstanding, and how they are resolved will go a long way to determining whether I can support the final agreement.

Our country has a long history of negotiating and reaching high-standard trade agreements. While they haven't all been perfect, our existing trade agreements have, in my view, advanced our interests in foreign markets and strengthened our own economy.

There are a number of reasons why, historically, our trade negotiators have fought long and hard to get gold-standard agreements. The most obvious reason is that anything less is unlikely to pass through Congress. If the administration is serious about not only getting an agreement but getting an

agreement passed, they need to make sure they get our country the best deal possible. If that means continuing negotiations beyond Atlanta, so be it. Getting a good agreement will be worth the wait.

Over the years, I have laid out very clearly what I think a good agreement looks like. These ideas are embodied in the recently enacted TPA law. If the administration and our negotiating partners do conclude an agreement this week, they can be sure that I will examine it very carefully to ensure it meets these standards. As I have stated many times before, if the agreement falls short, I will not support it. I don't think I will be alone on that.

I am as big a proponent of expanding U.S. trade as you will find in this Chamber, with the possible exception of the Presiding Officer, and, in concept, I very much support the idea of a Trans-Pacific Partnership. While I worked very hard for a number of years to get a TPA bill through Congress, I have made it abundantly clear that I will not support just any deal, whether it is this or any other future administration that wants to sign it. We need to get a good deal. Indeed, as I have said, we need to get the best deal possible.

No one—at least no one from our side of the negotiations—should be in a hurry to close talks if it means getting a less-than-optimal result for our country. Ultimately, I don't believe anyone in the administration wants to reach an agreement that will not pass in Congress.

I think our negotiators understand these concerns. My hope is that, as they move through the latest rounds of talks in Atlanta this week, they consider what it will take to get a deal through Congress. If we look at the bipartisan coalition that supported our TPA bill, we should get a pretty good sense of the balance it will take to get enough support here in the Senate and over in the House. Put simply, if TPP does not reflect that balance, it is hard to see how it will be successfully enacted into law.

As always, I am an optimist. I know we can get a good deal here, and, for my part, I am going to do all I can to help ensure that we do.

I don't think I am alone when I say I am going to be watching very closely to see what happens in Atlanta this week. All of us have an interest in the outcome of these negotiations. Hopefully, in the end, those of us who have supported TPA and its promise of better trade terms for U.S. workers and expanded market access for American goods and services will not be disappointed at the outcome.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Maine.

#### FEDERAL PERKINS LOAN PROGRAM

Ms. COLLINS. Mr. President, I rise to support reauthorizing the Perkins Loan Program, which will expire tomorrow, September 30, if the Senate does not act.

Yesterday, the House of Representatives passed legislation to extend this vital program for 1 year. I urge my Senate colleagues to support this bill and send it immediately to the President for his signature.

I want to recognize and thank my colleagues, Senator BALDWIN, Senator CASEY, and the Presiding Officer, Senator PORTMAN, for their leadership in highlighting the importance of this program. I am pleased to join with them in submitting a Senate resolution urging its extension.

Since 1958, the Perkins Loan Program has helped make college affordable for millions of students who have financial need. In the State of Maine, more than 5,000 students received a Perkins loan last year, providing \$9.2 million in aid. Last Friday, I had a conversation with the president of the University of Maine, who told me just how critical Perkins loans are to UMaine students.

Perkins loans are a critical part of a college's and a student's financial aid resources. These loans help to fill gaps beyond what is available through the Department of Education's Direct Loan Program and a family's ability to pay. A Perkins loan can meet that additional need so that students do not have to resort to borrowing through private or higher cost loans, and, most of all, so they can remain in school.

Perkins borrowers are predominantly from lower income families. For example, at the University of Maine last year, 64 percent of Perkins borrowers had a family income of \$40,000 or less.

The Perkins Loan Program is campus-based, which means that participating colleges and universities administer the loans. When students graduate, they make payments directly to their college or university, and those payments are used to make new loans to other students through a revolving fund. These revolving funds are a combination of a Federal contribution and an institutional match.

Now, I think it is important to understand that Congress has not had to appropriate funds for the Perkins Loan Program since 2004 because of this revolving fund concept, but institutions continue to be able to assist needy students through this self-sustaining program. That is why we simply cannot allow it to lapse.

As a Member of the Senate Health, Education, Labor and Pensions Committee, I know that our committee is committed to the reauthorization of the Higher Education Act. I strongly support that effort. In the meantime, however, we must ensure that there is not a lapse in the financial assistance provided to students under the Perkins Loan Program.

As I mentioned earlier, the House-passed bill extends the authority for the Perkins Loan Program for an additional year and does not authorize any additional Federal funds. Students who receive a Perkins loan during this academic year and remain in the same

academic program would be eligible to receive future Perkins loans.

We only have 1 day before the Perkins Loan Program expires. Students at our colleges and universities are looking at us—they are depending on us—to ensure that this vital and proven program does not expire. I urge my colleagues to pass the House-passed legislation so that the Perkins Loan Program can continue.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the chancellor of the University of Maine System in support of the reauthorization of the Perkins Loan Program.

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

MAINE'S PUBLIC UNIVERSITIES,  
UNIVERSITY OF MAINE SYSTEM,  
Bangor, ME, September 23, 2015.

Hon. SUSAN M. COLLINS,  
U.S. Senator, Bangor State Office,  
Bangor, ME.

DEAR SENATOR COLLINS: I'm writing to you on behalf of the University of Maine System in support of the Federal Perkins Loan Program. Perkins loans are an invaluable component of an institution's and student's financial aid resources. The flexibility, low fixed interest rate and generous cancellation benefits are both unique and critical to our needy student population, especially many middle and low-income students. The program is administered at the school level providing a highly efficient, self-sustaining program with accountability, transparency, and risk-sharing.

The Federal Perkins Loan Program is in danger of being discontinued. Without Congressional intervention, this program will be terminated and the Perkins funds recalled beginning October 1, 2015.

Throughout the 56-year history of the Perkins Loan Program, \$7.9 billion in federal contributions have been leveraged with institutional contributions into over \$36 billion in low-cost loans to more than 30 million needy students. The fact that this program provides critical support each year to more than a half-million students across the country, operating solely right now on the existing revolving fund dollars, is quite remarkable. A key factor of the program's success is the central role of the college that originates, services, and collects the loans, while providing loan counseling for the borrower. This is one of the most effective and efficient public-private partnerships in the federal government.

Perkins loans also offer more favorable forgiveness options for borrowers than any other federal loan program. Full or partial forgiveness is available to borrowers who work in designated, high-need, public-service areas. During a time when we are trying to reduce student loan indebtedness, the loan forgiveness aspect of this unique program provides financial relief to the student, and a well-educated workforce to fortify public service in rural and inner-city communities.

Students enrolled at one of the institutions in the University of Maine System have benefited for many years because of the efficiencies of the Perkins Loan Program. In fiscal year 2013-2014 the University of Maine System awarded almost \$5.1 million in Perkins Loans to 3,386 students who, without this program, would be forced to either borrow higher-cost loans or leave school altogether.

If this program is eliminated, students at one of the institutions in the University of



Maine System will lose a vital resource in support of their higher education goals. Public universities already struggle to provide sufficient financial aid to students, especially the lower and middle class who currently benefit from this program.

Eliminating the Perkins Loan Program will either force students to borrow through less desirable loan programs, or universities to make even more difficult cuts in an attempt to fund the gap from the loss of this program.

I sincerely hope that the students enrolled at all of the institutions in the University of Maine System, and all across the state, can count on your support of this vitally important and proven program. Also, I hope you can help facilitate a budget solution that does not impact funding in other critical areas relating to higher education and other federal loan programs.

If you have any questions please feel free to contact me. Thank you for your time and we appreciate your hard work and support.

Sincerely,

JAMES H. PAGE,

*Chancellor, University of Maine System.*

Ms. COLLINS. Again, I want to commend my colleagues, including the Presiding Officer, Senator PORTMAN, and my colleague from Wisconsin who has been a leader on this issue as well.

The PRESIDING OFFICER. The majority leader.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3614, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 3614) to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, that the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 3614) was ordered to a third reading, was read the third time, and passed.

Mr. McCONNELL. Mr. President, I yield the floor.

#### TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Wisconsin.

##### FEDERAL PERKINS LOAN PROGRAM

Ms. BALDWIN. Mr. President, much attention has appropriately been focused upon our next 36 hours in the

Congress. A lot of attention—again, appropriately—focused on whether there would be a government shutdown for failure to pass a continuing resolution. Now we believe that is, hopefully, going to be avoided.

In just under 36 hours, there are a number of other vital programs that will expire, lapse, or sunset if this Congress does not take appropriate action. I am here to join my colleagues, Senator COLLINS and, in a moment, Senator AYOTTE, to call attention to one of those critical programs, one of those vital programs, and that is the Federal Perkins Loan Program, the authorization of which will expire in less than 36 hours if we do not take collective action in this body.

I am here today to call on our colleagues across the aisle to join me in supporting the extension of the Federal Perkins Loan Program. Already we have seen encouraging bipartisan support for the program here in the Senate. The Presiding Officer, Senator COLLINS, Senator KIRK, Senator AYOTTE, and just today Senator THUNE have all joined me and more than 20 Democrats last week in submitting a resolution highlighting the importance of the Federal Perkins Loan Program and urging its extension.

Yesterday our colleagues in the House of Representatives unanimously passed a measure that would extend the program for 1 year. I am hoping this body will do exactly the same. While I look forward to a broader conversation about improving Federal support for students as we look to reauthorize the Higher Education Act, we simply cannot sit idly by and watch the Federal Perkins Loan Program expire as America's students are left with such uncertainty.

Since 1958, the Federal Perkins Loan Program has been successful in helping Americans access affordable higher education with low-interest loans for students who cannot borrow or afford more expensive private student loans. In my home State of Wisconsin, the program provides more than 20,000 low-income students with more than \$41 million in aid. The impact of this program isn't just isolated to the Badger State. In fact, the Federal Perkins Loan Program aids over one-half million students with financial need each year, across 1,500 institutions of higher education. The schools originate, service, and collect the fixed-interest-rate loans. What is more, institutions maintain loans available for future students through a revolving fund.

Since the program's creation, institutions have invested millions of dollars of their own funds into the program. In addition to making higher education accessible for low-income students, the program serves as an incentive for people who wish to go into public service as careers by offering targeted loan cancellations for specific professions in areas of high national needs, such as teaching, nursing, and law enforcement.

As a Member of the Senate Committee on Health, Education, Labor and Pensions and as a U.S. Senator representing a State with a rich history of investment in cherishing of higher education, it is a top priority for me to fight to ensure the Federal Perkins Loan Program continues for generations to come.

I am fighting for students like Benjamin Wooten. Benjamin is a 2004 UW-Madison graduate and a small business owner from Genoa, WI, whose family fell on hard times while he was attending school. Ben shared with me:

The fact that I did not have to pay interest while I was in school was a huge help to me. I was attending school full time, working and trying to live on a meager budget. . . . I am a grateful and successful small business owner. I paid my loan off in full about a year ago with pride and excitement. I know that when I repaid my loan it was returned to a revolving fund and will be lent back out to other students in need.

I am also fighting for students like Brittany McAdams. Brittany is a medical school student with a passion for pediatrics and helping the most vulnerable among us—something that doesn't always yield a significant paycheck, especially in comparison to some of her medical school peers. Brittany said:

I want to be able to treat patients from all socioeconomic levels, despite their ability to pay. In other words, I want to do important work for less money than most other physicians. . . . The Perkins Loan is so valuable because it does not collect interest while we are in school. To me, that says the government believes that what I am doing with my life is important. That our country needs more doctors willing to tackle primary care. That while we need to pay for our graduate degrees, that they are going to do their part to make it just a bit easier. The Perkins Loan makes me feel valued and respected and even more passionate about my work.

Finally, I am here today fighting for students like Nayeli Spahr. Nayeli was raised by a single immigrant mother who worked two full-time jobs. She attended 10 different schools in 3 different States before she finished high school. Without the Federal Perkins Loan Program, Nayeli said that her opportunity to get a college education would have been "an illusory dream."

Today, Nayeli is the first in her family to finish college and is now in her last year of medical school and is planning to work with those who are underserved in our urban communities. She finished by telling me:

The Perkins loan program helped me reach this point. And, its existence is essential to provide that opportunity for other young adults wanting to believe in themselves and to empower their communities to be better. Please save it.

You don't have to look very far to find the significant impact of the Federal Perkins Loan Program—the significant impact that it has on America's students. There are thousands of stories like the few that I just shared, representing thousands and thousands of students who are still benefiting from the opportunities provided to them by this hugely successful program. Let's show the American people

and the one-half million students impacted by this program that we can come together, that we can find a bipartisan and commonsense solution.

I urge my colleagues to immediately take up and pass the House bill so that we can avoid another crisis of our own creation and put America's students and our Nation's future first.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise today and join my colleagues, and I wish to thank Senator BALDWIN from Wisconsin for the speech that she gave and for her leadership—as well as yours, Mr. President—on the resolution to extend the Federal Perkins Loan Program. This is something we should take up and pass right now. There is strong bipartisan support to do so.

Yesterday the House of Representatives passed the Higher Education Extension Act of 2015, which would extend this important program for an additional year. But if the Senate does not act by tomorrow, this program, which helps the most financially needy students receive a college education, will expire. We can't let that happen.

I have heard from students, colleges in my State, universities, and financial aid administrators who have urged us to act and to make sure we continue this program, which allows students with exceptional financial needs to have access to low-interest loans they need so they can get higher education, live the American dream, and contribute to our society. Making sure they have that access is critical.

In New Hampshire, approximately 5,000 students received a Perkins loan during the last academic year. Across the country, as Senator BALDWIN mentioned, over one-half million students received a Perkins loan during the 2013–2014 academic year. That is one-half million students across this country that will be impacted—their access to higher education negatively impacted—if we do not take up the House-passed bill and immediately pass it in this body.

The cost of higher education in the United States continues to skyrocket. My home State of New Hampshire has the highest average student-loan debt in the country—either putting college out of reach for too many or requiring students to take on substantial amounts of debt in order to get a college education that is often hard to repay, especially with the first job they receive right out of college.

There are several things we must do to address the issue of rising college costs, including, in my view, requiring schools to have more skin in the game and providing more transparency for students and for parents. But as we stand here today, there is one thing right now we can do to help make college just a little bit more affordable, especially for low-income students and families, and that is by taking up and passing the House bill to extend the

Federal Perkins Loan Program for 1 more year. Allowing Perkins to expire would mean that hundreds of thousands of low-income students across the country could see a decrease of about \$2,000 on average in their student aid packages. For many, that could put college out of reach because they are counting on it. If we don't take this up now, we will be in a position of really leaving those students hanging, and we should not do that. We should not allow that to happen.

I again thank my colleague from Wisconsin and the Presiding Officer, who is from Ohio, for his leadership.

Again, this has such strong bipartisan support. I hope we get it done today. Let's do it now. Let's make sure we extend the Perkins Loan Program for another year, just as the House did, and ensure we can work together to make college more affordable for everyone so that everyone has the opportunity to live and achieve the American dream.

I thank the Presiding Officer.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the Perkins Loan Program as well. We heard a number of important presentations here about the critical nature of this program to students across the country who are trying to fulfill the American dream, and one way to do that is to have access to higher education.

I have often said in the context of early learning, whether we are talking about early learning programs or pre-kindergarten programs, if kids learn more now, they will earn more later. That linkage, that bond between earning and learning is, of course, at the core of what we are talking about when it comes to higher education as well.

The benefit of a higher education has become so essential not only to being able to learn and to grow but also to getting the best job you can to be able to move forward. One of the ways young people are able to do that is by having access to Perkins loans. They are fixed-rate, low-interest loans, and they are meant for students who, as we heard before on this floor, have exceptional financial needs. For example, in Pennsylvania, in the 2013 to 2014 school year, nearly 40,000 students in Pennsylvania, at more than 100 colleges and universities, were able to go to school because of these loans. Nationwide, more than 539,000 students were helped. For many students, these loans are the difference between staying in school and working toward a bright future or literally dropping out of school.

According to the Coalition of Higher Education Assistance Organizations, one-quarter of all loan recipients are from families with incomes of less than \$30,000 a year. We all have examples in our States.

I have one example from the northwestern part of Pennsylvania. Edinboro University is part of our State system

of higher education. I had a chance to speak at their graduation this year.

Nikki Ezzolo, a 2015 graduate of Edinboro University, said the following:

I am sending this to you to tell you that I just started my new job at Highmark.

Highmark is a major health care company in western Pennsylvania.

She goes on to say:

I am a single mom who wasn't your normal 20 year old at college. I was an adult student who had left school more than once when I thought I couldn't do it. The last time I came back I was dedicated to getting my degree but I didn't have enough financial aid to help me pay my bill. I had messed up along the way in school and used up my only chance of having a good life with my daughter.

I wanted to thank you for the perkins aid that I needed in order to graduate. I am proud to be a college grad and my daughter is proud of me too. I have always been a bartender and this week I started my career at Highmark. I am so grateful for getting the perkins money to help me. I know that I wouldn't be where I am right now without it and that is a really scary thought.

Whether it is Nikki from northwestern Pennsylvania or Kayla McBride, a recent graduate of Temple University—Temple University is all the way at the other corner of our State in southeastern Pennsylvania. Kayla also talked about the Perkins loan. Kayla said:

I wanted to extend my gratitude to Temple University and the Bursar's Office.

With the rising costs of tuition, attending college might seem impossible for some students. I come from a single-family home and my mom did everything in her power to see that I graduated. When my mom was laid off from her job, I thought graduating would no longer be possible. I received some scholarships, but it was still not enough to cover the entire cost of tuition as well as room and board.

Without the assistance of the Federal Perkins Loan finishing college would've been very difficult. I am now a college graduate and I am thankful for all of the financial assistance I received during my undergraduate years. College can be an expensive investment, but I am glad that I had the Perkins Loan to assist me.

Both cases exemplify and validate the importance of the Perkins Loan Program.

Since the 1960s, over 30 million students have been helped by Perkins loans, and we have to do everything we can to continue the program.

What we are trying to do now is very simple. We are trying to get some time in order to fully update and reauthorize Perkins loans so that all students have access to an affordable college education. I urge the majority to work with us on this bipartisan effort to allow the bill to pass so we can move forward and continue the Perkins Loan Program even as we focus on changes in the future.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, last night, with an overwhelming vote, the Senate ended debate that will conclude



the postcloture period, which will run until midnight tonight. Tomorrow morning the Senate will pass a continuing resolution appropriations bill that will keep the lights on and keep the Federal Government running.

I have told my constituents that the irony of this is that we only appropriate funds for about 30 percent of the government, and half of that 30 percent, roughly, is for defense spending; 70 percent, as the Presiding Officer knows well since he is an expert in this area, is on autopilot.

Since 2011, since the Budget Control Act, we have actually done a remarkably decent job of freezing the growth of discretionary spending. It is roughly at the 2007 appropriations level. But the problem is that without bipartisan cooperation, we are unable to touch the 70 percent of government spending that has been growing by leaps and bounds, and that simply can't continue.

This year, for the first time since I believe 2009, under the new majority, the 114th Congress actually passed a budget, and that was a notable achievement. I am almost a little sheepish about mentioning that as an achievement because most people across America would think that is not something to be particularly proud of and that that should happen routinely, so why give anybody a pat on the back for doing something they ought to have done in the first place? But our budgets have been missing under this administration, and literally the last budget that was passed was 2009.

One of the benefits of having a budget is there is a regular appropriations process. That may sound like getting in the weeds for most people, but this is the money we should be appropriating subject to spending caps to keep the government running. It is for items such as military construction and veterans' benefits, paying our men and women in uniform through the Defense appropriations bill. Those are essential items on which I know we would all agree.

The only reason we had to deal with the drama of this so-called continuing resolution is because notwithstanding the fact that we actually passed a budget and notwithstanding the fact that the various appropriations subcommittees had passed a budget and indeed the whole Appropriations Committee had voted them out and they were available for action on the floor, our friends across the aisle decided they were going to block those appropriations bills. Given the fact that under Senate rules it takes 60 votes to close off debate, our only alternative was to pass a continuing resolution, which I believe will fly out of here tomorrow morning with overwhelming support. It is a terrible way to do business, and it creates needless uncertainty for the people we ought to be caring a lot about—people such as our veterans and our military servicemembers.

Even though we had the opportunity to move the appropriations process under what we call regular order around here and not resort to this continuing resolution process, our Democratic colleagues decided instead to turn their misguided filibuster summer into an equally misguided filibuster fall.

Many of these bills, of course, came out with strong support. Here is an example of some of the oddity of this process: Some of the bills they blocked were the very same pieces of legislation they supported in the Appropriations Committee. For example, many of my colleagues from across the aisle praised elements of the Defense appropriations bill, only to then buckle under the Democratic leadership's pressure and twice block the bill from going forward.

In some cases, our Democratic colleagues were quick to send out press releases to their constituents back home celebrating their accomplishments under these very same bills and claiming a victory that would benefit their home State. That was true in particular of both of our colleagues representing the State of New Jersey. When the bill was overwhelmingly voted out of committee, our colleagues from New Jersey applauded funding for a bill for F-16 fighters based in their State. The junior Senator said: "The inclusion of this funding is a deserving victory for our U.S. Air National Guard." Similarly, the senior Senator said: "Securing this funding in the Department of Defense Appropriation bill is a win, win, win." But these same Senators filibustered that bill on the Senate floor. How do you explain that one back home? And they did that twice, along with virtually all of our Democratic colleagues.

Unfortunately, the other 11 appropriations bills haven't made it to the Senate floor because the majority leadership recognizes that it is probably a futile effort to do so—bills that many of our colleagues celebrated, only to then refuse to take action that would move them forward, at the behest of Democratic leadership.

We didn't have to resort to this drama, and believe me, our Democratic colleagues have been beating the drum, saying: There is going to be a shutdown. There is going to be a shutdown.

Well, they are the ones who created this crisis in the first place that necessitated the passage of a continuing resolution by filibustering the very same appropriations bills many of them voted for in committee and sent out press releases saying: Look at me. Look at what I have done for my constituents.

I don't know how to put a better word on it, but I think it reeks of hypocrisy at the very least.

But I also believe we have a responsibility—those of us who choose to operate in a responsible fashion—to try to govern the best we can even in the face of such arbitrary hypocrisy by some of

our opponents. They blocked the very same bills on the floor that they voted for in the Appropriations Committee, thus creating this "crisis." I put quotes around that. There was never really a crisis because we knew we were going to do our job and make sure we kept the lights on, paid the money to our veterans for the benefits they earned, and that our military—many of whom are in harm's way defending our freedoms and those of our allies—was going to be taken care of. But the idea that you would vote for bills in committee and then come to the floor and block them is hard to explain, and, in fact, I can't explain it other than using the word "hypocrisy."

Another element of this discussion has been whether we would use this continuing resolution to cut off money to Planned Parenthood. As we know, Planned Parenthood is the largest abortion provider in America. Well over 300,000 abortions are done at Planned Parenthood facilities each year.

I want to assure our Democratic colleagues, even though they have filibustered our efforts to defund Planned Parenthood and to make sure that not one penny of tax dollars goes to support the No. 1 abortion provider in America, this fight is not over, based on their filibustering of the defund Planned Parenthood legislation that we voted on or their refusal to even consider the pain-capable abortion ban.

We have said it before, but it bears repeating. I think most people would be shocked to find out that the United States is only one of seven nations in the world that allows late-term abortions after a baby in utero is a viable human being. We are right there alongside the great defenders of human rights such as China, North Korea, and Vietnam. While many States such as my State have imposed limitations at the State level, I think it is appropriate for us to recognize that medical technology has now allowed us to save preterm babies that we could not in the past. In fact, the distinguished Presiding Officer, I believe, has shown me a picture on his iPhone of a child that was born that weighed, I believe, somewhere around 1 pound at 20 weeks or so.

So we ought to be having this debate because I think what it reflects is who we are as a nation and whether we want to continue to subsidize the sort of horrific practices we have seen depicted in some of these videos, and most of them involve late-term abortions because that is where the money is. That is where Planned Parenthood harvests tissue from these late-term babies and then sells them. The only question is whether they do it with the appropriate legal informed consent and whether they do it for profit, as some of these videos would suggest, both of which, by the way, are banned by current law—selling it for profit and doing it without informed consent. Both of those are current provisions of the law. We are conducting investigations in

four different committees in the Congress to make sure Planned Parenthood is not in violation of current law, in addition to the steps we have begun to both make sure no tax dollars go to Planned Parenthood to subsidize their abortion practice—the largest abortion provider in the United States—and then to redirect that money to provide for women's health at community health centers and other places.

I was surprised this morning when I caught a glimpse of the hearing that is occurring over in the House of Representatives where Cecile Richards, the chief executive officer of Planned Parenthood, is testifying. Somebody asked her about her compensation. I was shocked that she said: Well, I get paid \$520,000 a year—\$520,000 a year. This money—the vast majority of the money that Planned Parenthood gets is Federal tax dollars, primarily through Medicaid. So, in effect, the taxpayers are subsidizing the chief executive officer of Planned Parenthood—the No. 1 abortion provider in the country—her salary of \$520,000 a year.

I remember after the financial crisis in 2008, a number of our colleagues would come to the floor and say: We need to do something about these excessive salaries of people working in the financial services industry; this is an outrage. But I will tell my colleagues, I haven't heard one peep out of our colleagues across the aisle about the \$520,000 that Cecile Richards is paid each year as CEO of Planned Parenthood, the No. 1 abortion provider in the country and an entity subsidized mainly or in large part, I should say, by U.S. tax dollars—about one-half billion dollars a year. Maybe that is a discussion we ought to have.

The last thing I want to say is I think it is important to stress, in the context of this debate, the value and the meaning of human life that the fight is not over with the votes we have had so far. It is important to stress how some of the advocates back home in Texas, for example—some of the strongest champions for the unborn in the country—have made clear how they hope their elected representatives will respond to these horrific videos and the current debate. Just yesterday, for example, the executive director of the Texas Alliance for Life, Dr. Joe Pojman, said he applauded the strong efforts of Republican leadership in Congress to move forward with the strategy of shifting funds from Planned Parenthood to better providers of women's health services—providers that are not part of the abortion industry. Indeed, that is exactly what the Texas legislature has done, and it is something we need to do. In his statement, Dr. Pojman went on to say that instead of a government shutdown, better options exist for achieving success.

This is similar to the statement made by Carol Tobias earlier, the leader of the National Right to Life organization. In other words, at this pivotal moment in time, Congress has an op-

portunity to make progress with legislation that would further the cause for life and defend those who cannot defend themselves and to put on record all 100 Members of the Senate. I know many people would prefer to look the other way because of the gruesomeness of this practice, particularly as it regards late-term fetuses—children who, if born, even though they are not full term at 40 weeks, could literally live outside of the womb. In fact, neonatologists, as I mentioned a moment ago, have demonstrated incredible capability of keeping these children alive even if they are born preterm.

We will, I hope, have a vote on—Senator BEN SASSE from Nebraska has introduced a bill that has actually passed the House of Representatives called “the born alive” bill. This bill simply would say, if a child is born alive as a result of a botched abortion, the health care provider must do everything in their power to save and preserve that life. I think it is important to get every Senator on record on that issue because this is a little bit different than the issue of defunding Planned Parenthood. I think we ought to do both. We ought to ban funding of tax dollars for Planned Parenthood, the No. 1 abortion provider in the country, but we ought to also focus on the desensitization of America and the world to some of these horrific practices, some of which we were shocked by when Kermit Gosnell, an abortion doctor in Pennsylvania, would literally deliver these babies alive and then kill them. I know people don't want to talk about it. They don't want to think about it. They would prefer to just look the other way, but we can't, in the name of our very humanity, look the other way. We have to deal with this and where better to have that debate and discussion and to put people on the record than right here in the U.S. Senate. That is what our plan is going forward.

With that, I yield the floor.

THE PRESIDING OFFICER (Mr. LANKFORD). The Senator from Washington.

#### FEDERAL PERKINS LOAN PROGRAM

Mrs. MURRAY. Mr. President, I think a lot of people here talk about what they think everyone should be focused on, but what I think we should be focused on is that this month students across the country are making their way back to college campuses. When more Americans pursue their degrees beyond high school, it is actually good for our country. It strengthens the middle class. It strengthens the workforce that needs to compete in the 21st century global economy. So here in Congress what I believe we should be working on are ways to help more students earn a degree and gain a foothold into the middle class.

Unfortunately, instead of keeping students' options open to help them succeed, we are facing another deadline and another artificial crisis. If we do

not act in the Senate, the Perkins Loan Program will expire after tomorrow. That means that more than 100,000 students will no longer be eligible for this assistance over the next year. That is going to leave a lot of students in this country in the lurch.

Without Perkins loans, students might have to take out private loans that have higher interest rates and fewer repayment options. So students would end up with a heavier burden of student debt or they might decide not to enroll in the first place. That is the exact opposite outcome we need for the future of this economy.

In my home State of Washington, more than 15,000 students received Perkins loans last year. That includes about 4,700 students from the University of Washington. I want to make sure the next class of students has the same opportunity so they can better afford college.

We in Congress need to supply students with more support to manage rising college costs, not less. I am hopeful that today we can extend the Perkins loan for 1 year while we work to reauthorize the Higher Education Act because there is no reason to block this bipartisan legislation that would give our students some certainty for next year.

The Perkins Loan Program gives students with financial needs three things that private loans do not. The loans are low cost. They do not accrue interest while a student is enrolled and for 9 months afterward. That can reduce student debt by hundreds or even thousands of dollars. The loans provide flexible repayment terms, and they also give those who are interested in the public sector generous forgiveness options.

The House Representatives has already acted to extend this program for 1 year. We should do the same before the clock runs out.

I am so glad this effort to extend the Perkins Loan Program has strong bipartisan support in the Senate. It would provide new students with some certainty for the current school year. Today, students face unprecedented challenges in financing their education. The cost of college has skyrocketed, and many students are struggling under the crushing burden of student debt. Preventing the Perkins Loan Program from expiring will not solve all of their problems. I hope we can continue this bipartisan work on ways to make college more affordable and rein in student debt.

Passing this bill to extend the Perkins Loan Program is a step we can take so students don't have the rug pulled out from under them. There is no reason students should have to face this uncertainty and there is no reason we shouldn't be able to pass this by unanimous consent.

I know firsthand how important education is for families and for our Nation's middle class. When I was 15, my dad was diagnosed with multiple sclerosis and, in a few short years, he

couldn't work any longer. Without warning, my family had fallen on hard times, but instead of falling through the cracks, my brothers and sisters and I got a good public education at our schools and we had a country at our back that helped make sure we were able to go to college with student loans and what is now known as the Pell program. My mom got the skills she needed to find a better paying job at Lake Washington Vocational School. So even though we faced some hard times, we never lost hope that with a good education we would be able to find our footing and earn our way to a stable middle-class life.

Students at colleges and universities across the country today are looking now to us to make sure they have a solid pathway into the middle class. So I urge my colleagues to support extending this program to make sure students have the financial aid tools they need so they can build their skills, grow our economy, and help lead the world in the 21st century.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I join my fellow colleague from Washington State, talking about the Perkins Loan Program. The House has already acted on this. They extended it for 1 year. All we are asking is that our colleagues on both sides of the aisle allow us to have the opportunity to do that here, probably by unanimous consent.

It shouldn't be terribly controversial. After all, this is a program that is working. I am following a number of my colleagues today in talking about this. We just heard from Senator MURRAY. We also heard from Senators COLLINS, BALDWIN, AYOTTE, and CASEY. This is a bipartisan effort. It is an attempt on our part to ensure that students are not going to fall between the cracks. They are getting started this fall in colleges and universities, and they are wondering whether this program is going to be here or whether we are going to allow it to expire. We ought to be sure these young people know that, yes, the program is going to be here and, yes, they are going to have the opportunity to get ahead by using this relatively low-cost student loan option that is focused on kids with the most need to be able to get an education.

Since 1958 this program has been strong. It has been one that works. By the way, there is no appropriation involved. There is no spending involved here. It is a matter of allowing the program to continue. The program has what is called a revolving fund, where whenever somebody gets a loan and pays that money back, the money goes back to another student. This is an opportunity for us to continue a program that is working.

If we don't pass it, we are going to have a situation where new loans will not be awarded. College tuition is al-

ready too tough. I hear it all the time from families back home and from students back home. One of the biggest concerns they have—we had a tele-townhall meeting last night, and one of the biggest concerns that people have, of course, is the cost of education. This is a way to ensure that young people can pursue their dreams, despite the fact that college tuitions are too high in many cases. This is a tool that is incredibly important.

It is also a matching program that hasn't been talked about much on the floor today. The fact is that the program is administered by the schools, and the schools actually match so that they are providing some of the funding for this. That is another reason why I like this program.

There are 67 colleges and universities in the Buckeye State, my State of Ohio, that participate and take advantage of this. I have gotten interesting correspondence from some of the schools and students. Last year there were 25,000 or so Ohio students who received Perkins loans. I heard from Kent State. They have 3,000 students involved in Perkins. I have heard from Ohio State, which has 1,700 students there. I have also heard from other schools. I have heard from the University of Toledo, Oberlin, and Ohio Wesleyan.

Mr. President, I ask unanimous consent to have printed in the RECORD some of the correspondence because it describes the needs of the program so well.

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

KENT STATE,

Kent, Ohio, September 3, 2015.

Hon. LAMAR ALEXANDER,  
*Chairman, Committee on Health, Education,  
Labor & Pensions*

Hon. PATTY MURRAY,  
*Ranking Member, Committee on Health, Education, Labor & Pensions*

DEAR CHAIRMAN ALEXANDER AND RANKING MEMBER MURRAY: On behalf of Kent State University, I write to you today in support of reauthorizing the Federal Perkins Loan Program before it is due to expire on September 30.

Since its inception over 55 years ago, the Perkins Loan Program has played an important role in providing need-based financial aid for our students by distributing low-interest, subsidized loans to those with demonstrated financial need.

Kent State University students receive the largest volume of Perkins Loans in the entire State of Ohio. Total disbursements for the 2015-16 academic year alone are estimated to reach over \$9M.

While there have not been federal capital contributions to the Perkins Loan Program in recent years, universities have continued to use existing resources to fund new loans for needy students. Absent Congressional action before the end of this month, these loans will cease to be disbursed and hundreds of thousands of students across the nation will lose a vital source of aid.

In a higher education environment that focuses on access and affordability, the expiration of the Perkins Loan Program would have a devastating effect. I therefore urge that you delay the expiration of the Perkins

Loan Program until Congress has the opportunity to enact a comprehensive reauthorization of the Higher Education Act.

Sincerely,

BEVERLY WARREN,  
*President.*

OBERLIN COLLEGE & CONSERVATORY,  
OFFICE OF THE PRESIDENT,  
Oberlin, Ohio, September 18, 2015.

Hon. ROB PORTMAN,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR PORTMAN: I am writing to you as President of Oberlin College asking that you intervene to extend the Perkins Loan Program, which is set to expire on September 30, 2015. As you may be aware, the Perkins Program provides federal funds to institutions of higher education in order to offer low-interest loans of up to \$5,500 per year to students. More than 500,000 students received Perkins Loans in the 2013-2014 academic year, totaling more than \$1 billion in disbursed student aid. However, not all the funding for this program comes from the federal government, as up to one-third of the funds appropriated by the federal government are matched by participating institutions. Ultimately, Perkins Loans are an important piece of the campus-based federal aid model, offering flexibility and discretion to financial aid officers to help students afford their higher education.

At Oberlin College we have committed to meeting 100% of every student's demonstrated financial need. While we do this predominantly with grant dollars, the Perkins Loan Program is a vital component in making an Oberlin education affordable for both our low and middle-income families. Last year alone more than 320 Oberlin students received funding of over \$1 million from the Perkins Program. Many students tell us, particularly lower income students, that without the help of the Perkins Loan it is likely they could not have attended Oberlin.

Senator Portman, I urge you to support the reauthorization of the Perkins Loan Program. As history has shown us, the Perkins Program was one, if not the first, form of federal student aid that has helped millions of students afford higher education. At Oberlin, while we have a tremendous institutional commitment to making college affordable through our needbased grant program, we also know our students rely heavily on Perkins Loans as a means to attain their educational aspirations.

Sincerely,

MARVIN KRISLOV,  
*President.*

MICHAEL BODNAR: My wife and I are very concerned about Congress not extending the Perkins Loan Program. With two children in College and one on the way, we would not be able to send them to the type of school needed to excel in this world today.

Every time we vote the political platform of higher education is expressed as so important. Now we and our children are faced with the possibility of losing vital money needed to stay in college.

We urge you to move forward and make sure that this program is extended. Most of our friends that have children in college rely on this program to help them pay their tuition.

MARY BODNAR: My husband and I are very concerned that The Federal Perkins Loan is on the verge of being discontinued.

By not acting on this very important issue which comes due on October 1st you are putting many families and College students at risk of not being able to afford their higher education. We have two children in college

and one on the way and this program is vital to us as a family. Every year it's time to vote a representative into office whether it's the House of Representatives or the Senate we hear how important it is to educate our children.

Please make sure that this important Federal Loan Program continues. All of our friends that have children in college depend on The Federal Perkins Loan Program to get their kids through college.

Mr. PORTMAN. It is not just about Ohio. It is about the entire country. There are 1,700 postsecondary institutions that take advantage of the program. Allowing it to expire is going to affect all those institutions and all those many thousands of students.

Tuition is far too high. We should be making it easier—not harder—for students to be able to pay for college. I have heard concerns from some of my colleagues that we shouldn't extend this and not allow a unanimous consent agreement to occur here because they would like to improve the program to make it better and even more targeted, updated, and modernized, and make sure the funds are allocated properly. I don't disagree with that at all. I agree that this program, like every other program in the Federal Government, could be improved. That should be part of our work. We should be improving these programs so they are more cost effective and efficient and getting to the folks who really need the program the most.

While I agree we need to look at it and make changes, I don't think we should take this step of allowing it to expire. Why? Because, in effect, what we are doing there is we are saying that it is going to be at the expense of the students who need the aid. It should be on us. We should be doing our work. So I hope that we will go ahead and allow this extension to occur, and then let's work on those solutions. I think that it may be easier to have these reforms take place if we are not working under the gun—in other words, allowing this program to expire. Letting something lapse and trying to figure out how to bring it back is not the way the American people and the people of Ohio whom I represent expect Congress to work. I think we can get this done, and I think we can do this with the extension.

The Department of Education already indicated to us that they may start to recall funding in October from colleges and universities if this program is not extended. By the way, not extending Perkins won't help with the Nation's budget problems, because, again, it is a revolving fund. The way it works is one loan is paid back and another loan is extended.

This is the right thing to do. As we ensure that government continues to operate, let's ensure the Perkins Loan Program does as well.

I want to thank my colleagues on the other side of the aisle for their discussion today on this issue. I want to urge leadership on both sides of the aisle to focus on this issue. Let's be sure and do

what the Senate should do along with the House. The House acted already with a 1-year extension. Let's simply do what the House has already done. Let's ensure we are providing loans to students who need them while we continue our efforts to reform this program and make it even stronger going forward.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Jersey.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

Mr. MENENDEZ. Mr. President, I rise today to hopefully prick the conscience of the Senate to ask the Senate to honor the memory of James Zadroga and all of those first responders who on September 11 responded to a national tragedy.

I come to the floor to achieve a goal that I and others did in 2010, which was then to pass the James Zadroga 9/11 Health and Compensation Act, and today it is to speak to reauthorize it before it expires.

Now, Jim Zadroga was a New Jerseyman, but he was also a hero who after September 11, 2001, ran towards the World Trade Center—not away—to help us recover. But while working on the site, breathing in the smoke, dust, and debris, unknown to him, he was developing an illness from which he would never recover.

Jim was the first emergency responder to die directly because of health effects from working at Ground Zero. For years we had pieces of legislation in Congress to right the wrong created when hundreds of emergency workers were left out of the World Trade Center emergency worker settlements. It took us 9 years to pass the original bill. Let's not let it expire tomorrow.

Let's send a clear message to our first responders, those who responded on that fateful day and those who may be called upon to respond on some future fateful day, that we will never forget what they did for their fellow citizens, for this Nation, on the day that changed the world—for Jim Zadroga, who passed away, and for every other first responder sick because of their response to duty, some of whom have died and left loved ones behind.

If you told any American 14 years ago that we would let expire our commitment to provide for those who helped in the 9/11 recovery effort, that their government would be slow to respond to their illnesses, their suffering, and their sacrifices, no American would believe it. But that is what we are on the verge of doing. That is exactly what we are on the verge of doing.

We just had the September 11 commemoration. We all faithfully and responsibly went to remember the lives of those fellow Americans who were lost. We all paid tribute to them and to those who sacrificed in response. Yet here we are, just a few weeks after, on

the verge of allowing to expire the very law that helps those who did their duty—some who did beyond their duty, because they were first responders not even from New York City but who came from across the country to help in the aftermath. No American would believe that we are about to let this expire. That is where we are, and it must change. This law is set to expire at midnight tomorrow.

Now, there is still enough funding to pay out claims for months to follow, but the reauthorization bill that I and other colleagues have cosponsored is needed now for a number of reasons. First and foremost, to provide the security, the peace of mind, and reassurances to those first responders that these critical programs will last longer than just what the next couple of months' funding would provide. It also permanently lifts the statute of limitations on the Victims Compensation Fund to provide for those first responders who need access beyond next year because we don't know what latent illness may befall them as a result of their sacrifice at Ground Zero.

Very importantly, it exempts the key programs from the budget sequestration cuts that would hollow out the critical safety net that this program provides for those September 11 first responders. The sequestration, which I voted against, imposes arbitrary and capricious cuts to funding that will continue to provide care and support for those 9/11 heroes, who sacrificed everything to help those in need on that tragic day.

The fact is, Congress must act, and this time, let's not wait for a public outcry before we ensure that these heroes receive the care and support they deserve. Last week I stood with colleagues and first responders to call on all of us to do what is right and honor these heroic men and women.

Let's reauthorize the James Zadroga 9/11 Health and Compensation Reauthorization Act before it expires tomorrow. It is the least we can do to say thank you for the risks they took and the sacrifices they made. Fourteen years after the attack, we still have a profound and moral obligation to take care of these brave men and women, the first responders who risked their lives and are now suffering health effects as a result of their efforts.

All of us remember that day. We remember where we were on the day that changed the world. We remember that it brought us closer together as family, as a community, one Nation indivisible. This is not a New York or a New Jersey issue. Nearly every State in the Nation has a first responder or more who ultimately will benefit from the fund because of an illness they have contracted or a loved one they left behind.

There is a reason we call this great country the United States of America, because, in fact, whether there are wildfires in the West, flooding in the Mississippi or any other great consequence to our country, we take care

of our own collectively. In fact, this is the moment to take care of those whom we have heralded as heroes. It is not simply enough to say so in words, but we have to do so in deeds.

We should remember that feeling that we had on that day and subsequently the days afterwards and honor the heroic men and women, such as James Zadroga, and reauthorize the bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### NOMINATIONS

Mr. DURBIN. Mr. President, in recent years we have faced a lot of difficulty filling positions for service to our Federal Government, not the least of which are critical diplomatic posts around the world. We have seen delays in confirming Federal judges, one of the most important duties of the Senate. These men and woman are chosen for life appointments.

The most frustrating part of this is that virtually all of these nominees should be confirmed with overwhelming support. To be nominated by the President at the White House for an ambassadorial spot or even a Federal judgeship you go through a clearance process in the beginning for the White House to choose this person, then a background check—and it is a pretty extensive background check—and then eventually, if the White House is satisfied this person is fit for the job, with no obstructions to their moving forward, they send them to Congress and it goes through this process all over again.

So these nominees have been vetted once, twice, three times before they finally reach the point where there is a vote on the nominee in a committee on Capitol Hill in the Senate. If they clear that vote—and it is a partisan vote—if they clear that vote, then they make it to the Executive Calendar. It takes a long time. While this is going on, people are sitting there in suspense as to whether they are going to be selected and when they finally might get a chance to serve.

For some reason, we have seen a virtual standstill since the Republicans have taken control of the Senate when it comes to filling critical positions appointed by the President. It is time for us to schedule up-or-down votes on more than 27 foreign affairs and judicial nominees who are awaiting floor action.

Given the foreign policy challenges we face around the world, the delays in

considering delays for our ambassadors and other critical foreign policy positions is inexcusable. Many come to the floor on the other side of the aisle every day to criticize the President and his foreign policy. Yet when he asks for men and women to serve and represent the United States in foreign countries, they languish on the calendar.

Most of the people languishing on the calendar for ambassadorial spots are not political, they are professional. They are men and women who have served our government through Democratic and Republican administrations, have developed a good reputation, and are now moving up to a new responsibility. Why in the world is the Republican majority refusing to allow those men and women to serve the United States? I don't understand it. I think it is dangerous. I think some people are putting politics ahead of national security.

As of today, we have at least 11 foreign affairs nominees on the Senate Executive Calendar. Typically the vast majority of those nominees move quickly in a bipartisanship manner. However, over the past few years that has all changed. Everything is political now. Last year the Senate Republicans held up more than 30 nominees at various times. At least 10 of them were held over from the last Congress.

Most astonishingly, on the Senate Executive Calendar today, at a time when the international community is facing a terrible conflict in Syria, is a professional named Gayle Smith. She is a qualified nominee who wishes to serve as the head of USAID, U.S. Agency for International Development. What does that Agency do? That Agency provides food and medicine to the refugees of the Syrian war. It is a big process. It has to be moved into countries and into refugee camps in massive amounts to keep innocent people—victims of this war—alive.

Gayle Smith has been waiting for weeks, if not months, for approval. So what is so controversial about her? The only controversy is she was chosen by President Obama. She is eminently qualified. No one has raised any questions about her competency to do this job. She came to see me a week or two ago. She is anxious to serve our government, and the job she has to do is critically important at this moment in history. Yet she languishes on the Senate Executive Calendar not approved. So there is no nominal leader of this massive Agency which is responsible for the well-being of so many innocent people. There are another 10 just like her. In addition to this, three dozen more await confirmation in the Senate Foreign Relations Committee. Many of them have had hearings; they just sit there. This includes people like Jeffrey Hawkins to be the next U.S. Ambassador to the Central African Republic. Now, most of us would struggle to find that on a map, but the fact is, that country is facing its own conflict that has displaced more than one-half mil-

lion people. Yet the post of U.S. Ambassador to that country goes vacant, not because of any controversy about Jeffrey Hawkins but the fact that he was chosen by this President. That is it. That is the only complaint.

It also includes Roberta Jacobson, who has been named as the next Ambassador of Mexico. Roberta is a seasoned diplomat who would be a great asset to a country that is our neighbor and closest among Latin American countries.

It includes Daniel Rubinstein to be the next Ambassador to Tunisia, one of the few countries to emerge from the Arab Spring as a functioning democracy. In total, some of these posts have been vacant for more than 1 year, despite the President's efforts to fill them. Other nominees are supposed to replace current Ambassadors who are looking forward to moving to their next post. They cannot do it. Why? The Senate does not want to call them for a vote.

That is a decision to be made by the Republican majority. It is a shame our nominees, many of whom are non-controversial, who have distinguished careers in the Foreign Service, languish on the Senate Executive Calendar for months at a time, in some cases a year. There used to be a spirit of bipartisanship when it came to national security, one that had a long and proud tradition. I hope the majority now will return to that proud tradition.

We have a similar delay when it comes to judges. So far this year—this year, and here we are in the month of September, near the end, coming into October—so far this year, the Republican-controlled Senate has held confirmation votes on six judges—six—all year. Well, you say, the President only has 2 years left. Maybe it is normal that you would not approve a judge for a lifetime appointment if he only has a little over a year left now. During President George W. Bush's final 2 years in office, the Democratic-controlled Senate confirmed 68 judicial nominees—6 so far this year by the Republicans. At this point in 2007, the Democratic Senate had confirmed 29 of President Bush's judicial nominees. That is nearly five times the number that has been cleared by the Republican Senate, despite the fact that there is no controversy involving any of those nominees.

There are 16 noncontroversial judicial nominees currently pending on the Senate Calendar whom we could confirm right away. Seven of these nominees would fill judicial emergencies. That means they are being sent to courthouses where the cases are stacking up and people are asking: When am I going to get my day in court?

Well, you will not get your day in court until the new judge gets his day in the Senate. We don't know when that might happen. There is no reason to delay these confirmation votes. These nominees would be confirmed

with overwhelming support. We need to put them into the vacancies on the Federal bench. Overall, there are 67 vacant Federal judgeships now, 31 of which have been designated as judicial emergencies. Most of those vacancies are from States where there is at least one Republican Senator. What that means is that nominee would not even be on the calendar were it not for the approval of that Republican Senator. So they have bipartisan support. I urge my Republican colleagues to work in good faith to fill these vacancies on the Federal bench. This is an important responsibility of the Senate. We should not neglect it.

The vast majority of nominees could be confirmed today. If debate is needed on a few of them, so be it. If a rollcall is needed, let's have it. We cannot leave vacant important positions in our government and in our judicial system: 16 judicial nominees, 11 nominees for foreign affairs. We could vote on them this afternoon. Are we holding off the vote because we are too busy on the Senate floor? If you are following the Senate, you know that is not the case. It is time for us to do our jobs so these nominees can do theirs. For the sake of national security and our system of justice, let's move forward in a bipartisan fashion and vote on these nominees.

#### FOR-PROFIT COLLEGES

Mr. President, another school year has begun. In August, I marked the occasion by holding a press conference outside of Argosy University. Don't be surprised if you have not heard the name Argosy University. It is a for-profit college in downtown Chicago. This for-profit college is part of an industry that enrolls 10 percent of all college students—the for-profit colleges and universities—10 percent of the students. They take in 20 percent of all the Department of Education financial aid. Here is the kicker. For-profit colleges and universities account for 44 percent of all the student loan defaults: 10 percent of the students, 44 percent of the student loan defaults.

Why does that happen? Because of several things. First, they are very expensive. They accept anyone—virtually anyone. Many of the students start going to these for-profit schools and realize they are getting too deep in debt and they drop out. Then they have the worst world: a student debt and no degree. Some of them finish the school, finish the course, and are given a diploma. They find out that they cannot get a job with it.

When you look at the Brookings Institution's recent study of for-profit schools, they ranked last when it comes to good-paying jobs after college. Then what happens? The students cannot make enough money to pay off their student loans and they default. That, sadly, is the cycle that has faced thousands of students across America. This industry is in trouble. It is in such trouble that many of the large for-profit schools are threatened and some

have collapsed. The largest, Corinthian College, this for-profit university sent shock waves through the industry. They raked in profits, leaving students with mountains of debt, and then when they were asked to prove to the Federal Government that the students actually got a job after they graduated, they falsified the returns to the Federal Government. When they were challenged, they went under. They sunk.

When they sunk, look what happened. The students who had gone to school there were told: Corinthian just disappeared. You no longer have a university. Then they learned that the courses they took could not be transferred to any other school except maybe another for-profit school somewhere. The net result of it is, the students had an option: give up whatever credits they had at Corinthian and walk away from their student loans or keep their Corinthian credits and pay their student loans.

The students who walked away from their student loans, of course, created an obligation to Federal taxpayers who had to make up the difference.

Argosy University is another one of these for-profit colleges. It is owned by Education Management Corporation. It is one of the companies that are also being looked at very carefully. Students who walk through Argosy's doors in Chicago or surf their ads online considering enrollment should know the company that runs this school, Argosy University, is under investigation by at least 14 different State attorneys general for unfair and deceptive practices.

In 2013, the Colorado attorney general sued EDMC, which owns Argosy, for deceiving, misleading, and financially injuring students. The Colorado attorney general's investigation centered on Argosy and found a long, elaborate pattern of deceptive behavior by the school. That is not all. EDMC is also being sued by the Department of Justice under the Federal False Claims Act for falsely certifying compliance with provisions of Federal law. It turns out that they are incentivizing people to sign up students at their schools, these for-profit schools. They give them a signing bonus if they can lure some young student into signing up. That violates the law.

In addition, the San Francisco city attorney found that EDMC, the company that runs Argosy, engaged in marketing tactics that underestimated program costs for students and inflated job placement figures. They were just flatout lying to these kids.

According to the Department of Education, EDMC is considered "not financially responsible." It has been placed on the Department's special heightened cash monitoring status.

The company withdrew its stock from trading on NASDAQ because it no longer wanted to make public filings with the SEC. You see, if you make a public filing with the Securities and Exchange Commission and lie, you can go to jail, so they just withdrew their stock rather than be caught lying.

In addition, in Chicago, an Argosy student seeking an associate's degree in business, information technology, or psychology will pay about \$34,000 in tuition to this for-profit school. Two blocks away, the students at City Colleges of Chicago Harold Washington Campus are also getting the same degree, and the cost there is \$7,000. It is \$34,000 at Argosy and \$7,000 at the City Colleges of Chicago. Incidentally, the hours at the City Colleges of Chicago are transferable to other universities and schools—not if it is Argosy.

One in fifty students at the Harold Washington Campus is likely to default ultimately when it comes to paying their student loans; at Argosy, one out of seven. It is just too darn expensive, and these kids cannot pay back the loans.

A recent Brookings report found that Argosy University Chicago—the one I visited in August—is No. 9 in the country on the list of schools whose students owe the most in Federal student loans. They owe a total of \$6.2 billion—billion. In fact, of the top 25 schools on the list, 13 are for-profit colleges and account for 10 percent of all the outstanding student loan debt in America.

I want to close, as I see my colleague is on the floor seeking recognition. I close by using one more example: ITT Tech. It sounds great, doesn't it. It is No. 16 on Brookings' list. Students owe \$4.6 billion in loans. It is not surprising. An associate's degree, a 2-year degree at ITT Tech, costs \$47,000, and the students have a one-in-five chance of defaulting on the loans they make at that school. Meanwhile, ITT Tech, which does business in Chicago—Arlington Heights, Orland Park, and Oak Brook—has been under investigation by at least 18 State attorneys general for unfair and deceptive practices, has been sued by the New Mexico attorney general for misrepresentation to students about their accreditation status and sued by the Federal Consumer Financial Protection Bureau for predatory lending. The list just goes on.

The point I am getting to is we are subsidizing these schools. This is the most heavily subsidized for-profit business in America; 80 percent to 95 percent of their revenue comes straight from the Federal Treasury. If all of the money going to for-profit colleges and universities—think about the University of Phoenix, DeVry, Kaplan—if all of that money were combined, this would be the ninth largest Federal agency in Washington. But, instead, the CEOs who run these for-profit companies are making a ton of money. The top man at the University of Phoenix—the biggest one—makes \$9 million a year. How is that for being a college president? And some of these other ones, small change—\$3 million a year. They get to run these for-profit schools while these kids stack up in debt, end up defaulting, and end with their lives ruined. Incidentally, defaulting on a debt means you still owe it to the grave. Student loan debts are not dischargeable in bankruptcy.



I could go through a long list, but I hope Congress comes to its senses when the higher education bill comes to the floor. This rip-off, this scam on students and families across America, has to come to an end.

I yield the floor.  
The PRESIDING OFFICER. The Senator from Vermont.

PHARMACEUTICAL INDUSTRY AND COST OF  
PRESCRIPTION DRUGS

Mr. SANDERS. Mr. President, I rise to discuss one of the major crises facing our health care system today, and that is that the pharmaceutical industry itself has become a major health hazard to the American people. The pharmaceutical industry in this country is charging the American people by far the highest prices in the world for prescription drugs.

The result is that one out of five Americans, including patients suffering from cancer who get a prescription from a doctor, is unable to afford to fill that prescription. This is totally absurd. The result is that Americans who are unable to buy the drugs that were prescribed to them become much sicker than they should have been, and in some cases they die. The result is also that people will end up in the emergency room or in the hospital at great expense to themselves and to the system because they were unable to afford the drugs that would have improved their health.

As Dr. Marcia Angell, a senior lecturer in social medicine at Harvard Medical School and a former editor of the New England Journal of Medicine, recently wrote in the Washington Post:

Why do drug companies charge so much? Because they can.

Simple truth. There is not a rational economic reason for that. They charge outrageously high prices because nobody is stopping them in this country.

The United States is the only major country on Earth—the only one—that does not in one form or another regulate prescription drug prices. What that means is you could walk into the drugstore and the pharmacy tomorrow, and you could find that the price you are paying for a drug you have been using for many years has doubled, tripled, or gone up 10 times, and the United States has chosen to be the only major country on Earth that does not address this issue.

Let me give a few examples, some of which have received a good deal of attention recently.

In the United States, Daraprim, a prescription drug used to treat patients diagnosed with cancer and AIDS, shot up in price from \$18 a pill to \$750 a pill, literally overnight, after this drug was acquired by a former hedge fund man-

ager by the name of Martin Shkreli, who is quickly becoming the poster child for pharmaceutical greed. This same exact drug sells for 66 cents a pill in Britain, and Mr. Shkreli is charging the American people \$750 for a drug used to treat patients with cancer and AIDS. That makes no sense to me, and it makes no sense to the American people.

Last week Congressman ELIJAH CUMMINGS and I sent a letter to Mr. Shkreli asking him to explain why the price of this drug has skyrocketed by over 4,000 percent. Now the good news—or it appears to be the good news—is that Mr. Shkreli recently said he would lower the price of this lifesaving drug, although he has not yet indicated what the new price will be. But let's be very clear—this is just one of many examples of price gouging within the pharmaceutical industry.

I wish to give another example. In the United States the prescription drug Sovaldi, which is used to treat a very serious and widespread disease, Hepatitis C, costs \$1,000 a pill—a thousand bucks a pill. In Europe, the same exact drug, made by the same exact company, costs \$555 a pill. In Egypt and India, the same drug costs \$11 a pill.

The cost of this drug has become so expensive that Medicaid and the Veterans' Administration—and many veterans are suffering with Hepatitis C—both Medicaid and the VA are rationing access to Sovaldi and other blockbuster Hepatitis C drugs to only the sickest patients. In other words, people in the United States are dying and suffering because they or the government programs they rely on—Medicaid or the VA—are simply unable to afford the outrageous prices this company is charging.

According to a recent article in the Atlantic magazine, despite rationing Sovaldi, the State of New Mexico—and I am just using New Mexico as one example; this is taking place all across the country—the State of New Mexico will spend an estimated \$140 million this year on that drug alone.

I should tell you this issue first came to my attention as the former chairman of the Veterans' Affairs Committee when the VA requested an additional \$1.3 billion for that particular drug—\$1.3 billion for one drug. This is unacceptable and it has to change.

Last year, the pharmaceutical industry—shock of all shocks; I know the American people will be very surprised to hear this—the pharmaceutical industry spent \$250 million on lobbying and campaign contributions, and they employed some 1,400 lobbyists. Well, that is what you get when you spend one-quarter of a billion dollars and you have 1,400 lobbyists on Capitol Hill.

What you get is the ability to rip off the American people, to charge our people prices far higher than the people of any other country on Earth pay. And you have the three largest drug companies in this country making \$45 billion in profit last year. So that is not a bad investment. Hey, just spread the money around on Capitol Hill—\$250 million—throw in some campaign contributions, and the three largest drug companies make \$45 billion in a year. Meanwhile, all over this country, one out of five Americans cannot afford to fill their prescriptions. People die. People become sick. State governments spend huge sums of money on these drugs because they are so expensive.

The time has come to say loudly and clearly: Yes, the drug companies make a lot of campaign contributions, but maybe, just maybe, Congress might have the radical idea that it is more important for us to represent our constituents than the people who throw all kinds of money at us in Congress.

It is unacceptable that total spending on medicine in the United States has gone up by more than 90 percent since 2002. It is unacceptable that the monthly cost of cancer drugs has more than doubled over the last 10 years to \$9,900 a month. In the United States of America, you should not be forced into bankruptcy because you are diagnosed with cancer.

It is time—in fact, the time is long overdue—for our country and our Congress to join the rest of the industrialized world by implementing prescription drug policies that work for everybody and not just the owners in the pharmaceutical industry. That is why I recently introduced legislation to lower the cost of prescription drugs in America. That legislation is cosponsored by Senator AL FRANKEN of Minnesota and was introduced in the House by Congressman ELIJAH CUMMINGS.

Specifically, this is what the bill would do: No. 1, it requires Medicare to use its bargaining power to negotiate with the prescription drug companies for better prices—a practice that was banned by the Bush administration several years ago. No. 2, this bill would allow individuals, pharmacists, and wholesalers to import prescription drugs from licensed Canadian pharmacies, where drug prices are significantly lower than they are in the United States.

Mr. President, I ask unanimous consent that a comparison of the prices of some drugs in the United States with Canada be printed in the RECORD.

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

BRAND VS. BRAND

[Manufactured by the same company at the same cost. Delivered to two different countries]

	United States	Canada	
Advair Diskus			
Condition: Asthma & COPD	\$878.31	\$212.01	— 76%
Crestor			
Condition: High Cholesterol	608.72	160.05	— 74%

## BRAND VS. BRAND—Continued

[Manufactured by the same company at the same cost. Delivered to two different countries]

	United States	Canada	
Premarin			
Condition: Estrogen Therapy .....	324.99	90.00	—72%
Abilify			
Condition: Depression .....	2,615.08	467.07	—82%
Zetia			
Condition: High Cholesterol .....	636.49	183.45	—71%
Nexium			
Condition: Heartburn .....	682.42	228.60	—67%
Synthroid			
Condition: Hypothyroidism .....	878.31	212.01	—76%
Januvia			
Condition: Type-2 Diabetes .....	970.56	273.60	—72%
Celebrex			
Condition: Arthritis .....	878.31	212.01	—76%
Diovan			
Condition: High Blood Pressure .....	475.04	144.90	—70%

Prices obtained May 19th, 2015 using average U.S. cash price for a 90 day personal supply from GoodRx.com using New York resident pricing and average Canadian mail-order pharmacy price.

Mr. SANDERS. I will give a few examples. We have a drug called Crestor that deals with high cholesterol. Here in the United States, we pay \$608 for a 90-day supply; in Canada \$160—74 percent less in Canada. Premarin for estrogen therapy is \$324 in the United States and \$90 in Canada. Nexium is \$782 in the United States and \$228 in Canada. Synthroid is \$878 in the United States and \$212 in Canada. It is the same product, the same company. It is not generic. These are the same exact brand name products. Celebrex—a widely used drug for arthritis—is \$878 in the United States and \$212 in Canada.

What this bill would do, in addition to having Medicare negotiate drug prices with the pharmaceutical industry—which would substantially lower the prices Medicare pays—this bill would allow individuals, pharmacists, and wholesalers to import prescription drugs from licensed Canadian pharmacies, where drug prices are substantially lower than they are in the United States.

I live 100 miles away from the Canadian border. In 1999, I took a busload of Vermonters—mostly women, many of them dealing with breast cancer—over the Canadian border into Montreal. As long as I live, I will never forget the looks on their faces when they bought the same medicine they were buying in Vermont, in the U.S.A., for one-tenth of the price—one-tenth of the price. These were working-class women who were struggling with breast cancer and who didn't have a whole lot of money. They were able to purchase the exact same medicine for 10 percent of the price in Montreal. That makes no sense to me, and it only speaks to the power of the pharmaceutical industry over the Congress that we have Members here who vote for all kinds of free-trade agreements—they just love free trade. We can bring in any product we want from China. We can have lettuce and tomatoes coming in from farms in Mexico. But for some strange reason we cannot bring in brand name drugs from Canada. We just can't do it. We can't figure out how to do it. And everybody here knows what the reason is—it is the power of the pharmaceutical industry, their campaign donations, and their lobbying efforts.

Our bill does a lot more than that. We cannot in good conscience tell people in our States that they must continue to pay outrageously high prices for prescription drugs when year after year drug companies make billions of dollars in profit and year after year people in our country get sicker and in some cases die because they can't afford the medicine they need.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. SCHATZ. Madam President, I ask unanimous consent to speak as in morning business.

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

## CLIMATE CHANGE AND ECONOMIC GROWTH

Mr. SCHATZ. Madam President, last Friday, China announced its decision to implement a national cap-and-trade program beginning in 2017. It will cover the majority of China's greenhouse gas emissions, including those from power generation, iron and steel production, cement, chemicals, and manufacturing. In creating the world's largest market-based program that puts a price on carbon pollution, China is showing that it knows that climate change and economic growth can be addressed at the same time.

China stepped up on climate finance as well, matching the United States' contribution to the Green Climate Fund. China's announcement directly counters the arguments made by opponents of climate action here at home. The original idea was that essentially we should wait for China, that our actions would not make a difference without China, or worse, that we would be harming our own economic growth while they kept burning fossil fuels.

That argument, originally—that idea that on the challenge of our generation we should wait for other countries—was ridiculous on its face. After all, the United States must always lead. We are the indispensable Nation regardless

of what the other countries may or may not be doing. But even if you subscribe to that argument, everything changed last week. The world is taking action around us. We are now at risk of being left behind, both in terms of our energy systems and our international standing.

China's recent announcement to peak its coal use, reduce emissions from superpollutants, and now its decision to implement a cap-and-trade program throw the old arguments out the window.

Those who oppose climate action have also said that addressing climate change would slow economic growth. Of course, we have known for years that this is not true. Consider the plummeting cost of clean energy or savings at the pump due to higher fuel economy standards, both of which are good for consumers and good for the climate. Now we have further confirmation that countries can reduce emissions without sacrificing economic growth.

China obviously has no interest in putting the brakes on its growth. By including in its cap-and-trade program many sectors that are vital to its future growth, China is showing the United States and the rest of the world that it means business. China does not have a monopoly on ideas to reduce carbon pollution. In fact, most of their good ideas are still coming from us. The Senate has a long history of proposing market-based solutions to climate change, dating back to the 2003 Climate Stewardship Act from Senators MCCAIN and LIEBERMAN.

Earlier this year, Senator WHITEHOUSE and I reintroduced our American Opportunity Carbon Fee Act. Our bill would impose a price on carbon pollution and use the revenues to cut a \$500 check for all Americans, while lowering the corporate income tax rate from 35 percent to 29 percent. Economists from across the political spectrum agree this is good policy.

Putting a price on carbon in a revenue-neutral way will provide numerous benefits above and beyond the significant cuts in carbon pollution. It will give companies the policy certainty that they need, and it will send a price signal to polluters. By using revenues to lower tax rates and provide dividends to every American, we can

stimulate economic growth and protect the most vulnerable among us.

Carbon pollution entails costs, but right now taxpayers are footing the bill. By making polluters responsible for the damage they cause and returning all of the revenues to individuals and employers, we will send a signal that innovation in clean energy and other low-carbon technologies will be the driving force behind the global economy of the 21st century.

The United States should not cede leadership in those sectors to China, Germany or any other country. We always lead. It is what Americans do best. American ingenuity led to some of the most exciting developments in the last century—from the airplane and the assembly line to the microprocessors and solar cells. With the right policies, we can assure American leadership for the next century as well.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

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

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

#### RECOGNIZING RICHARD EVANS

Mr. REID. Mr. President, I rise today to recognize the distinguished career of Richard Evans, who has served as a Transportation Security Administration, TSA, aviation compliance inspector, passenger service manager, and county sheriff.

Richard Evans has always been a man of sound judgement and conviction. He began his law enforcement career at the Orange County Sheriff's Department in 1964 at the age of 21. As would become recurrent in his career, Richard rose through the ranks for 20 years and retired from the sheriff's department as an investigator. During Richard's exemplary career, he participated in numerous high-level, dangerous undercover cases. The department called upon Richard to participate in many joint Federal, State, and local task forces. He always answered the call and was willing to go above and beyond.

Following his service with the Orange County Sheriff's Department, Richard spent 17 years rising through the ranks of the world's largest airline fleet, American Airlines. Richard worked at the John Wayne Airport in

Orange County, the Ontario International Airport, and the Los Angeles International Airport. He completed his career with American Airlines at McCarran Airport in 2001.

In the aftermath of September 11, 2001, Richard answered the call to service yet again and joined the TSA. He was quickly assigned to the law enforcement liaison section, where he built upon his 20 year law enforcement career and his 17 years with American Airlines. For nearly two decades, Richard has been the point of contact for all dignitary movements and specialized screening at McCarran Airport. In conjunction with Federal, State, and local law enforcement officials, Richard seamlessly ensured the safe and security of dignitaries in one of the Nation's busiest airports.

Official records note thousands of successful escorts, which include escorts for the President of the United States, the Vice-President of the United States, and former Presidents. Richard has personally coordinated the movements of Kings, Queens, Prime Ministers, Princes, Princesses, Ambassadors, and senior officials from more than 57 different countries. Nearly every Governor in the United States, a vast majority of Executive Branch Cabinet Secretaries, multiple Supreme Court Justices, and countless Members of Congress have experienced Richard's unrivaled expertise and without fail everyone agrees: Richard is the standard for exceptional service.

Richard Evans is a wonderful man and one of the finest public servants I have had the pleasure of meeting during my career. His trustworthy, problem-solving nature was always apparent when crises or challenges presented themselves. Dignitaries in the United States and around the world were fortunate to have been in his capable care. I commend Richard for his service to this Nation, and I wish him the best in his retirement and future endeavors.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, this month, the Senate passed a resolution recognizing Hispanic Heritage Month and celebrating Hispanic Americans as dedicated public servants in the highest levels of government. These great Americans include a Supreme Court Justice, 3 U.S. Senators, 34 members of the House of Representatives, and 3 members of the President's Cabinet. I commend the U.S. Senate for passing this resolution celebrating Hispanic heritage, but we should be doing much more than approving a resolution. We should be working on a bipartisan basis to pass comprehensive immigration reform, as the Senate did last Congress under a Democratic majority. At the same time, the Senate should immediately confirm the several judicial nominees supported by the nonpartisan Hispanic National Bar Association.

There are three outstanding Hispanic judicial nominees that are currently

pending on the Senate's Executive Calendar: Luis Felipe Restrepo, nominated to a judicial emergency vacancy in the Third Circuit; Armando Bonilla, nominated to a judicial vacancy in the Court of Federal Claims; and John Michael Vazquez, nominated to a judicial emergency vacancy in the district of New Jersey. A fourth, Dax Lopez, has been nominated to a judicial vacancy in the Northern District of Georgia, and is still awaiting a hearing in the Judiciary Committee.

These dedicated public servants are eager to serve, but they have been blocked by the Republican leadership's virtual shutdown of the judicial confirmation process since they took over the majority in January. More than 8 months into this new Congress, the Republican leadership has allowed just six votes for judges. At this rate, the Senate this year will confirm the fewest number of judges in more than a half century. Luis Felipe Restrepo, Armando Bonilla, John Michael Vazquez, and Dax Lopez all deserve an up or down vote by this Senate.

Judge Restrepo was nominated last year to fill an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. If confirmed, Judge Restrepo would be the first Hispanic judge from Pennsylvania to ever serve on this appellate court and only the second Hispanic judge to serve on the Third Circuit. He was unanimously confirmed 2 years ago by the Senate to serve as a district court judge. During his tenure as both a Federal district court judge and as a Federal magistrate judge, he has presided over 56 trials that have gone to verdict or judgment. He is superbly qualified, and I have heard no objection to his nomination. Despite his outstanding credentials and experience, it took the Republican majority 7 months just to schedule a hearing in the Judiciary Committee for this qualified nominee.

Judge Restrepo has bipartisan support from both Pennsylvania Senators and was voted out of the Judiciary Committee unanimously by voice vote. He has the strong endorsement of the nonpartisan Hispanic National Bar Association. At his confirmation hearing in June, Senator TOOMEY stated that "there is no question Judge Restrepo is a very well-qualified candidate to serve on the Third Circuit." Senator TOOMEY described Judge Restrepo's life story as "an American dream" and recounted how Judge Restrepo came to the United States from Colombia and rose to the top of his profession by "virtue of his hard work, his intellect, his integrity." I could not agree more.

Given his remarkable credentials, wealth of experience, and strong bipartisan support, the Senate should have confirmed Judge Restrepo months ago. Instead, for 10 months since his nomination back in November 2014, he has been denied a vote on his confirmation. No Senate Democrat opposes a vote on his nomination. He is being denied a confirmation vote by Senate Republican leadership. No one doubts that he

will be confirmed once Majority Leader MCCONNELL schedules his vote. I have heard Senator TOOMEY indicate his strong support and that he would like to see Judge Restrepo receive a vote, but I have yet to see him ask for a firm commitment on a vote. The people of Pennsylvania are no doubt wondering when this longstanding and emergency vacancy on their appeals court will be filled.

Another outstanding public servant is Armando Bonilla, who was first nominated to serve on the U.S. Court of Federal Claims back in May 2014. If confirmed, Mr. Bonilla would be the first Hispanic judge to hold a seat on that court. He is strongly endorsed by the Hispanic National Bar Association. He has spent his entire career, now spanning over two decades, as an attorney for the Department of Justice. He was hired out of law school into the Department's prestigious Honors Program and has risen to become an associate deputy attorney general in the Department.

Armando Bonilla's background is also one that reminds us of the American dream. The son of a Cuban immigrant and Cuban American father, Mr. Bonilla has told the story of his mother's flight from Havana with his aunt and his grandmother. He has told the story of his uncle, "Tío Mario," who eventually disappeared trying to help other exiles. And he has told the story of his father, who dropped out of high school, but served our country by joining the Marines and took on several jobs to support Armando and his sister. As Mr. Bonilla has beautifully described, his father "exemplified the most outstanding qualities of the Hispanic culture and Hispanic people: the selfless sacrifice, the steely resolve, and unbridled optimism and the genuine pride in an honest day's work—all toward the cause of improving the lives of the next generation." Mr. Bonilla should be confirmed without further delay.

The U.S. Court of Federal Claims has been operating with several vacancies since February 2013. Only 11 of the 16 seats on the court are occupied by active judges. We could have a court working at full strength if we confirmed Mr. Bonilla and the other four nominees pending on the Senate Executive Calendar. All five of them were nominated more than a year ago and have twice been voted out of the Judiciary Committee by unanimous voice vote. There is no good reason to delay an up-or-down vote for these uncontroversial nominees.

John Michael Vazquez was nominated to a judicial emergency vacancy in the district of New Jersey in March. He has been a public servant for both the Office of the Attorney General for the State of New Jersey and as a Federal prosecutor in the U.S. attorney's office in the District of New Jersey. During his tenure in the U.S. attorney's office, Mr. Vazquez handled a wide array of Federal investigations

and prosecutions while serving in the general crimes unit, the major narcotics unit, the terrorism unit, and the securities and health care fraud unit.

The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Vazquez "Well Qualified" to serve as a district judge, its highest rating. He also has the support of his two home State Senators, Senators MENENDEZ and BOOKER. He was voted out of the Judiciary Committee by voice vote. There is no reason why Mr. Vazquez, along with Judge Restrepo and Mr. Bonilla, should not be confirmed today. Each of the outstanding Hispanic judicial nominees pending on the floor will be confirmed overwhelmingly if Majority Leader MCCONNELL will simply schedule a confirmation vote.

Over the past 7 years, the Senate has acted to confirm some outstanding Hispanic American judicial nominees. President Obama nominated the first Latina to serve on the U.S. Supreme Court, as well as the first Latino circuit judges in three circuits: Alberto Diaz on the fourth circuit, Adalberto Jordan on the 11th circuit, and Jimmie Reyna on the Federal Circuit; and has already appointed 35 Hispanic Americans to serve on the Federal bench, more than any other president in history. But this record does not mean that the Senate should shut down any further confirmations as some in the majority may desire. The Senate has an obligation to vote on judicial nominees in regular order and to consider them fairly based on their individual merit.

A recent report from The Brookings Institution dated September 18, 2015, confirms that the Republican obstruction on judicial nominees is unprecedented in recent history. It states: "Senate Republicans' aggressive slowdown in judicial confirmations so far in 2015 . . . are contrary to the confirmation records in the final two years of the other two-term presidencies since 1961—Ronald Reagan, William Clinton, and George W. Bush." And a recent report by the Alliance for Justice, dated September 17, 2015, notes that "the burgeoning vacancies are the result of playing politics with judicial selection. And the victims are the people and businesses who cannot access courts to seek justice and the judges who must shoulder the burden of increased caseloads and fewer resources."

I urge all Senators to read these reports as well as a recent story in the Associated Press that highlights the real consequences of Senate Republicans' judicial blockade. The story highlights a case brought by Latino migrant farmworkers for wage theft in Federal district court in eastern California. I ask unanimous consent that the Associated Press article be printed in the RECORD. The workers have waited more than 3 years to learn whether they can proceed with their claim. As years go by, the workers' attorney worries that her clients will have moved

and be impossible to reach if and when she is able to recover their stolen wages. This is another heartbreaking example that justice delayed is effectively justice denied. The Senate, however, can act right now to alleviate the considerable backlog of cases in the Eastern District of California by confirming the noncontroversial pending nominee for this court, Federal Magistrate Judge Dale Drozd. Judge Drozd was voice voted out of the Judiciary Committee in June, and there is no reason why we cannot vote today on his confirmation.

The Republican leadership's virtual shutdown of judicial confirmations has only served to undermine the judicial branch and harm the American people. I urge Senate Republicans to change course and lead responsibly. The Senate should immediately turn to the confirmation vote of Judge Luis Felipe Restrepo and then schedule confirmation votes for the other 15 judicial nominees, including Mr. Bonilla and Mr. Vazquez, without further delay.

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

[From the Associated Press, Sept. 27, 2015]  
WHEELS OF JUSTICE SLOW AT OVERLOADED  
FEDERAL COURTS

(By Sudhin Thanawala)

SAN FRANCISCO (AP)—Attorney Martha Gomez has been waiting more than three years to hear from a federal court whether a group of farm workers in California's Central Valley can proceed with their lawsuit alleging wage theft.

The case in California's Eastern District could result in payouts for thousands of migrant workers, but each passing day raises the possibility that they will have moved on and be impossible to track down, Gomez said.

"Everybody is in limbo, and it's hard to explain that," she said.

Across the country, federal district courts have seen a rise in recent years in the time it takes to get civil cases to trial and resolve felony criminal cases as judges' workloads have increased, according to statistics from the Administrative Office of the U.S. Courts.

The problem is particularly acute in some federal courts such as California's and Texas's Eastern Districts. Judges there have workloads about twice the national average and say they are struggling to keep up.

The result, the judges and attorneys say, is longer wait times in prison for defendants awaiting trial, higher costs for civil lawsuits and delays that can render those suits moot.

"I think it's fair to say that things are quite bad," said Matt Menendez, a lawyer with the Brennan Center for Justice at New York University School of Law who has studied judicial caseloads.

Legal scholars say Congress needs to fill judicial vacancies more quickly but also increase the number of judges in some districts—both issues that get bogged down in partisan political fights over judicial nominees.

California's Eastern District, which covers a large swath of the state that includes Sacramento and Fresno, has had an unfilled judicial vacancy for nearly three years, and it has the same number of judicial positions—six—it had in 1978, according to the Administrative Office of the U.S. Courts.

The Judicial Conference of the United States, the national policy-making body for

the federal courts, has recommended Congress double the number of judicial positions in the district.

In the late 1990s, the median time for civil cases to go to trial in the district averaged 2 years and four months. From 2009 to 2014, that number jumped by more than a year. The median time to resolve criminal cases nearly doubled to an average of 13 months.

"You're never out from under it," said Morrison England, the court's chief judge. "You're constantly trying to do what you can to get these cases resolved, and we just can't do it."

The weighted caseload per judge has climbed from an average of nearly 600 in the late 1990s to over a 1,000.

The Eastern District of Texas has seen similar increases.

"The way one older judge put it to me: 'If you have too many cases, you start to lose the time to think about them,'" said Ron Clark, the court's chief judge.

The vacancy in California's Eastern District is in Fresno, which is down to just one full-time district court judge.

Attorneys say they are reluctant to file cases in the Fresno court because of delays and have faced additional expenses from having to drive to Sacramento when their case gets assigned to a judge there who has been called in to help.

Gomez's April 2012 lawsuit was filed in Fresno and alleges that Castlerock Farming and Transport forced the workers—grape harvesters—to work off the clock and did not provide them with proper rest breaks.

Jim Hanlon, an attorney for Castlerock, said he does not comment on pending cases. The company says in court documents it did not directly employ the workers and has already defended their claims in a separate lawsuit.

Anthony Raimondo, an attorney for another defendant in the case, said at least some of the time it's taken to resolve the lawsuit can be attributed to its complexity.

The case lists multiple defendants and alleged labor code violations and seeks class action status on behalf of as many as several thousand employees. Early on, the judge overseeing the case, Senior U.S. District Judge Anthony Ishii, put it on hold pending a class certification ruling in a related case.

But Raimondo and Gomez say there have been delays that appear to have no explanation other than a backlogged court. Castlerock, for example, filed a motion to dismiss the lawsuit last September that the judge has yet to rule on.

A woman who answered the phone in Ishii's chambers said he would be away until the end of September and unavailable for comment.

Lawrence O'Neill, the one full-time district court judge in Fresno, said he could not comment on any pending case. But he said the court's caseload has made it difficult to get trial dates for civil cases.

He pointed to two cases on his docket—one alleging excessive force by police and the other race and sex discrimination by an employer—that were filed in 2013, but won't go to trial until 2017.

"We can slow things down because we simply can't work any harder or faster," he said. "But the real important effect of that is people who need our help to move their lives forward are delayed."

#### PERKINS LOAN PROGRAM

Mr. REED. Mr. President, unless we act quickly, our longest running student loan program—the Perkins Loan Program—will meet its demise on September 30. It will end not because it is

ineffective or because it does not make college more affordable for needy students or because we have debated and built consensus on how best to reform our Federal student loan programs. Rather, the Perkins Loan Program might end because some of my colleagues refuse to extend it as we routinely do with other programs awaiting reauthorization. We should not allow this to happen. I hope that my colleagues will swiftly approve H.R. 3594, the Higher Education Extension Act, a bipartisan bill to extend the Perkins Loan Program that the House of Representatives passed by a unanimous vote yesterday.

The Perkins Loan Program was created in 1958 as the National Defense Student Loan Program. Approximately 1,500 colleges and universities, including a dozen in my home State of Rhode Island, disburse more than \$1.2 billion in Perkins loans to students who have demonstrated exceptional financial need.

The Perkins Loan Program carries some of the most generous terms of all the Federal student loan programs. Perkins loans are offered at a low, fixed rate of 5 percent. No interest accrues until the student enters repayment, which starts after a 9-month grace period, giving the recent graduate time to get on his or her feet. The Perkins Loan Program also encourages public service, offering generous loan forgiveness for many public sector careers, including for school librarians, something that I have long championed.

Another compelling feature of the Perkins Loan Program is that participating institutions must contribute their own resources—\$1 for every 2 Federal dollars. Many institutions, including colleges and universities in Rhode Island, have invested more than their legal obligation. As students repay their loans, institutions are able to make new loans. In other words, participating colleges and universities have a real stake in students being able to repay their loans, something that is missing from our other Federal student loan programs and something that I have been advocating we need more, not less, of.

In Rhode Island during the 2013-2014 school year, over 9,000 students attending Rhode Island colleges benefitted from more than \$18 million in low-cost Perkins loans. Without this assistance, these students would face a gap in their ability to pay for college and could be forced into risky private loans or higher cost parent loans.

We need to maintain the Perkins Loan Program as we continue working towards a comprehensive reauthorization of the Higher Education Act. We cannot and should not leave needy students and families in the lurch by cutting off access to this vital program.

I urge all of my colleagues to support swift passage of H.R. 3594, the Higher Education Extension Act, to ensure there is no lapse in the availability of Perkins loans.

#### NUCLEAR AGREEMENT WITH IRAN

Ms. BALDWIN. Mr. President, I wish to discuss the international nuclear agreement with Iran, known as the Joint Comprehensive Plan of Action, JCPOA. Reached on July 14, 2015, after years of difficult negotiations among the United States and the other P5+1 countries—China, France, Russia, the United Kingdom, and Germany—and Iran, the agreement confronts the Iranian nuclear program, which has long been the subject of U.S., European Union, and United Nations sanctions.

Throughout these years of international negotiations, and more recently, during these months of congressional debate, I have been focused on one goal—ensuring that our dual-track policy of diplomacy and economic sanctions results in an outcome that verifiably prevents Iran from acquiring a nuclear weapon. Iran getting the bomb is simply unacceptable, and blocking that is in our national security interests and that of our allies, including Israel.

This international agreement impacts the safety and security of Americans and our allies and is an incredibly serious matter, deserving careful and considered scrutiny. That includes a thorough and responsible debate in Congress. That is why I voted for the Iran Nuclear Agreement Review Act of 2015, P.L. 114-17, which provided Congress with a 60-day window to consider the JCPOA prior to its taking effect. And that window was filled with vigorous debate in the Senate. Regardless of one's position for or against the international agreement, one thing is clear: every Senator has had an opportunity to pass their judgement on whether we are right to choose a path of international diplomacy to achieve our goal of verifiably preventing Iran from acquiring a nuclear weapon. In my judgement we are.

For me personally, I felt that it was critical to closely review the details of the agreement and hear from individuals on all sides of this debate, including experts and constituents, and listen to their arguments. I have attended numerous classified briefings with administration officials, including those with firsthand technical, scientific, and diplomatic expertise, heard from the Ambassadors of our P5+1 partners, and benefited from many candid conversations with Wisconsin constituents. All of these interactions have been invaluable and have informed my conclusion that rejecting this international agreement is not in our national security interest. According to the agreement, before receiving relief from sanctions, Iran must comply with a number of far-reaching and long-term obligations to limit its nuclear program, all of which will be verified by the International Atomic Energy Agency, or IAEA, through an unprecedentedly robust inspections and monitoring framework. Iran's obligations include redesigning the Arak reactor to eliminate the plutonium pathway to nuclear

weapons; eliminating its current stockpile of highly enriched uranium, reducing its current stockpile of low-enriched uranium by 97 percent, and capping enrichment at that level for 15 years; reducing the number of operational centrifuges by two-thirds and severely limiting research on advanced enrichment technology; converting the underground Fordow facility to a medical research center; accepting intrusive IAEA monitoring of Iran's nuclear supply chain and fuel cycle; and satisfactorily answering IAEA questions into the possible military dimensions of its prior nuclear program. In exchange for verifiably meeting these obligations, Iran will receive relief from U.S. and international nuclear-related sanctions. And importantly, U.S. sanctions against Iran related to human rights violations, support for terrorism, and illicit arms shipments remain in effect. Should the international verification regime catch Iran noncompliant with its obligations, the agreement includes a provision allowing the United States to unilaterally reimpose nuclear-related U.N. sanctions.

My judgement on this issue has also been guided by the hard lessons that should be learned when America chooses to engage in military action and war in the Middle East. It is easy to conclude that a rejection of international diplomacy and the JCPOA would shatter the current international coalition, making key multilateral sanctions impossible, and would result in Iran restarting its illicit nuclear activities, leading to inevitable military action. Indeed, I have been struck by the inability of opponents of the agreement to put forth a credible alternative that does not involve military action in the Middle East. In this case, it is simply not feasible for the United States to go it alone. So I am proud that America led six countries toward a historic international agreement with Iran that verifiably prevents it from acquiring a nuclear weapon.

While the agreement does represent the best option to prevent Iran from obtaining a nuclear weapon, moving forward, Congress and the administration must work together in a bipartisan manner and in concert with our allies to ensure that the agreement is implemented effectively. Implementation is critical because this agreement is not built on trust of Iran. In fact, the agreement is built on mistrust of Iranian motives and a clear-eyed view of Iran's past and present destabilizing activities in the region.

That is why the JCPOA establishes the most intrusive inspections and monitoring framework in the history of arms control agreements. Approximately 150 IAEA inspectors, outfitted with the latest training and technology, much of which originates from the cutting-edge work of the U.S. Department of Energy's National Labs, will be onsite in Iran and ready to report any suspicious behavior.

In addition to this stringent monitoring regime, the very real threat of snapback sanctions will work to incentivize Iranian compliance with its JCPOA obligations. According to the agreement, in the event of Iranian cheating, the United States has the ability to unilaterally reimpose nuclear-related U.N. sanctions as well as add on to U.S. sanctions against Iran beyond those related to human rights violations, support for terrorism, and illicit arms shipments that remain in place. And Iran should make no mistake: I, along with my colleagues in the Senate, will not hesitate to reapply sanctions should Iran break the terms of the JCPOA. In short, if Iran cheats, even along the margins, we will catch them and there will be a heavy price to pay.

I am under no illusions regarding Iran's continuing destabilizing behavior in the region and its record during the Iraq war, which includes supporting Shiite militias that killed American servicemembers. From human rights violations to support for terrorism and criminal client states such as Assad's Syria to its illicit nuclear program, Iran is a bad actor. That is why it is absolutely critical that the JCPOA move forward and block Iran from developing or acquiring a nuclear weapon, an unthinkable outcome that would make it an even greater security challenge.

At the same time, I support taking immediate, additional steps to counter Iran's non-nuclear activities in the region and bolster the security of our Gulf Cooperation Council partners—who support the JCPOA—and Israel. From the time of the establishment of the modern Jewish State in 1948, the United States and Israel have shared a special bond, grounded in our mutual commitment to democracy, freedom, respect for the rule of law and the quest for a secure and stable Middle East. I have spent more time in Israel than in any foreign country, and my travel and interactions there have greatly informed my understanding of the security challenges Israel faces.

That is why I have been a longtime supporter of annual U.S. aid to Israel, which is currently set at \$3.1 billion per year, as well as additional funding for Israeli missile defense systems such as Iron Dome, David's Sling, and Arrow, all of which are so valuable in protecting Israeli citizens. I support increasing that level of assistance and broadening and deepening our two countries' collaboration in the security and intelligence spheres. The United States and Israel are currently drafting a new 10-year memorandum of understanding to govern the nature of U.S. military assistance to Israel. This is an opportunity to further strengthen our security relationship with Israel and ensure its qualitative military edge.

In conclusion, the United States cannot afford to walk away from an international agreement that is based on a robust inspections and compliance re-

gime and will verifiably prevent Iran from developing or acquiring a nuclear weapon. While there are legitimately held policy differences on this highly complex issue, going it alone is not an effective path forward and not in our national security interest. I support moving this international agreement forward so we can begin enforcing it and preventing Iran from developing or acquiring a nuclear weapon.●

#### ADDITIONAL STATEMENTS

##### RECOGNIZING THE POLICE OFFICERS ASSOCIATION OF MICHIGAN

● Mr. PETERS. Mr. President, today I wish to recognize the outstanding work of the Police Officers Association of Michigan, the largest organization of law enforcement officers in the State of Michigan, representing over 14,000 frontline crime fighters, law enforcement officers, and first responders throughout the State. POAM officers are in every jurisdiction in Michigan—every precinct, ward, city, township, county, and congressional district—and are truly a strong voice for the Michigan law enforcement community.

POAM recently met for its annual conference in Grand Rapids, MI. During that conference, POAM recognized outstanding police officers for exceptional law enforcement work. This year's POAM conference highlighted some of the countless acts of bravery and community-strengthening that the thousands of law enforcement officers throughout Michigan perform on a daily basis. I applaud POAM's commitment to the communities that they serve.

I join POAM and all of my fellow Michiganders in recognizing these incredible public servants and all of the brave men and women of Michigan's law enforcement community who are responsible for keeping our streets safe.●

##### REMEMBERING DR. WILLIAM JEFFERSON TERRY

● Mr. SESSIONS. Mr. President, I wish to commemorate and celebrate the life and contributions of Dr. William Jefferson Terry of Mobile, AL, who was the first pediatric urologist in the State of Alabama. He was a nationally known and a well-respected physician.

Dr. Terry was born in Mobile, AL where he later returned to begin his urology practice. He graduated cum laude from the University of Alabama and was a member of Phi Beta Kappa. After receiving his M.D. degree from the University of Alabama School of Medicine, he was an intern and resident at the University of Kentucky Medical Center; he then served as a resident and chief resident in urology at the University of Alabama Medical Center in Birmingham, followed by a fellowship in pediatric urology at Texas Children's Hospital in Houston.



His valuable contributions to the medical profession have been recognized by his colleagues. He was honored by the University of Alabama Medical Alumni Association with the 2007 Garber Galbraith Medical Political Service Award for outstanding service to the medical profession and the 2010 Distinguished Service Award. He was also honored by the University of South Alabama Department of Internal Medicine as the 2009 John McGehee Excellence as a Teacher Award. The Medical Association of the State of Alabama honored him this year with the Paul W. Burleson Award presented in recognition of a medical career that encompasses not only high ethical and professional standards in patient care, but includes extraordinary service to physician organizations at the county, State, and national levels. Dr. Terry was a delegate to the American Medical Association for 20 years, served on the AMA Council on Medical Service, and was chairman of the Alabama delegation to the AMA for 7 years. He was active in many issues relating directly to the patient-physician relationship and the quality of care being delivered.

In addition to being a remarkable physician, Dr. Terry was a fierce advocate for his patients and the medical community. He worked tirelessly and successfully to stop the implementation of ICD-10, which he and the physicians he served believed was not practical and harmful to medicine. He carefully questioned the Affordable Care Act and gave of himself extensively towards advancing quality health care. He was a wonderful friend and adviser to me. As a voice from the real world of medicine, his views impacted my decisions significantly. On a personal note, I knew the quality of his practice firsthand as he provided top quality care to my mother. He placed his patients first and was a tireless worker.

Senator BILL CASSIDY, a fellow physician and friend of Dr. Terry, recognized Dr. Terry's commitment to his profession, country, and family:

Beyond serving his family and community, Dr. Terry genuinely cared about the future of the medical profession. He made his passion for creating more sensible public policy a priority, even testifying before Congress and moderating a discussion between physicians, the Centers for Medicare & Medicaid, and the Office of the National Coordinator for Health Information Technology. His contributions to the policy making process are absolutely invaluable.

I am privileged to say that Dr. Terry was a fellow American, and a colleague as a physician. He was a blessing to many. Remember his widow and children in prayer. We who were blessed look forward to being reunited in heaven.

Dr. Terry was a devoted husband, father, and grandfather, as well as a dedicated member of the Dauphin Way United Methodist Church. He was a man of God. He dearly loved his family, country, and profession. His integrity and work ethic were second to none. Dr. Terry's life represented the highest ideals of the serving physician, and he

was held in the highest esteem and affection by the many he served. He leaves surviving him Elizabeth, his wife of 39 years; his three sons, William, Miller, and Gordon; and his four granddaughters, Eleanor, Sally, Lida, and Eloise.

I ask my colleagues to join me in honoring Dr. Terry for his dedication and many contributions to the field of medicine.●

#### CONWAY, NEW HAMPSHIRE

● Mrs. SHAHEEN. Mr. President, the town of Conway in New Hampshire is celebrating its 250th anniversary this year. Months of observances will culminate with a ceremony this Thursday, October 1, the anniversary date of the signing of the town's charter in 1775 by Colonial Governor Benning Wentworth. Appropriately, this commemoration will be held at Founders Park in Redstone, site of Conway's first meeting-house and the early settlers' cemetery.

Today, the Town of Conway—encompassing the villages of Kearsarge, Intervale, Redstone, Conway, North Conway, East Conway, Center Conway, and South Conway—is a vibrant and popular tourist destination, often described as the gateway to New Hampshire's spectacular White Mountain National Park. But the region's human history goes back many centuries prior to the arrival of the first British explorers and settlers.

The area was originally home to the Pequawket Native American tribe, members of the larger Algonquian Abenaki tribe. Along the bountiful Saco River, they fished, hunted, and farmed. The initial White explorer of the region, Darby Field of Exeter, first encountered members of the Pequawket tribe in 1642. The Native Americans' dominion over the area formally ended on October 1, 1775, when Colonial Governor Wentworth chartered 65 men to establish the new town of Conway, named for the commander in chief of the British Army, Henry Seymour Conway.

By the mid-1900s, visitors from across America and also Europe discovered the wild beauty of the White Mountains. Artists came to the region to capture the landscape on canvas, creating what became known as the White Mountain School of Art. King Edward VII purchased 12 paintings by artists of the White Mountain School to display at Windsor Castle.

Beginning in 1871, the railroads came to Conway. Trains carried timber and wood products away from the town and brought more and more tourists into the town. North Conway was reborn as a booming tourist center for the region. By the early 20th century, so-called snow trains brought growing numbers of winter sports enthusiasts to Conway. Ski resorts began to open, led in 1937 by Cranmore, with its innovative "Skimobile" ski lift.

In the 1980s, the coming of scores of factory outlet stores transformed

North Conway into a major shopping destination. Combined with a robust outdoor recreation industry, this ensured Conway's standing as a four-season attraction for visitors and was a major boost to the economy.

From countless visits to Conway, including during my time as Governor and Senator, I can testify that its greatest assets are the everyday people of the town and its villages, who are unfailingly gracious and friendly. Conway takes its unique character not only from the stunning natural setting, but also from its stores, cafes, restaurants, and B&Bs—places where people know your name, and where the small-business owners are right there, every day.

Conway's celebration of its first quarter millennium has required years of planning and countless volunteer hours from local citizens. In particular, I salute the tireless organizing efforts of Brian Wiggin and Jill Reynolds, co-chairs of the "Conway Celebrates Legacy" committee. I know that, for them, this has been a labor of love. I also congratulate board of selectmen chair, David Weathers, and the town's other leaders. Most importantly, I salute the townspeople and families of Conway, who warmly welcome many tens of thousands of visitors annually from across the United States and always make us proud to be Granite Staters.

So congratulations to the Town of Conway. I wish everyone a wonderful celebration this Thursday.●

#### TRIBUTE TO HAYDEN MEATTEY

● Mrs. SHAHEEN. Mr. President, I have been a strong supporter of Special Olympics for many years. It is a truly extraordinary global movement, bringing together more than 4.5 million athletes in 170 countries. This summer, folks in my State have come to admire one especially talented and accomplished Special Olympian, Hayden Meattey of Goffstown, NH.

Hayden was one of only two Granite Staters selected to compete this summer at the Special Olympics World Games in Los Angeles. He returned home to a hero's welcome at Goffstown High School, having won a gold medal in the 800-meter speedwalking event and a bronze in the 800-meter event.

Qualifying for the World Games was itself a remarkable achievement against talented competition. Hayden, a cross-country runner and speedwalker, trained twice a week with his team at Goffstown High School and independently the rest of the week, constantly pushing to exceed his personal best. Nancy Kelleher, coordinator of Team Uncanoonuc and Hayden's coach for 9 years, praised his work ethic as exceptional.

His fellow students at Goffstown High packed the school gymnasium for a rally to wish him luck before he left for Los Angeles. When Hayden and his

teammates on Team Uncanoonuc entered the gym, the room erupted in cheers and clapping.

To say that Hayden is popular at Goffstown High is an understatement. As Principal Frank McBride put it: "Hayden is just one of those sweet, kind human beings who puts a smile on everyone's face. He makes my day better. I think he does that with most of the people he comes into contact with."

The Special Olympics World Games are a remarkable sporting event. The accent is not on the participants' disabilities, but on their abilities. The athletes' success is determined by their own hard work, talent, and determination.

In truth, Hayden was already a winner before he left for the games. He already had demonstrated grit and determination by joining Team Uncanoonuc, training like an Olympian, and earning the chance to compete at the highest level with Team USA against athletes from nearly 170 nations. His gold and bronze medals in Los Angeles only confirmed what his friends and family already knew, that Hayden is a young man of indomitable spirit.

Hayden was accompanied to Los Angeles by his very proud mom, dad, brother, and stepdad. I know that folks in Goffstown are also very proud of all he has achieved. So am I, and so are folks all across the Granite State. On behalf of my colleagues in the Senate, I thank Haden Meattley for representing the United States at the games with a noble spirit and a champion's heart.●

#### TRIBUTE TO LOWELL PIMLEY

● Mr. TESTER. Mr. President, it is my pleasure to honor Director Lowell Pimley of the Bureau of Reclamation as he retires after more than three decades of public service. The values of hard work and practicality that he learned on his family's farm outside Chester, Montana, have echoed loudly throughout his 35-year career with the Bureau of Reclamation. On the occasion of his retirement, I would like to thank him, farmer to farmer, for the long hours, the technical expertise, and the uniquely Western perspective he has brought to bear on this demanding job.

Lowell Pimley joined the Bureau of Reclamation in 1980 as a civil engineer after graduating from Montana State University with his bachelor's and master's degree in Civil Engineering. He applied himself to developing, designing, and supporting tunnels, bridges, pipelines, and other infrastructure projects. As he gained recognition for his engineering skills and his leadership ability, Mr. Pimley rose through the ranks to become the Technical Service Center Director in 2008. There, he led a team of more than 500 engineers, scientists, and technicians as they assisted in the planning, design, and construction of water resource projects.

Mr. Pimley came to Washington, DC, to become the Deputy Commissioner for Operations in 2013 and began overseeing all five of Reclamation's regions and the Native American and International Affairs Office. In 2014, Secretary Jewell recognized his talents and appointed Mr. Pimley to serve as Acting Commissioner. While serving in Washington, Mr. Pimley testified before Congress both as the Deputy Commissioner and Acting Commissioner, representing his agency well and providing Congress with his valuable insight.

The Bureau of Reclamation has already acknowledged Mr. Pimley's outstanding service over his career, including the Meritorious Service Award in 2012 and a Distinguished Service Award in 2015 for his outstanding leadership, dedication, and accomplishments. He is widely respected by his peers, stakeholders, and folks across the country. To that list of appreciation, I would like to add my own thanks and congratulations on a career dedicated to public service. As he retires, he can be proud of his lasting legacy, ensuring that Reclamation continues to supply water and power to the farms, towns, and communities of the West.

I again offer Mr. Pimley my warmest congratulations and hope that he enjoys a rich and rewarding retirement with his wife, Debbie, and their children Ashley, Brittany, and Brian, as they head back West to Littleton, Colorado, and to the family farm near Chester, Montana.●

#### MESSAGES FROM THE HOUSE

At 11:28 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 136. An act to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

S. 139. An act to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 565. An act to reduce the operation and maintenance costs associated with the Federal fleet by encouraging the use of remanufactured parts, and for other purposes.

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

H.R. 313. An act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

H.R. 1624. An act to amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer.

H.R. 2061. An act to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

H.R. 2617. An act to amend the Fair Minimum Wage Act of 2007 to postpone a scheduled increase in the minimum wage applicable to American Samoa.

H.R. 2786. An act to require the Commissioner of U.S. Customs and Border Protection to submit a report on cross-border rail security, and for other purposes.

H.R. 2835. An act to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection officers.

H.R. 3089. An act to close out expired grants, and for other purposes.

H.R. 3594. An act to extend temporarily the Federal Perkins Loan program, and for other purposes.

H.R. 3614. An act to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

#### ENROLLED BILL SIGNED

At 12:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2051. An act to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

#### ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, September 29, 2015, he had signed the following enrolled bills, previously signed by the Speaker of the House:

S. 261. An act to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse.

S. 994. An act to designate the facility of the United States Postal Service located at 1 Walter Hammond Place in Waldwick, New Jersey, as the "Staff Sergeant Joseph D'Augustine Post Office Building".

S. 1707. An act to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House".

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 313. An act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2061. An act to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes; to the Committee on Finance.

H.R. 2786. An act to require the Commissioner of U.S. Customs and Border Protection to submit a report on cross-border rail security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3089. An act to close out expired grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2089. A bill to provide for investment in clean energy, to empower and protect consumers, to modernize energy infrastructure, to cut pollution and waste, to invest in research and development, and for other purposes.

### ENROLLED BILLS PRESENTED

The Assistant Secretary of the Senate reported that on today, September 29, 2015, she had presented to the President of the United States the following enrolled bills:

S. 261. An act to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse.

S. 994. An act to designate the facility of the United States Postal Service located at 1 Walter Hammond Place in Waldwick, New Jersey, as the "Staff Sergeant Joseph D'Augustine Post Office Building".

S. 1707. An act to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House".

### 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. SCHUMER (for himself, Ms. KLOBUCHAR, Mr. HELLER, Mr. LEE, Mr. COONS, Mr. BLUNT, Ms. MIKULSKI, Mr. KIRK, Mr. FRANKEN, Mr. GARDNER, Mr. MURPHY, Mr. SCHATZ, Mrs. GILLIBRAND, and Mr. PETERS):

S. 2091. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 2092. A bill to amend the Internal Revenue Code of 1986 to exempt amounts paid for aircraft management services from the excise taxes imposed on transportation by air; to the Committee on Finance.

By Ms. MIKULSKI (for herself, Mr. CARDIN, Mr. KAINE, and Mr. WARNER):

S. 2093. A bill to provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 2094. A bill to direct the Secretary of State to submit to Congress a report on the

designation of Iran's Revolutionary Guard Corps as a foreign terrorist organization, and for other purposes; to the Committee on Foreign Relations.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mr. SULLIVAN, and Mrs. MURRAY):

S. 2095. A bill to establish certain requirements with respect to pollock and golden king crab; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. BROWN, Mr. MANCHIN, Mr. WARNER, and Mr. KAINE):

S. 2096. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as "black lung disease"), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN:

S. 2097. A bill to amend title XIX of the Social Security Act to provide for payment for Medicaid services furnished by Ryan White part C grantees under a cost-based prospective payment system; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. DURBIN, Ms. WARREN, Mr. BROWN, and Mr. BLUMENTHAL):

S. 2098. A bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself and Mrs. CAPITO):

S. 2099. A bill to provide for the establishment of a mechanism to allow borrowers of Federal student loans to refinance their loans, to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans, and for other purposes; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. BROWN, Mr. MARKEY, Mrs. BOXER, Mr. REED, Ms. WARREN, Ms. HIRONO, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 2100. A bill to prohibit the sale or distribution of tobacco products to individuals under the age of 21; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Ms. AYOTTE, Mr. DAINES, Mr. GARDNER, Mr. ALEXANDER, Mr. BENNET, Mr. LEAHY, Mrs. SHAHEEN, and Ms. COLLINS):

S. 2101. A bill to amend title 54, United States Code, to extend the Land and Water Conservation Fund; to the Committee on Energy and Natural Resources.

### ADDITIONAL COSPONSORS

S. 233

At the request of Mr. LEE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 233, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification require-

ment for inpatient critical access hospital services.

S. 265

At the request of Mr. SCOTT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 265, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 271

At the request of Mr. VITTER, his name was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 330

At the request of Mr. HELLER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 334

At the request of Mr. PORTMAN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 334, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) 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. 553

At the request of Mr. CORKER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 677

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 677, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 681

At the request of Mrs. GILLIBRAND, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Ms. MIKULSKI) 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. 688

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 688, a bill to amend title XVIII of the Social Security Act to adjust the Medicare hospital readmission reduction program to respond to patient disparities, and for other purposes.

S. 864

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 864, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 865

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 865, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1099

At the request of Mr. SCOTT, the name of the Senator from Iowa (Mr.

GRASSLEY) was added as a cosponsor of S. 1099, a bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market.

S. 1476

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1476, a bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1716

At the request of Ms. BALDWIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1746

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1746, a bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies.

S. 1770

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1770, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 1789

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1852

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1852, a bill to amend title XIX of the

Social Security Act to ensure health insurance coverage continuity for former foster youth.

S. 1916

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1916, a bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934.

S. 1972

At the request of Mr. KIRK, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1972, a bill to require air carriers to modify certain policies with respect to the use of epinephrine for in-flight emergencies, and for other purposes.

S. 1977

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1977, a bill to provide family members and close associates of an individual who they fear is a danger to himself, herself, or others new tools to prevent gun violence.

S. 2016

At the request of Mr. Kaine, the name of the Senator from New York (Mrs. GILLIBRAND) 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. 2032

At the request of Mr. HOEVEN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Colorado (Mr. BENNET), the Senator from Kansas (Mr. MORAN), the Senator from New Mexico (Mr. UDALL) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 2032, a bill to adopt the bison as the national mammal of the United States.

S. 2034

At the request of Mr. TOOMEY, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mr. BLUNT) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2034, a bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

S. RES. 266

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 266, a resolution designating September 2015 at "National Kinship Care Month".

At the request of Mr. WYDEN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 266, *supra*.

S. RES. 267

At the request of Ms. BALDWIN, the names of the Senator from Indiana

(Mr. DONNELLY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 267, a resolution expressing support for the continuation of the Federal Perkins Loan program.

#### NOTICES OF HEARINGS

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on October 1, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Achieving the Promise of Health Information Technology."

For further information regarding this meeting, please contact Jamie Gorman of the committee staff on (202) 224-7675.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on October 6, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Stealing the American Dream of Business Ownership: The NLRB's Joint Employer Decision."

For further information regarding this meeting, please contact Carolyn Gorman of the committee staff on (202) 224-6770.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 29, 2015, at 9:30 a.m.

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 29, 2015, at 10 a.m.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 29, 2015, at 2:30 p.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled "Pipeline Safety: Oversight of Our Nation's Pipeline Network."

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 29, 2015, at 10 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Economy-wide Implications of President Obama's Air Agenda."

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 29, 2015, at 2 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Improving the Endangered Species Act: Perspectives from the Fish and Wildlife Service and State Governors."

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

##### COMMITTEE ON FINANCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 29, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Financial and Economic Challenges in Puerto Rico."

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 29, 2015, at 10 a.m., to conduct a hearing entitled "The U.S. Role and Strategy in the Middle East: The Humanitarian Crisis."

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

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 29, 2015, at 10 a.m., in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled "Examining the Impact of Exposure to Toxic Chemicals on Veterans and the VA's Response."

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 29, 2015, at 2:30 p.m.

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

##### SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the For-

eign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy be authorized to meet during the session of the Senate on September 29, 2015, at 2:30 p.m., to conduct a hearing entitled "The Changing Landscape if U.S.-China Relations: What's Next?"

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

#### NATIONAL HYDROGEN AND FUEL CELL DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 217.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 217) designating October 8, 2015, as "National Hydrogen and Fuel Cell Day."

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 217) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 8, 2015, under "Submitted Resolutions.")

#### ORDERS FOR WEDNESDAY, SEPTEMBER 30, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, September 30; 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; that following leader remarks, the Senate resume consideration of the message to accompany H.R. 719, postcloture; further, that all time during the adjournment of the Senate count postcloture on the motion to concur with amendment No. 2689; finally, that all postcloture time on the motion to concur be considered expired at 10 a.m., Wednesday, with the time until 10 a.m. equally divided between the two managers or their designees.

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

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the

previous order, following the remarks of Senator WHITEHOUSE.

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

The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise today for my 113th "Time to Wake Up" speech on climate change. They say 13 is unlucky. I don't know what 113 is, but I do know what climate change is. It is very real. We shouldn't kid ourselves. And it is an urgent challenge for our country and our world. Our leading scientific organizations say so. Our national security leaders say so. All of our National Laboratories say so. Major American businesses say so. Religious leaders of all faiths say so. Pope Francis certainly said so last week. But the Senate is jammed by persistent, meretricious climate denial. The denial comes in many guises, but, like a compass, all the denial points in the same direction: whatever helps the fossil fuel industry keep polluting. That is the true north of climate denial—whatever helps the fossil fuel industry. Look at the fossil fuel money pouring into the Republican Party and tell me this is a coincidence.

We have Senators who deny that anything is happening, who say it is a hoax. We have Senators who deny that we can solve this. We have Senators who deny their faith in the American economy to win if we innovate. We have Senators who simply shrug and say: I am not a scientist. A bunch of Senators say: Don't even worry about it; climate change has stopped. The junior Senator from Florida tells us, "Despite 17 years of dramatic increases in carbon production by humans, surface temperatures [on] the earth have stabilized." The junior Senator from Texas proclaims that "satellite data demonstrate for the last seventeen years, there's been zero warming. None whatsoever."

Let's leave aside for a moment the cherry-picked data this conclusion is based on, which leaves out the oceans, which cover a mere 70 percent of the Earth's surface. I will get back to oceans in a minute. But even this cherry-picked data needs a trick to deny the long-term trend. Using their trick, you could convince yourself climate change has stopped six times in the history of this increase from 1970. It is easy to do. You pick a spot here and you pick a spot there, and in the variability you make it a flat line and you say: There, you see a pause. The problem is that these manufactured pauses keep climbing.

When this bogus climate pause idea was trotted out in an op-ed in the Providence Journal, my home State paper, PolitiFact quickly determined that it uses "cherry-picked numbers and leaves out important details that would give a very different impression."

When we look at the linear trend for this whole data set, from 1970 to 2013,

no one can deny that the Earth is warming. Research shows that climate change is marching on. The past decade was warmer than the one before that, which was warmer than the one before that. Seventeen of the 18 hottest years in the historical record have occurred in the last 18 years. NOAA and NASA count 2014 as the hottest year on record, and so far 2015 is on track to be even hotter than 2014. Fluctuations do not statistically alter the trend.

It is a disservice to the truth and to this Senate to suggest that this heralds the end of climate change. As noted UC Berkeley physics professor Richard Muller put it, "When walking up stairs in a tall building, it is a mistake to interpret a landing as the end of the climb."

Plus, for what reason would it have stopped? There is no basis for the pause. We know why it is happening. Global warming is caused by carbon pollution. We have known that science since Abraham Lincoln wore a top hat around this town. That is not news. And our carbon pollution sure hasn't stopped. We just broke 400 parts per million of carbon in the atmosphere for the first time in the history of the human species.

There is no intellectual basis behind the pause theory. These claims of a climate change pause have been debunked. Just a couple of weeks ago, researchers from Stanford University published a study: "There is no hiatus in the increase in the global mean temperature, no statistically significant difference in trends, no stalling of the global mean temperature, and no change in year-to-year temperature increases." In other words, there is no pause.

A different study prepared for the U.S. Climate Variability and Predictability Program reviewed this so-called pause data and said this: It "not only failed to establish a trend change with statistical significance, it failed by a wide margin. [A]ny argument that global warming stopped 18 or 20 years ago is just hogwash," said one of that report's authors—just hogwash. When legitimate scientists and statisticians examine the data for global mean temperature, they don't find any so-called pause.

This chart I have in the Chamber shows global average temperatures since the late 1800s, which is about the time we began burning fossil fuels in the Industrial Revolution. In yet another study out this month, researchers did a little test. They showed this chart to 25 economists, but instead of temperature they told the economists that the chart showed world agricultural output. That stripped the data of any political baggage of climate change. It made this a simple statistical question: Does this chart show that the measured phenomenon—climate change, temperature, world agricultural output—does this chart show whatever the measured phenomenon is stopped in 1998? The economists

looked, and they flatout rejected that conclusion. What they agreed was that claiming the phenomenon had stopped would be misleading and ill-informed.

So why did this pause theory appear that is a mistake, that is hogwash, that is based on cherry-picked numbers all toward a conclusion that is misleading and ill-informed? Why? Because the big carbon polluters and their allies in Congress don't want us to act. So we keep getting this mischief fed to us.

The enterprise that performs that evil task of feeding mischief into this debate is perhaps the biggest and the most complex racket in American history. It is phony. They cherry-pick a handful of statistically insignificant data points and tell us the whole problem went away on its own. Then the real scientists take a look at it and say that is bunk. But in the meantime, the polluter enterprise notched a public relations victory. It bought some time to keep polluting for free, and sadly it got some of our colleagues to be party to it.

Telling the American people there is a pause in global warming may lull the gullible to sleep, but it is phony, it is inaccurate, and it is wrong. It ignores the truth. It ignores the science. Basically what it is, is cheesy fossil fuel PR dressed up in a lab coat to look like science, just enough to fool people that little bit.

Now let's turn back to the oceans—that 70 percent of the Earth's surface the other data left out. These data show the decades-long warming of the surface oceans—1960 to 2010. No pause. Remember, the deniers conveniently left all this data out when they cherry-picked their pause data—70 percent of the Earth's surface left out.

The first law of thermodynamics, conservation of energy, decrees that all of that heat in the ocean had to come from somewhere. Research shows that greenhouse gases trap excess heat in the atmosphere and that over 90 percent of that excess heat went into the oceans, was absorbed by our oceans. People who insist that the climate has not warmed in recent decades ignore this one little thing—the oceans, which cover 70 percent of the surface of the Earth. The oceans don't lie. This warming is changing the oceans and our fisheries. Water expands when it warms. That is the law of thermal expansion—unless somebody wants to come and deny that. The seas are rising across the globe. In Rhode Island, we measure it at the Newport Naval Station tide gauge. Basically it is a glorified yardstick. It is not complicated. There is no theory involved. It is a measurement. It says we are up nearly 10 inches since the 1930s. That may be funny to landlocked States, but when there are 10 more inches of sea to be thrown against your shores by a big ocean storm, coastal States take that stuff very seriously. NASA measures it around the world with satellites; it is not just the coastal stations that take



these measures. NASA measures from satellites. We measure the exploding acidity of the seas. The exploding acidities of the sea are directly related to CO<sub>2</sub> absorption—unless people want to deny chemistry. You can put CO<sub>2</sub> seawater in a high school lab and you can make the pH change. That is what we are doing on a global scale, and we don't get to repeal laws of chemistry around here, no matter how powerful the special interests.

Last week, His Holiness Pope Francis called on us to work together to protect our common home. He warned us in his recent encyclical: "Those who will have to suffer the consequences of what we are trying to hide will not forget this failure of conscience and responsibility." But first we have to want to protect our common home. If what we want to protect is the fossil

fuel industry, at all costs, at any cost, we need a priority adjustment.

In our rotten, post-Citizens United, billionaire special interests politics, perhaps the Pope would have had more effect if he had a super Pac, but it shouldn't take a super Pac for us to heed the Pope's warning or to heed the science or to heed our national security leaders or to heed everyone else who has lined up to try to wake us up.

Pope Francis also said "to avert the most serious effects of the environmental deterioration caused by human activity," now is the time for courageous actions and strategies.

Today's New York Times has this headline: "Many Conservative Republicans Believe Climate Change Is a Real Threat." Once you get away from this building and the pernicious influence of the fossil-fuel industry and its

relentless money and threats, it is not a question of ideology, it is a question of special interest influence, and conservative Republicans increasingly understand that this is real. Eleven of them just broke rank in the House.

It is time to come together in good faith to tackle this real and persistent threat—the threat of climate change.

It is time for us to wake up.

I yield the floor.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 6:06 p.m., adjourned until Wednesday, September 30, 2015, at 9:30 a.m.