



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 160

WASHINGTON, THURSDAY, JUNE 19, 2014

No. 96

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

### PRAYER

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

Let us pray.

Creator, Sustainer and Redeemer, strengthen our Senators with Your spirit, infusing them with power for living. Lord, make Your truth real to them, enabling them to discover in Your precepts light for their path. May Your mercy, grace, and peace sustain them through the myriad challenges they face.

Lord, set them free from fear as they remember that nothing can separate them from Your love. As Your grace abounds toward them, give them strength for every weakness and sufficiency for every trial.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 19, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a

Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business for 1 hour. The Republicans will control the first half and the majority will control the final half.

Following morning business, the Senate will resume consideration on the motion to proceed to H.R. 4660.

There was a lot of conversation about how to move forward on this yesterday, but by late last night a way of moving forward was not obtained. We are still working on that. We expect to begin consideration of the bill around 12:45 p.m. today, something like that.

### CAMPAIGN FINANCE REFORM

Mr. REID. Last weekend there was something strange and unusual happening out in Southern California near a place called Dana Point, which is north of San Diego. The previous night's guests were being ushered off the premises by hotel security. A private security team moved onto the property, setting up checkpoints. The hotel employees could be seen sweeping the rooms for electronic listening devices, and dozens of wealthy men and women were led into the resort, registering to attend an event deceptively entitled "T&R Annual Sales Meeting."

This meeting, once started, turned into a multiple-day event. It was closed

to all spectators, journalists, and all those not explicitly invited. No official itinerary was available and details have not been forthcoming.

There were at least two Senators slated to attend and they did attend, but their offices have refused to comment on their participation. After all, attendees were sworn to secrecy—high levels of security, concealment, deception, and oaths of silence. That doesn't sound anything like a typical conference. It sounds more like a cult. But instead of being a religious movement or a secret sect, this is a cult of money, influence, and self-serving politics. This is the cult of Koch, and I am referring to the Koch brothers.

At their twice-yearly secret donor retreat, Charles and David Koch raise millions—millions and hundreds of millions—of dollars they then use to pursue their radical agenda—and it is radical. This year's conference was especially important to the Koch brothers as they coordinate efforts to spend hundreds of millions of dollars dictating this year's elections.

But why cloak their message in secrecy?

In his op-ed in the Wall Street Journal, Charles Koch invited his critics to "try to understand my vision for a free society." It is easy to understand. Look at the Libertarian run he had for Vice President in 1982. They laid out what they wanted to do: privatize Social Security, basically do away with government. So to his critics he said, "Try to understand my vision of a free society."

That is pretty easy to do. How could we possibly understand the Kochs' vision, though, when they and their loyal followers try to do everything in secrecy? They hide from America. The truth is the Koch brothers are concealing their massive fundraising because Americans overwhelmingly oppose the purchase of our country. Our country shouldn't be for sale, and it isn't for sale, and I think in a little less than 5 minutes that can be proven.

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



Printed on recycled paper.

S3825

Instead of making the case directly to the American people, the Koch brothers funnel unseemly amounts of money into elections, trying to elect representatives who will do their bidding. Again in the paper today, they have all these phony organizations they fund. It is just a way to hide the agenda of the Koch brothers. They don't want their name to appear. They want to do everything they can to mislead the American people.

The influence of unlimited spending on a political system is not right. It allows individuals to dictate their will on the American electoral process, and in this instance in secret. This unlimited campaign spending disenfranchises Americans who don't have the resources to go tit-for-tat with two of the richest men in the world.

When the minority leader was a freshman Senator, he also took exception to the limitless spending of special interests. He said:

If the American public thinks that special interests are having undue influence on the process, then get rid of the PACs. I will be more than happy to eliminate PACs altogether.

But I guess times have changed. Now the Republican leader rails against campaign finance reform when in the past he was in favor. There should be no surprise that he attended the Kochs' planning session this past weekend. Evidently Senator MCCONNELL no longer believes that special interests have an undue influence on our government.

But he wasn't the only member to attend the Koch extravaganza. The junior Senator from Florida found the time to fly across the country and kiss the ring of the Republican Party's billionaire benefactors and, among other things, told them how outrageous it is that people are talking about the climate changing, that the Earth is warming. I am sure the junior Senator got a lot of applause there, even though we were not able to hear the applause because it is all very secret.

What else should we expect? The decisions by the Supreme Court have left the American people with the status quo in which one side's billionaires are pitted against the other side's billionaires—except one side doesn't have any billionaires.

We must undo the damage done by the Supreme Court's recent campaign finance decisions, and we need to do it now. That is why I support the constitutional amendment sponsored by Senators TOM UDALL of New Mexico and MICHAEL BENNET of Colorado. This constitutional amendment grants Congress the authority to regulate and eliminate the raising and spending of money for Federal elections. Senators UDALL and BENNET's amendment will rein in the massive spending of super PACs which have grown so much since the Citizens United decision in January of 2010. This constitutional amendment also provides States with the authority to institute campaign spending limits at the State level.

Simply put, a constitutional amendment is what this Nation needs to bring sanity back to political campaigns and to restore Americans' confidence in their elected leaders.

Let's put an end to the cult of darkness which is corrupting our elections. It is time we revive our constituents' faith in the electoral system and let them know their voices are being heard.

Mr. DURBIN. Will the majority leader yield to a question through the Chair?

Mr. REID. Be happy to.

Mr. DURBIN. I ask the majority leader through the Chair, yesterday afternoon the subcommittee of the Senate Judiciary on the Constitution held a hearing and a vote on Senate Joint Resolution 19, which the majority leader has referenced, offered by Senator UDALL of New Mexico and Senator BENNET of Colorado.

The resolution would basically restore us to the moment in time before the Citizens United decision and before the McCutcheon Supreme Court decision which would allow the Federal Government and the States to regulate campaign spending. It is content neutral in terms of the efforts to be made by the government but reestablishes new standards in terms of contributions in spending across America.

I ask the Senate majority leader, who has followed this closely, as he has followed the amount of money being spent on elections in this country, what he can foresee as the ultimate result if we fail to undo the Citizens United decision?

Mr. REID. We are already seeing it, I am sad to say. In one State the Koch brothers have spent almost \$20 million against one Senator, and they say that is just the beginning.

America should not be for sale. I agree with the Republican leader when he said there should be limits put on this. I agreed, as I read the quote from his earlier remarks, it is not right.

Now we have two of the richest men in the world trying to buy America, and they are not only trying to buy Senate seats and House seats, there are votes on secretaries of state around the country, State legislatures. They have far more money than virtually every government and they want to have their view of government be the law: Privatize Social Security, do away with the Internal Revenue Service, and on and on with their money-buying program to convince the American people that the Koch brothers are right.

Mr. President, I would also say this through the Chair to my friend. They not only have all these entities I have talked to you about, they give money to the Chamber of Commerce. I am sure they were their largest contributor. Why? Because the Chamber of Commerce runs ads against us.

I appreciate the question and I would like to go on a little longer but the Republican leader is here.

I will close, but I deeply appreciate my friend who has been such an advo-

cate on the Judiciary Committee and I hope very soon that the full committee reports on that resolution so we can move it on the floor.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### ENERGY

Mr. MCCONNELL. Mr. President, last night the Senate Democratic leadership pulled the Energy and Water bill from consideration for one reason: to protect the administration's new job-killing coal regulations. So once again Senate Democrats are preventing my commonsense procoal measure from moving forward. They have done the bidding of the administration instead of listening to constituents back home. Kentucky families, especially our coal families, continue to struggle under the Obama economy.

The Senate Democratic leadership's latest action is yet another example of the lengths they are willing to go to defend the Obama administration's regulatory agenda—an agenda Washington Democrats seem willing to protect at all costs, even when supposedly pro-energy Senate Democrats try to make us think otherwise.

#### NATIONAL SECURITY

Mr. President, historians will note that President Obama's national security policy has been noteworthy for its adherence to consistent objectives: drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, surrendering the tools necessary to fight the war on terror, and placing substantial trust in international organizations and diplomacy. In short, he has displayed an inflexible commitment to policy positions that would completely erode America's standing in the world, and he has refused to change course even as circumstances have changed.

I, like many in the Senate, profoundly disagree with his view of America's role in the world. I disagree because I believe his attitude has left America weaker and will leave substantial problems to his successor.

I believe that we, as a superpower without imperialistic aims, have a duty to help maintain an international order and a balance of power, not out of altruism but out of national interest. And I believe that international order is best maintained through American military might. In fact, I believe that American military might forms its very backbone.

But President Obama has always been a reluctant Commander in Chief. It seems he has always seen things quite differently. That was clear from his first actions in office, and his more

recent actions set the other bookend to his Presidency—withdrawal from Afghanistan.

Consider that in his very first week in office, he signed an Executive order that sought to end CIA's interrogation and detention programs and to close Guantanamo within a year. The problem was that he didn't have a credible plan for what to do with the detainees afterward. He still doesn't.

That was one of the first things he did in office, and it parallels disconcertingly with one of the most recent things he has done in office: announcing the withdrawal of all of our combat forces from Afghanistan by the end of his term. I say that because once again he announced step A without thinking through the consequences of step B. He seems determined to pull out completely whether or not the Taliban is in a position to reestablish itself, whether or not Al Qaeda's leadership finds a more permissive environment in the tribal areas of Pakistan, and whether or not Al Qaeda has been driven from Afghanistan completely—one of our primary aims in this conflict from the beginning.

The two examples I mentioned serve as bookends to his Presidency, but between these two bookends much has been done that undermines our national security—for instance, the President's inability to see Russia and China for what they are: dissatisfied regional powers intent on increasing their respective spheres of influence.

The failed reset with Russia and the President's commitment to a world without nuclear weapons led him to hastily sign an arms treaty that did nothing to substantially reduce Russia's nuclear stockpile. What do we have to show for the reset? Moscow was undeterred in its assault on Ukraine, as everyone can plainly see, and Russia has repeatedly found ways to undermine our national objectives.

Then there is the President's strategic pivot to the Asia-Pacific—a plan he announced without any real plan to fund it, rendering the strategy largely hollow. We see examples of that almost daily, with China undeterred in its efforts to intimidate smaller nations over territorial disputes. Let's be clear. We cannot pivot forces to Asia that are still needed in places such as the Mediterranean and Persian Gulf, nor can we constrain China's ambitions without investing or developing the forces needed to do so. I fear that the failure to make the kinds of naval, air, and Marine Corps investments that are necessary could have tragic consequences down the road.

Of course, we have all seen how eager the President is to declare an end to the war on terrorism. The threat from Al Qaeda and other affiliated groups has now metastasized. The turmoil unleashed by uprisings in north Africa and the broader Middle East has resulted in additional ungoverned space in Syria, Libya, Egypt, and Yemen. We have seen prison breaks in Iraq, Paki-

stan, Libya, and the release of hundreds of prisoners in Egypt. Terrorists have also escaped from prisons in Yemen, a country that is no more ready to detain the terrorists at Guantanamo now than they were in 2009. And the flow of foreign fighters into Syria—which has fueled the growth of ISIL—suggests that the civil war there will last for the foreseeable future.

The dogged adherence to withdrawing our conventional strength and sticking to campaign promises has created a more dangerous world, not a stable one—as just one example, the President's failure to negotiate a status of forces agreement with Iraq. An agreement such as that would have allowed for the kind of residual military force that could have prevented the assault by the Islamic State of Iraq and the Levant. Now we see the consequences unfolding before our eyes, and it is incredibly worrying. President Obama's withdrawal-at-all-costs policy regarding Iraq has proved deeply harmful to U.S. interests, and it ignores the sacrifices made by our servicemembers—those who sacrificed life and limb fighting to keep America safe.

Several weeks ago the President spoke at West Point, and in that speech he vaguely described a new counterterrorism strategy and pledged to engage “partners to fight terrorists alongside us.” He made clear that he hopes to use special operations forces in an economy of force, and he hopes to deploy, train, and assist missions across the globe—all as he withdraws our conventional forces and as our conventional warfighting ability atrophies.

As I said, he will leave his successor with a great many challenges.

So this morning my Republican colleagues and I will explain how, by inflexibly clinging to campaign promises made in 2008, the President has weakened the national security posture of the United States and why we believe he is likely to leave the next President with daunting security problems to solve.

Mr. President, I see the Senator from Arizona and others are here.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half of the time.

The Senator from Arizona.

#### ORDER OF PROCEDURE

Mr. MCCAIN. Mr. President, I ask unanimous consent that Republicans be allowed an additional 15 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. MCCAIN. I thank the Presiding Officer.

#### FOREIGN POLICY

Mr. MCCAIN. Mr. President, today we see reports that now ISIS has taken over the major oil refinery in Baiji, Iraq. Names that we used to hear quite often, such as, Tal Afar, Mosul, Fallujah, Ramadi—all of these areas are now under the black flag of Al Qaeda and ISIS, which is an even worse organization than Al Qaeda, if that can be believed.

We now see the forces of ISIS marching on Baghdad itself, which I don't believe they can take. But the second largest city in Iraq—Mosul—is now under the black flag, and quantities of military capability and equipment have clearly fallen into the hands of what has now become the richest, largest base for terrorism in history. This has all come about in the last couple of weeks.

What has the United States of America done? Today we see on the front page of the Washington Post: “U.S. Sees Risk in Iraqi Airstrikes.” The President of the United States goes for fundraising and golfing and now is fiddling while Iraq burns. We need to act, but we also need to understand why we are where we are today.

The Senator from South Carolina and I visited Iraq on many occasions—more than I can count. We know for a fact that if we would have left a residual force behind, this situation would not be where it is today.

The fact is that the President of the United States, if he wanted to leave a residual force, never made that clear to the American people. In fact, on October 22, 2012, the President said: “What I would not have had done was left 10,000 troops in Iraq that would tie us down.” In 2011 he celebrated the departure—as he described it—of the last combat soldier from Iraq.

The fact is that because of our fecklessness and the fact that we did not leave that residual force behind, we are paying the price, and the people of Iraq are paying a heavier price.

What do we need to do? First of all, we have to understand there are no good options remaining. This is a culmination of failure after failure of this administration. But for us to do nothing now will ensure this base for terrorism. We have tracked over 100 who have already come back to the United States of America. There are hundreds who are leaving—not only the battlefield in Syria and Iraq—and they will pose a direct threat to the security of the United States.

I say to the critics who say “Do nothing and let them fight it out,” you cannot confine this conflict to Iraq and

Syria. The Director of National Intelligence and the Secretary of Homeland Security have said these people will be planning attacks on the United States of America.

What do we need to do? Of course, Maliki has to be transitioned out, but the only way that is going to happen is for us to assure Iraqis that we will be there to assist. Let me make it clear that no one I know wants to send combat troops on the ground. But airstrikes are an important factor psychologically and in many other ways, and that may require some forward air controllers and some special forces.

We cannot afford to allow a Syria-Iraq enclave that will pose a direct threat to the United States of America. And if we act, we are going to have to act in Syria as well. A residual force of U.S. troops in Iraq could have checked Iranian influence in Iraq.

The other question is, What are the Iranians doing while we are not making any decisions? Well, probably the most evil man on Earth, the head of the Quds Force—an Iraqi terrorist organization—has been reported to have been in Baghdad. There are reports of Iranian forces moving into Baghdad.

I say to my colleagues that we must meet this threat. The President of the United States must make some decisions. I am convinced that the national security of the United States of America is at risk, and the sooner all of us realize it, the better off we will be.

I yield to my colleague from South Carolina.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized for 4 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, contrary to what may be popular belief, there are plenty of Democrats in this body who are very much worried about Iraq. The question is, What do we do about it? I will be the first to admit it is complicated.

The first thing we have to assess as a nation is, does it really matter what happens in Iraq? Clearly, I think it does. Economically, if Iraq becomes a failed state, the oil production in the south will fall into the hands of the Iranians, and Iraq will become a failed state that spreads economic chaos throughout the region. We will feel it at the gas pump, and we will eventually feel it in our wallets. An economic collapse in Iraq would affect our economy. I think it would throw the world oil market into turmoil. So it matters economically.

Militarily, does it matter? It does in this regard: ISIS is an offshoot of Al Qaeda because Al Qaeda kicked them out. These people now are going to have a safe haven from Aleppo, Syria, to the gates of Baghdad. They have sworn to attack us. Part of their agen-

da is to strike our homeland. Their goal is to create an Islamic state—a caliphate—that would put the people under their rule into darkness. I don't want to hear any more war-on-women stories unless we address Iraq and Syria. Do we want to see a war on women? I will show my colleagues one. Can we imagine what little girls are thinking today in the Sunni part of Iraq and in Syria? Can we imagine the hell on Earth? The people who will do that to their own—what would they do to us?

I don't mean to be an alarmist, but I am alarmed. I am just telling my colleagues what they are saying they will do. Our Director of National Intelligence has said that the safe haven for ISIS in Syria, and now in Iraq, presents a great threat to our homeland. The mistake President Obama is making is not to realize we need lines of defense.

Why did we want to leave a residual force behind in Iraq? Ten thousand to 15,000 would have given the Iraqi military the capacity they don't possess today, the confidence they don't possess today. It would have given us an edge against ISIS we don't have. A Toyota truck doesn't do very well against American air power. But when we have no American air power and when the intelligence capability of the American military leaves, the Iraqi Army goes dark. We have seen a collapse of the Iraqi Army that I think could have been prevented.

We can't kill all the terrorists to keep us safe. Our goal in this trying time is to have lines of defense, to keep the war over there so it doesn't come over here. It is in our national security interests to partner with people in Iraq. There were many who wanted a different life than ISIS would have. There are many Shias who want to be Iraqi Shias, not Iranian Shias. I have been there enough to know.

So this fateful decision to look for ways to get out totally has come back to haunt us, and we are on the verge of doing the same thing in Afghanistan. I promised my colleagues the Taliban would be dancing in the streets—they just do not believe in dancing—when they heard we were leaving in 2016. Can we imagine how the Afghan people feel who have fought these thugs by our side believing we would not abandon them and now to hear we are going to pull all of our troops out but for a couple of hundred. Can we imagine how a young woman in Afghanistan feels. Can we imagine how people in Pakistan feel—a nuclear-armed nation that could be in the crosshairs of the people trying to take Afghanistan down.

But it is not just about the people in Afghanistan. What about us? President Obama is going back to a pre-9/11 mentality. On September 10, 2001, we had not one soldier in Afghanistan, not one dollar of aid, not even an ambassador. So those in America who think if we leave these guys alone they will leave us alone, you are not listening to what they are saying. The only reason 3,000

Americans died on September 11 and not 3 million is they can't get the weapons to kill 3 million of us. If they could, they would, and they are very close.

So, Mr. President: Recalculate your decision on Afghanistan. If you pull all of our troops out, the Taliban will regroup, the Afghan National Army will meet a terrible fate, and the people who wish us harm will be coming back our way. The region between Afghanistan and Pakistan is a target-rich environment for the world's most radical terrorists, radical Islamists. So at the end of the day, Mr. President: Your job is to protect us. You are destroying the lines of defense that exist. The Afghan people are willing to have us stay there in enough numbers to protect them and us. Mr. President: Before it is too late, change your policies in Afghanistan. Mr. President: Do not take this country back to a pre-9/11 mentality where we treat terrorists as common criminals when we read them their rights rather than gathering intelligence.

We are letting our defenses erode all over the world. The enemies are emboldened and our friends are afraid. I can tell my colleagues this. If we continue on this track, it will come here again.

With that, I yield the floor for Senator CHAMBLISS.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to join my colleagues in discussing the current direction of U.S. foreign policy, especially as it relates to the Middle East. The Obama administration's foreign policy in this regard has unfortunately totally unraveled. The President, to his credit, made the Middle East his priority and engaged the Arab world early on in his presidency. He attempted to forge a new beginning between the United States and the Muslim world, but his idealistic strategy simply has not worked.

The Middle East over the last 3 years has been besieged by a resurgence of violence, instability, and terrorism. The administration has chosen to confront this challenge, which has major implications for U.S. national security, by leading from behind and by relying on an ineffective diplomatic strategy that involves few concrete security measures.

The shortcomings of this diplomatic strategy are painfully evident today in both Syria and in Iraq. In September of last year the administration praised the U.S.-Russian deal to disarm Syria of its chemical weapons. The deal was designed to rid Syria of chemical weapons and buy time for a diplomatic solution. Yet here we are today, in a situation where the Syrians have missed countless deadlines, still have chemical weapons, and continue to use barrel bombs filled with chlorine and other chemicals, as well as ball bearings, with impunity. In addition to the humanitarian disaster that has unfolded in Syria, allowing the status quo to

continue has also given the Islamic State of Iraq and the Levant, ISIL, and the al-Nusra Front the safe haven they needed to grow into the force we face today. Make no mistake about it. Terrorists are training inside of Syria today, planning to attack America and American interests.

I have been shocked to hear news commentators and some in this body refer to recent events in the Middle East, including the rise of ISIL in Iraq, as intelligence failures. The intelligence community makes its fair share of mistakes and I am the first to criticize them when they do. But these recent events, including the resurgence of ISIL, are not intelligence failures; they are policy and leadership failures. As we saw in Benghazi, the intelligence community provided ample strategic warning of the deteriorating security situation in Libya. Yet the administration did little to enhance security in Benghazi. Failing to protect the diplomatic facility, despite repeated warnings, is not an intelligence failure, it is a policy and a leadership failure on the part of the administration.

With regard to Iraq, intelligence, including Director Clapper's testimony at a January 29, 2014, hearing, has been abundantly clear that Iraq was vulnerable to the threat from ISIL. I encourage any Member to read the intelligence if they have questions regarding the intelligence community's assessment about security in Iraq and the rise of ISIL before the fall of Mosul. It was clear in 2011, as U.S. forces were withdrawing, that Iraq was vulnerable to a resurgence in extremist activity, and we have seen the violence escalate steadily in the last 3 years during this administration's failed policies. This collapse in security was again easily predicted, but we have stood by and watched as it has occurred. Again, this is a policy failure, not an intelligence failure.

Perhaps the most concerning aspect of this administration's foreign policy is its inadequate counterterrorism strategy. I often hear administration officials touting Al Qaeda's demise or describing the organization as on the run. Yet nothing could be further from the truth. As my friend from South Carolina alluded to earlier, before we began on the floor this morning, he said: Yes, Al Qaeda is on the run. They are running from one country to the next and taking over one country and the next.

Violent extremism is on the rise in the Middle East, and the warning signs have been visible for years. These warning signs include the September 11, 2012, attack in Benghazi, the rising of Al Qaeda-affiliated extremist groups such as the al-Nusra Front in Syria, the resurgence of ISIL, and most recently the fall of Mosul. Just yesterday we saw a terrorist flag raised over the largest refinery inside of Iraq. Despite these stark warning signs, the administration has only been willing to take very limited steps to curb this dis-

turbing trend. Instead of focusing on making counterterrorism operations more effective, the administration has been focused on ending the wars in Iraq and Afghanistan while America's enemies grow stronger. This approach has been a huge gamble that continues to jeopardize America's security.

The administration has sidelined many of the tools we used to successfully counter Al Qaeda in the years immediately after 9/11, including the effective, long-term detention and interrogation of enemy combatants. As a result, we know far less today about many of these terrorist organizations. Since the President ordered the closure of the detention facility at Guantanamo Bay in January of 2009, our Nation has been without a clear policy for detaining suspected terrorists. Without such a policy, including one that identifies a facility for holding terrorists that are captured outside of Afghanistan, the intelligence community's ability to conduct ongoing intelligence operations have been severely limited. I recognize there is no one-size-fits-all solution for handling terrorists, but our detention policies must foster full intelligence collection before any prosecution begins.

Al Qaeda and its affiliates and other terrorist groups are determined to attack the United States. We constantly face new plots and operatives looking for ways to murder Americans, such as the foiled May 2012 AQAP plot to put another IED on a United States-bound aircraft. Thankfully, this plot and others didn't materialize, but we are not going to always be that fortunate.

We know that Al Qaeda in the Arabian Peninsula—or AQAP—today represents one of the biggest threats to the U.S. homeland and personnel serving overseas. They are continually plotting against our interests and seeking new recruits, especially among our own citizens as well as former Guantanamo detainees. Explosive experts such as Ibrahim al-Asiri continue to roam free, posing a tremendous threat to the safety and security of U.S. citizens.

The proposed closure of Guantanamo Bay presents significant risks for the United States and Yemeni efforts to counter AQAP inside Yemen. A substantial portion of the detainees remaining at Guantanamo Bay are Yemeni citizens. Transferring these individuals to a country plagued by prison breaks, assassinations, and open warfare at this point could prove very catastrophic. These detainees would likely join several other former Gitmo detainees who have returned to the fight in Yemen, further destabilizing the country and worsening an already tenuous security situation.

The most recent example of a totally failed and dangerous policy on the part of this administration is the exchange of five Guantanamo detainees for Sergeant Bergdahl. We are all glad Sergeant Bergdahl is back. We should have done everything we could to get him back, and thank goodness he is now

with his family. But the deal—the exchange of five individuals from Guantanamo Bay who now wake up every morning thinking of ways to kill and harm Americans—was not the right thing to do. There were other ways to handle it. Yet this administration, almost callously, without notifying Congress—by the way, that was clearly intentional. The failure to notify Congress of what they planned to do when they signed a memorandum on May 12 and didn't release these individuals for another 2½ weeks gives us a pretty clear indication that this administration did not want to come to Congress and say we are going to exchange these five Guantanamo prisoners. The reason they did not is because they knew there would be objections from both sides of the aisle to doing such a dangerous thing and setting such a terrible precedent.

So whether it is in Iraq, Afghanistan or in other parts of the Middle East, Americans have fought and died in the war against Al Qaeda. Our Nation is weary of war, but threatening elements still remain. And those five individuals who I just alluded to are clearly threats to the United States.

I have asked the President to declassify the personnel files on those five individuals: Tell the American people what we know about them, Mr. President, and then look the American people in the eye and say: This was a good deal. I know they are going to return to the fight, and they are going to seek to kill and harm Americans, but this was a good deal.

Well, that is for the American people to decide ultimately.

I urge President Obama and my congressional colleagues, as well as the American people, not to abandon the gains we have made in the fight against terrorism since 9/11, but let's remain steady and let's continue to fight the good fight.

With that, I yield for my friend from North Carolina.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BURR. Mr. President, I join my colleagues today to discuss the administration's misguided foreign policy, especially as it relates to Afghanistan and the threat of Al Qaeda, the Taliban, and the Haqqani Network. Despite what the administration would have you believe, Al Qaeda, the Taliban, and the Haqqani Network remain capable and committed adversaries in Afghanistan. They are a clear strategic threat to the safety, the security, and the stability of the region and continue to commit to acts of violence against U.S. troops and plot against U.S. interests in the region and here at home.

Yet, for some reason, this administration has time and again failed to

recognize this simple fact, or worse, they have chosen to ignore it. Al Qaeda is not decimated—regardless of what Ambassador Rice may have communicated to the American people. Its senior leadership continues to plot devastating attacks and, more troubling, serve as an inspiration to a series of affiliates in Yemen, Somalia, Iraq, and elsewhere. These affiliates are plotting against the United States of America here at home, with the guidance, advice, and financial support of Al Qaeda's senior most leadership.

The Al Qaeda brand is alive and well, and the Obama administration's AfPak strategy to end the conflict, not win it, reveals a profound failure to analyze threats to the region, the world, and the United States of America.

Despite what this administration would have you believe, leaving Afghanistan before our work is done will not—will not—end the fighting. We cannot take the pressure off or our enemies will bring the fight to our doorstep here at home.

But Al Qaeda is not alone in Afghanistan. It is well established that the Haqqani Network, one of our deadliest adversaries, is the link between the Taliban and Al Qaeda—a direct link.

The Haqqani Network is directly responsible for a significant number of U.S. casualties and injuries on the battlefield in Afghanistan and continues to actively plan potentially catastrophic attacks against our interests and the interests of others in the region.

The group routinely targets civilians—civilians—and uses murder as an intimidation tactic against the Afghan people. They have mounted numerous assaults and suicide attacks on civilians and U.S. forces with deadly effectiveness. Yet the administration took until late 2012—at the urging of the Senate of the United States in a bill that I introduced—to actually name the Haqqani Network as a foreign terrorist organization.

Why was that important? Because that act changes the game. It provides us the full range of diplomatic and military tools to use directly against the Haqqani Network. It is against that backdrop that the administration then negotiated with the Haqqani Network the release of five high-level Taliban fighters for SGT Bowe Bergdahl's return. In other words, the President rewarded the Haqqani Network for its incarceration of a U.S. servicemember, strengthened its relationship with the Taliban, emboldened the Taliban, and undermined the Afghan Government—all with one decision.

Does anyone in this administration believe that five high-ranking Taliban officials, when set free, would not return to the fight? If they do, then they have not paid attention for the last decade or longer.

I understand that this Nation is weary of war. I understand the sacrifices made by our servicemembers, and I work every day to ensure that

our brave veterans are provided the care and treatment they deserve. Their efforts should not be in vain.

As we are here today, Marine Cpl Kyle Carpenter will receive the Medal of Honor. He was a 19-year-old when he signed up to go in the Marine Corps. The young marine, in combat—to save a fellow marine—jumped on a grenade. Kyle Carpenter lived—not only lived—after 40 surgeries, today he just completed his freshman year at the University of South Carolina, at 24 years old.

He is an American hero. He could be any one of our children or grandchildren. What makes this country great is that we have people such as Kyle Carpenter who step up, when asked, and they do more than we could ever ask of them.

Our servicemembers served and sacrificed overseas so that we could be safe at home. We cannot in good faith let the administration dishonor their efforts with a misguided policy.

The continued drawdown of U.S. and coalition forces in Afghanistan will provide Al Qaeda, the Taliban, and the Haqqani Network with a safe haven to train operatives and plot further attacks against the United States of America and our allies.

Contrary to the campaign statements of the President and Vice President, Al Qaeda is not “on the run,” and I urge this administration to avoid further actions that may endanger our Nation. I yield the floor for Senator INHOFE.

THE ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be allowed to speak until the arrival of the Senator from Alabama, Mr. SESSIONS.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, the subject today, of course, is the failed foreign policy of this President and this administration. It is really hard to do it in a limited period of time because once something happens like Benghazi, and we get into the middle of that thing, then all of a sudden you turn around and this President turns loose arguably the five most heinous terrorists from Gitmo. At the same time, we have a policy that was going so well in Iraq, and now we find out that is not working out either. If I have time, I will touch on that.

But the first thing I want to do is just mention this Benghazi thing. Being the ranking member on the Armed Services Committee, I had the opportunity to really be in there and see as it was happening. It happens that Chris Stevens—the Ambassador who was sent over there and who was killed, one of the four who was killed in Benghazi—was a friend of mine. He was in my office. We spent time together. We talked about the threats that were out there. Then, as we got closer to this time, he realized and started sending messages to the President, to the White House, to us, to send

security over there. He said that right now the terrorists are actually training in Benghazi. They actually had their flags flying. They knew they were organizing something, probably for an anniversary of 9/11. So he knew that. He had requested it, and the President elected not to send help at that time.

The question a lot of people have is—they will say: INHOFE, how do you know the President knew that was an organized attack? Well, I can tell you how. In our system of government, we have four people who are responsible for advising the President on threats, on intelligence. They are the CIA Director—at that time it was John Brennan. The Director of National Intelligence was James Clapper. The Secretary of Defense at that time was Leon Panetta. The Chairman of the Joint Chiefs of Staff was General Dempsey.

Now, all of them acknowledged, when the annex was hit in Benghazi, that it was an organized—that same day—an organized terrorist attack. They all knew it. They expected it, but then they knew for a fact it was.

So you are talking about the individuals who are responsible for advising the President. All of them were well aware that on the day of the annex attack in Benghazi that it was an organized terrorist attack. It was several days later that they sent Susan Rice to all of these shows in order to try to make it sound like it was some video that somebody had.

Now, why would the President not want to admit that this was an organized terrorist attack? It was right before the election and the polls showed a lot of the people thought—Osama bin Laden having been captured—there was no longer that big threat out there in the Middle East and that would inure to his benefit. So it was for political reasons, and we ended up losing four lives.

Then, just recently, they are saying, oh, they have now found this Abu Khattala. This is someone who has been around for 2 years. The press has been talking to him for 2 years. Why, all of a sudden, are they saying—now of all times—this is the guy who perpetrated Benghazi, when, in fact, this all came from the White House? I just think it is just covering it up, and I am very much offended by that.

But the one thing I wanted to talk about—and I know some of the other Members are going to be here, and I will not abuse the time that has been given to me—but it is having to do with the release of the five Taliban terrorists on the American people. Let me tell you a side of this that people are not talking about that I feel strongly is the reason for it.

First of all, this President is in the last half of his second term—or approaching the last half of his second term. As is always the case, when you get down toward the end of your term, you start looking for a legacy. What was his legacy?

One of his legacies is closing Gitmo. This President has been talking about

closing Gitmo for as long as I can remember, certainly longer than he has been President.

Now, you wonder why. I go back and I tell people in Oklahoma—they say: Why does he want to close Gitmo? You cannot answer that. We have had Gitmo since 1903. It is one of the few good deals we have in government. We only pay \$4,000 a year for that, and half the time the Cubans do not cash the check. So we have this thing. We had actually 778 people there incarcerated and being interrogated prior to the time that Barack Obama became the President of the United States. Now we are down to 149.

But as far as Gitmo—that resource—no one argues with the fact that the humane treatment is beyond anyone's expectation. There is no place else in the world they can do that. They are fully compliant with the Geneva Convention. They have had people go in there and look at the maximum security prison, and it is attested to. Human rights organizations, the Red Cross, and everyone else agrees that it is a very humane place while they are interrogating. As I said, there is no place else they can do this. Because if you start doing this in our court system, obviously, they get Miranda rights, constitutional rights, and people are pretty offended when they find out. That keeps us from getting information that would affect some of the others.

We have an expeditionary legal complex there. It is the only one like this in the world, where they can actually do this.

So this is a place where we can actually get in there, interrogate, get information, incarcerate people, not intermingle the terrorists with the prison population in this country, which is what the President has been talking about doing.

Why do I say that? I say that because these guys are terrorists. They are not criminals. You put them in our prison system, and by definition their job is to train other people to become terrorists, and that is what they would be doing in training the prison population to become terrorists.

I have to say this too. All of the talk about Osama bin Laden and the fact that we do have him—and I am very glad we were able to bring him down. But how did we do it? We did it through information that we received through interrogation at Gitmo, Guantanamo Bay.

So I only say that because people wonder, why in the world would he be wanting to do this? And how does he want to fulfill this expectation or this legacy he has?

Let me tell you, tell you how I think. If he would take, out of the 149 individuals who are left there, the 5 most heinous terrorists, most dangerous Taliban terrorists, and turn them loose, that would put him in a position, then, to get rid of the rest of them, with the exception of those who are awaiting war crimes trials.

So what happened? He turned them loose. No. 1. No. 2, he told the Taliban exactly when the United States is going to leave, regardless of the conditions on the ground. And then, thirdly, he has said that he is going to declare an "end of hostilities."

That is a proper phrase, "end of hostilities." This is not a war, it is a hostility. If he does that, that would then give him the justification for opening the gates, turning everyone loose from Gitmo and closing Gitmo. That, in my opinion, is the estimation.

What are the threats we are facing as a result of that? We are in a position right now where we have five people who are turned loose. Even if we trusted Qatar to hold these five guys for a period of 1 year, still the philosophy there would be: All right, we will turn you loose if you few promise not to kill Americans for 1 year. That does not make sense.

So this is something that should not have happened. We now have the people there making decisions, and they are celebrating as we speak. One of the five individual's name is named Fazl. I will end with this: There is a guy named Mullah Salem Khan. He is a Taliban commander over in Afghanistan. Listen to this. He is talking about Fazl, one of the five guys. He said:

His return is like putting 10,000 Taliban fighters into the battle on the side of jihad. Now the Taliban have the right lion to lead them in the final moment before victory in Afghanistan.

That is what happened with these guys. That is how it is viewed over there. It is an atrocity that it did happen.

I yield the floor for Senator CORNYN.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Mr. President, how much time remains in the allocation of this side's time?

The ACTING PRESIDENT pro tempore. The Republicans have 8 minutes remaining.

Mr. CORNYN. I know we perhaps have another Member coming to speak. Would the Chair please advise me after I have used 5 minutes of that 8 minutes?

The ACTING PRESIDENT pro tempore. The Chair will do that.

Mr. CORNYN. Mr. President, I wish to talk about the intersection of national security and our mounting debt. Over the last 5 years, President Obama has had multiple occasions to embrace real structural entitlement reform that would help solve our long-term debt problem. One might wonder why am I talking about debt when the subject we are generally talking about is national security, including what is happening in Iraq and Syria.

It is because as the former Chairman of the Joint Chiefs of Staff said, ADM Mike Mullen, when asked what the single biggest threat to our national security was, he said: It is our debt. The President had an opportunity, when the Simpson-Bowles Commission re-

leased its recommendations in late 2010. As you will recall, this is a bipartisan commission the President himself appointed to help come up with a formula to deal with our fiscal problems.

Unfortunately, once they made their recommendations in December of 2010, the President walked away from them and nothing came of it, even though we are facing, in addition to \$17 trillion in debt, more than \$100 trillion in unfunded liabilities. Perhaps it is because those numbers are so big that we have a hard time getting our head around it, that people have become desensitized to the urgency of dealing with our debt and these unfunded liabilities.

But the President has never once endorsed any sort of reform necessary to deal with this challenge or to prevent a future crisis. The fact is, somebody someday—probably these young men and women who are working as pages and others their age, is going to have to be the ones to pay this back because our generation will have failed them unless we meet the challenges this presents.

It seems as though the only part of the Federal budget the President is eager to cut is national defense. Under his latest budget plan, defense spending would drop from 3.4 percent to 2.3 percent of GDP by 2023. At the same time, we are told the U.S. Army might be shrunk to the smallest size since pre-World War II.

President Obama needs to realize that even America's current military capabilities are proving inadequate to meet global challenges. For example, one former Assistant Secretary of Defense has declared that because of Pentagon budget cuts, President Obama's highly touted pivot to Asia cannot happen. In other words, despite promoting the Asia pivot as a crucial element of American foreign policy, the President has failed to take the necessary fiscal steps to make sure that happens or could happen.

This of course makes it a hollow policy, one where the promises are extravagant, but the delivery is anemic, and one that will do major damage to U.S. credibility among our allies and adversaries. The prospect of bringing DOD spending back down to sequestration levels has alarmed our senior military officials in all branches of government. Chief of Naval Operations ADM Jonathan Greenert has said that reverting to sequester levels in 2016 "would lead to a Navy that is too small and lacking the advanced capabilities needed to execute the missions that nation expects of its Navy."

The Secretary of the Air Force has said that going back to those spending levels "would compromise our national security." Ray Odierno, Chief of Staff of the Army, said it would put "our young men and women [in uniform] at much higher risk." In other words, the President cannot simply keep cutting defense spending and the military in order to fund his other priorities and at



the same time ignore the 70 percent of spending that is on autopilot, so-called entitlement spending. That is where the big money is. That is where the reforms need to take place, but it will not happen without a leader.

We all know what is happening in Iraq. I know time is short. I do not want to take away any more time than necessary from my colleague from Alabama, but this map reflects what is happening now in Iraq. The civil war in Syria, the President had drawn a red line which once crossed—there were no consequences associated with that.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mr. CORNYN. Now this border between Iran and Syria has basically been wiped away. We see all of these places where the ISIS, a horrific terrorist group that is even worse than Al Qaeda, has basically taken charge. So this is what happens with a failure of leadership. Unfortunately, this is where we are in so many places around the world.

In short: President Obama simply cannot keep asking America's military to shoulder such a disproportionate share of the spending cuts while our biggest entitlement programs remain virtually untouched. DoD spending did not cause our long-term budget problem, so slashing it to the bone would not solve that problem. Moreover, seemingly every week brings fresh reminders of the challenges our country will face in the years to come. At this very moment, we have Russia's ongoing aggression against democratic Ukraine. We have an Iranian theocracy that shows no signs of abandoning its quest for a nuclear weapon. We have a persistent terrorist challenge in Afghanistan. We have a potential failed state in Libya. We have growing Al Qaeda activity in many parts of Africa. We have a Chinese dictatorship that is increasing its annual military budget by more than 12 percent while continuing to bully its neighbors on the high seas.

Most notably, we have a burgeoning terror state in the heart of the Middle East, where a ruthless band of jihadist killers—a group that is even more radical and murderous than Al Qaeda, if you can believe it—now controls a massive piece of territory spanning both Syria and Iraq. Calling their movement the “Islamic State of Iraq and Syria,” or ISIS, members of this organization have taken over major Iraqi cities, including Fallujah, Mosul, Tikrit, and Tal Afar, leaving a trail of blood and medieval terror in their wake.

The map to my left shows just how much territory ISIS has conquered. To make matters worse, they have seized a tremendous amount of weaponry and money—almost half a billion dollars—making them perhaps the most well-resourced terrorist group on earth.

And again, just to reiterate: This group is considered more radical, and more vicious, than even Al Qaeda.

Amazingly, even after ISIS took control of Mosul, Iraq's second-largest

city, a National Security Council spokeswoman stuck to the White House's 3-year-old talking points and said, “President Obama promised to responsibly end the war in Iraq and he did.”

Of course, the President did no such thing. By the time he assumed office in January 2009, Iraq had largely been stabilized. All the President had to do was convince the Iraqi government to sign a new Status of Forces Agreement, SOFA. Unfortunately, he was more interested in keeping a misguided campaign promise from 2008.

As a result of his failure to maintain a significant U.S. troop presence in Iraq, America emboldened the Iranians, the Shiite militias, and the Sunni terrorist groups to become more aggressive. We also emboldened Iraqi Prime Minister Nouri al-Maliki to behave in a more sectarian and dictatorial manner.

Meanwhile, amid the fallout from America's Iraq withdrawal, President Obama's failure to take early, decisive action in Syria made it much easier for Sunni terrorists to increase their territory, weapons, and manpower. As you can see from this map, the jihadists have effectively been using their bases in Syria as a launching pad for attacks in western Iraq.

The path forward in Iraq is highly uncertain, but I would urge President Obama to explain to the American people what is at stake, and to formulate a robust strategy for defending U.S. interests and preventing the creation of a new terror state. The President may well believe—as a recent New York Times article suggested—that “he is managing an era of American retrenchment.” But with bloodthirsty jihadists marauding through Iraq and approaching the gates of Baghdad, now is not a time for U.S. retrenchment. Instead, now is a time for clear thinking, clear decisions, and clear action.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, when a nation commits itself to a military effort, it is a very significant, august decision. I was here when we voted to utilize military force in Iraq and Afghanistan. A majority of the Democrats in this body supported that. The American people supported that.

Through tough times, success was achieved in the sense that Iraq had elections, they had a functioning government, the U.S. military was drawing down its personnel, the country had a reconciliation with the Sunni and the Shia and the Kurds, and we were on a path that gave us some prospect, I believe it is fair to say—critics can have different opinions—but it is pretty clear to me we had prospects for a successful conclusion of that effort which would allow a relatively stable,

relatively democratic nation to be established that did not threaten its neighbors or the United States.

So we should have not done that. Well, we did that. That is what has happened. That was the situation when President Obama took office. He failed, in my opinion, in negotiating the kind of drawdown in the status of forces agreement that needed to be established to be able to create credibility in this new and fragile regime and help hold their military together, keep them trained, while we reduced dramatically our presence and military activities. We would be there as support, supplying equipment, intelligence, aircraft lift capability. That would have given them confidence.

It was very clear when we just said: We cannot reach an agreement. We are pulling everybody out. We had General Bednarek talk to us recently. He told us he has 100 soldiers. I asked him if he was the current General Petraeus.

He said, yes, with a bit of a smile, but he only has 100 people. So I guess I would say we are worried about it. One of the things that is so critical in our conduct and understanding of what we are involved in is to understand that the terrorist threat is going to be there for a long time. We are going to be dealing with this for a long time. There is a significant number, not a majority by any means but a significant number, of radicalized people in the Middle East who want to destroy the United States. They see us as an evil force. They support what we oppose. They want to take over their neighbors and continue to expand. They want to knock down reasonably functioning regimes that provide at least some freedom and order in their societies. They want to impose a caliphate. They want to impose on those countries a theocratic government and legal system.

It is not good for the United States and it is not good for the world. One of the things we have to do and have to understand is that when we capture a person committed to the destruction of the United States, and who is attacking our people, they are not criminals. They are warriors. Most of their activities are clearly contrary to the law of war. So they are unlawful enemy combatants.

When we capture a soldier in battle, whether lawful or unlawful, if they have complied with the rules of war, unlike this group, we do not try them, per se. We hold them until the war is over, until a peace treaty has been signed, until an agreement has been reached. That is not happening now. As a result, we have a confused policy that results in the release of dangerous enemy combatants, such as the five Taliban leaders we just released under this confused thinking.

It fundamentally arose when the left—determined to attack President Bush—attacked the secure terrorist detention facility at Guantanamo Bay. They argued that it became some symbol of the policies we are using to detain people who are captured enemy



combatants, lawful or unlawful. When we capture them, we hold them. We do not release them so they can go back to the war and kill us. We are going to send soldiers out to capture them, and then once they have been captured, we are going to release them so they continue into the war? It goes against all common sense. As Justice Jackson once said: The Constitution is not a "suicide pact."

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. So they have to be treated properly and that sort of thing, but they do not have to be released. We captured, for example, Nazih Abdul-Hamed al-Ruqai last year for conspiring with bin Ladin to attack U.S. forces in Saudi Arabia, Yemen and Somalia and for his part in the 1998 bombings of two U.S. Embassies in East Africa that killed 224 people before 9/11. He is a treasure trove of intelligence.

U.S. forces went in and captured him, took him away at risk of their lives. He had been undergoing interrogation on the USS *San Antonio* until he said he was sick and not doing well. So what happened? They took him to New York, where he was formally arrested and taken into the custody of the U.S. Justice Department, and put into the civilian justice system. The purpose of capturing him was to get intelligence. This is a warrior. We want to talk to him. We want to see what we can learn about him. Even the New York Times said "his capture was seen as a potential intelligence coup because he had been on the run for years and so would, presumably, possess information about al Qaeda." However, when he appeared in Federal court, he was appointed a lawyer, guaranteed a speedy, public trial—the things that prisoners of war are not entitled to—yet this has been happening over and over again. Al-Ruqai's cooperation ended, leading to a major lost opportunity to obtain valuable intelligence.

This evidences a serious lack of understanding of the nature of the conflict we are engaged in. It evidences a policy that is dangerous to our safety. It is wrong to send Americans to capture people such as this and then treat them in a way that allows them to minimize the opportunity to obtain intelligence.

Indeed, the gravest danger with bringing enemy combatants to U.S. soil is that the President cannot absolutely prevent their release into the United States. And, once foreign nationals are here, there are legal limits on the government's ability to remove them from the U.S. The reality is, once here, their fate is no longer simply up to the administration but also a federal judge.

There are many examples of foreign nationals who have committed murder

and other serious crimes and were released into the U.S. when our government could not transfer them to another country.

This risk extends to the detainees at Guantanamo Bay. We saw that in the case of *Kiyemba v. Obama*. There, the D.C. District Court ordered the release into the United States of a group of ethnic Chinese Uighers who were detained at Guantanamo, many of whom had received military-style training in Tora Bora. Fortunately, the D.C. Circuit reversed the decision based on the fact that the Gitmo detainees had not been brought to the United States. If, however, Gitmo detainees are brought here, a judge may very well order them released into the United States if they cannot be removed to another country. That very real risk obviously does not exist if Gitmo detainees are not brought to the United States in the first place.

The course this administration has chosen on national security matters has steered us into a head-on collision with reality. The American people unequivocally oppose transplanting terrorists from Gitmo into their own communities, either for detention or trial. Our primary goal is to prevent future terrorist attacks, especially through obtaining intelligence. We should not jeopardize that goal in order to afford foreign terrorists who seek to harm the United States and its citizens the rights and privileges granted to ordinary criminals. The administration's policy has put this country at grave risk.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

#### LORI JACKSON DOMESTIC VIOLENCE SURVIVOR PROTECTION ACT

Mr. BLUMENTHAL. Mr. President, photographs on this poster are of a young woman, Lori Jackson, a Connecticut resident, who died tragically, needlessly, savagely in Oxford at the hands of her estranged husband.

Lori is the reason I have introduced legislation named after her to close a gaping loophole in our Federal law—well, she is not the only reason. Tragically, there are thousands of other women and some men who have shared her fate because of a gap in Federal law that permits intimate partners to continue to have firearms, even when they are under restraining orders from the court. Those restraining orders are placed against them because they evidence clear danger to their partners, whether their husband or their spouse.

The reason they pose danger is that they become violent. The gap in the law is it applies only to permanent restraining orders, not temporary ones.

Lori Jackson sought a temporary restraining order when her estranged husband threatened her physically and her two 18-month-old twins at their home. She sought and she obtained a

temporary restraining order and literally the day before that temporary restraining order was to become permanent and the prohibition against her husband having a firearm would have gone into effect, he gunned her down at her parents' home where she had sought refuge with her children—gunned her down and savagely and severely wounded her mother as well with those same firearms.

The temporary restraining order against Lori's husband was completely ineffective, powerless to prevent him from using that gun against her and killing her—and her mother, severely wounding her.

Tragically, Lori's story is far from unique. Jasmine Leonard also had a temporary restraining order against her husband. She died last week after her husband shot her.

Chyna Joy Young celebrated her 18th birthday just days before she was shot and killed by her estranged boyfriend, despite the temporary restraining order she had against him. Young was 3 months pregnant.

Barbara Diane Dye was granted a temporary restraining order and then fled to Texas. She returned only for a hearing on the permanent restraining order, and that is when her husband cornered her in a bank parking lot and shot her repeatedly with a .357 magnum revolver, killing her there.

When domestic abusers have access to firearms, it isn't only abuse victims who are at risk. A violent husband under a temporary restraining order in Brookfield, WI, followed his wife to the salon where she worked. Not only did he shoot and kill his wife but he killed two additional people and wounded four more.

After Erica Bell got a temporary restraining order against her husband, he came to her at church. He followed her there. He shot and killed Erica and he also shot four of her relatives, including her grandparents, great-aunt, and a cousin.

This scourge of domestic violence, combined with the epidemic of guns in our society causing gun violence, is a toxic recipe, and we must do more against domestic abuse. That is why I have formed an organization in Connecticut called Men Make a Difference, Men Against Domestic Violence. It is a program launched in cooperation with our largest domestic prevention and response agency, Interval House, which does a wonderful job against domestic violence. It is a commitment of prominent men, all men, providing role models for young men and boys to reach out to other males and take action to prevent domestic violence. We can truly make a difference as men. We can fight domestic violence. We can gradually make progress against it because it is a cycle.

More than 70 percent of all men who commit domestic violence have seen or experienced it in their own lives, and these kinds of organizations can help stop and stem domestic violence. But

domestic violence, combined with guns, is a recipe for death.

As our former colleague Frank Lautenberg used to say: "The difference between a murdered wife and a battered wife is often the presence of a gun." Women are five times more likely to die as a result of domestic violence when there is a gun in the home than when there is not.

So I have introduced the Lori Jackson Domestic Violence Survivor Protection Act. It is a long name. The most important part of the name is Lori Jackson, because her story tells it all.

There is no reason we should fail to protect women when they are protected by a temporary restraining order rather than a permanent restraining order. In fact, there is every reason to provide more protection in the first week or 2 weeks when there is a temporary restraining order in place. Remember, the temporary restraining order is granted not on a whim or a question, because of specific, credible evidence that an intimate partner poses a physical danger, and it is granted by a judge after considering that evidence.

The moment of danger in a relationship such as Lori Jackson's is when one partner tells another—it may be a spouse, it may be a boyfriend, a girlfriend—she is leaving, she wants a divorce. That is the moment of maximum rage. That is the moment of greatest danger. That is the moment of uncontrollable wrath.

At that moment of greatest danger, the law is at its weakest. There is no prohibition against that enraged, impulsive, hurt, angry individual from continuing to possess or purchase a firearm.

The Lori Jackson Domestic Violence Survivor Protection Act very simply closes that gaping loophole in our law, providing that just as with a permanent protective order, an individual subject to a temporary restraining order cannot purchase or possess a firearm. It is a very simple, commonsense measure, but it can help save lives. It can help save others such as Lori Jackson and the individuals whom I have named—many of them courageous, strong individuals like Lori Jackson who broke with an abusive relationship.

The experts in this field will tell us that is among the most difficult things to do, and it puts a woman at her most vulnerable point in the relationship. Again, that is the time when current law fails her. That is the reason we should close that loophole.

Other measures are also important and necessary.

I salute our colleague Senator KLOBUCHAR for her proposal that will close an equally important loophole in our law relating to people who are convicted of stalking. That is an eminently important and sensible step to take. It will keep guns out of the hands of stalkers; likewise, Representative

MOORE's legislation to help States enforce our gun laws.

Similarly, the comprehensive measure of mental health initiatives, school safety steps, background checks, is part of a comprehensive effort to stop gun violence in our country. They are all important and necessary.

I thank my colleague and friend Senator MURPHY of Connecticut for championing them as a teammate in this effort, and he has joined me in supporting this legislation.

I named this legislation after Lori Jackson as a memorial to her and a gesture of sadness and outrage at her death.

Every man or woman who has lost his or her life through a domestic violence gun homicide deserves to be memorialized on this floor, as does every victim of gun violence. With more than 1,000 names added as victims every year, I believe we can honor them best by passing this legislation.

I urge my colleagues to join with me in honoring Lori Jackson, Jasmine Leonard, Chyna Joy Young, Barbara Diane Guy, and Zina Daniel, all of the women who have lost their lives to domestic abusers and whose lives might have been saved. We can't know for sure. There is no certainty they would be alive today, but we know their chances would have been better if that temporary protective order had also protected them from an abuser who possessed or bought a firearm at that moment of maximum danger.

We continue to grieve in Connecticut for all victims of gun violence, especially the 20 beautiful children and 6 great educators who lost their lives. This past Sunday I attended in West Haven the opening of a 24th playground. Where Angels Play is the name of the playground organization headed by a firefighter, a very resolute, steadfast, public servant, Bill Lavin. This playground, honoring one of those children, was on the beach in West Haven—a moment of haunting and exquisite beauty—when all of us gathered in honor of Charlotte Bacon on a sun-filled day, Father's Day. Joel and JoAnn Bacon and their son Guy were with us.

Each of those playgrounds is a memorial to those children who died, and we have likewise honored the six great educators who perished.

There are ways to honor and remember and memorialize these victims. Alexis Volpe in Middletown did a small garden, and she was joined by the Daisy Scouts there.

All of them are beautiful in their own special way, but action is the best way to honor the memory of the victims of gun violence, action to adopt commonsense, sensible measures that will help prevent gun violence in the future. None is more important than honoring, remembering, and acting to save others such as Lori Jackson, who will always be with us in spirit and memory.

I thank my colleagues who have joined me in this effort, Senators DUR-

BIN, MURRAY, BOXER, MURPHY, HIRONO, WARREN, and MENENDEZ, sponsoring the Lori Jackson Domestic Violence Survivor Protection Act.

I yield the floor for my good colleague and friend, the Senator from West Virginia.

#### CELEBRATING WEST VIRGINIA'S 151ST BIRTHDAY

Mr. MANCHIN. Mr. President, I thank my good friend from Connecticut. I appreciate his unwavering commitment to continue to fight for justice and fairness for all, and he does it every day.

I am here to say happy birthday to West Virginia. Tomorrow, June 20, we will be 151 years old, and I rise to honor my great State.

I have often said this: Some of us were lucky enough to be born and raised there—and I am one of the lucky ones—some people were smart enough to move there, and some people just wish they could get there. So under any circumstance, we will take you.

This is a State that truly embodies a brave and daring declaration of statehood that is unprecedented in American history.

Born out of the fiery battles of the Civil War, West Virginia was founded by patriots who were willing to risk their lives in a united pursuit of justice and freedom for all. Since that day 151 years ago, June 20, 1863—when our State officially became the 35th State admitted into the Union—West Virginia's rich culture and strong traditions grew.

That year the Great Seal of the State of West Virginia was adopted—and we all have our seals and preambles in all of our States—depicting who we are as a people and our culture. With our birth date's inscription forever engraved in its center, the seal features a big boulder rock with two crossed rifles and a liberty cap sitting on top to express our State's importance in fighting for liberty and justice.

On either side of the boulder stand two men: On the left, a farmer stands with an ax and a plow to represent agriculture. On the right, a miner stands with a pickax and a sledgehammer to represent industry. Finally, along the outer ring is carved the text "State of West Virginia" and "Montani Semper Liberi," which means "Mountaineers Are Always Free."

That Great Seal of West Virginia, designed in 1863 during America's bloody Civil War, leaves a lasting imprint of who we are as the people of West Virginia.

Just like the farmer and miner on our seal, we cannot forget the countless others who fought for our freedom and embarked on our State's improbable journey to independence from Virginia and to our very own place in the Union—a land of the free and home of the brave. We believe—and we believed way back then—that justice would prevail.

Those pivotal figures climbed over mountains, crossed raging rivers, tumbled through thick forests, and fought against bondage and oppression to be free. Their resilience succeeded, and because of their bravery and patriotism the “mountaineers” are still always free.

Ever since our historic beginning, we, the people of West Virginia, have never failed to answer our country's call. We have almost more veterans per capita than any other State in the Nation. When 9/11 happened to our great country, there were more West Virginians percentage-wise who signed up to enter all branches of our Armed Forces to fight for our country. I am so proud of each and every one of our West Virginians and our veterans and the people serving today.

Ever since we chose the stars and stripes and chose to live under a Constitution that promised a constant pursuit of “a more perfect Union” of States, no demand has been too great, no danger has been too daunting, and no trial has been too threatening.

Our State's abundance of natural resources, coupled with the hard work and sacrifice of our people, have made America stronger and safer. Since our birth, we have mined the coal that fueled the Industrial Revolution, powered our railroads across the continental United States, and produced the steel that built our ships, skyscrapers, and our factories. Our little State has given every ounce of blood we have.

To this day, West Virginians continue to generate the electricity that lights our cities, heats our homes, and powers our businesses. We have also filled the ranks of our military forces in numbers far greater than should be expected from our little State of less than 2 million people.

West Virginia's population holds one of the highest percentages of veterans among all States. As I always say, West Virginia is one of the most patriotic States in the country. We always have been and we always will be.

“The best steel comes from the hottest fires.” My father always told me that, and the fires of the Civil War transformed us. We forever branded ourselves to the ideals of the Declaration of Independence and the guarantees of the U.S. Constitution—and, as the “mountaineers” who will always be free.

We are tough. We are independent. We are inventive. We are honest. Our character has been shaped by the wilderness of our State. With welcoming mountains, countless hollers, rushing streams, boundless blue skies, and dense green forests, we have it all. West Virginia is a place of coal mines and soaring eagles, Boy Scouts and community leaders, sparkling lakes and captivating mountains, winding backcountry and smoky barbecue joints, battlefields, and hidden trails, college towns and small towns, and it goes on and on. West Virginia is a place of power, pulse, and passion—a special

place I get to call home, along with other West Virginians.

Yes, we have had our ups and downs, our setbacks and triumphs, famous family feuds, neighborly fights, timely trials, and unexpected challenges have been thrown our way, but the spirit of West Virginia has never been broken, and it never will. I learned a long time ago, growing up in the small coal-mining town of Farmington, WV, with hardworking men and women, when things get tough, by God, we just got tougher. That is the way it had to be to survive.

Tomorrow, as people across West Virginia celebrate West Virginia's 151st birthday, a day we now also know as West Virginia Day, I encourage all West Virginians to remember who we are, from where we have come, and where we are going to go. I encourage us all to remember the first mountaineers and the brave leaders and strong laborers who paved the way for us and for future generations to come.

We have so many reasons to be proud of our beautiful State, its kind and compassionate people, powerful landscapes, unique customs, rich culture, and fascinating history.

John Kennedy, in 1963, when he came for our centennial celebration and spoke on the capitol steps, once said: Sometimes it is raining cats and dogs. Sometimes the Sun doesn't always shine in West Virginia, but the people always do.

He was so correct, as he felt the heartbeat of our State.

Every West Virginian contributes to our State's amazing story, and on West Virginia Day I encourage all West Virginians to seize this opportunity to imagine the future of this great State—and this Nation—and be proud of how far we have come and how far we will go together.

We are West Virginians. Even in the darkness and the gloom, we look to a just God who directs the storm, and similar to the brave loyal patriots who made West Virginia the 35th star on Old Glory, West Virginians' love of God and country and family and State remains unshakable, and that is well worth celebrating every year.

So God bless every West Virginian. God bless those who came before us and who will come after us. Happy birthday, West Virginia.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. KAINE pertaining to the submission of S. Res. 479 are located in today's RECORD under “Submitted Resolutions.”)

Mr. KAINE. Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MARYLAND AGRICULTURE

Mr. CARDIN. Mr. President, about 2 weeks ago I had a chance to meet with the leaders in the agricultural community to go over certain issues that are available to our farmers. I met with the NRCS chief Jason Weller. I met with the Maryland State agriculture secretary Buddy Hance and Lee McDaniels, who is a Harford County, MD, farmer and president of the Maryland Association of Soil Conservation Districts.

We were talking about ways in which the agricultural community, and those citizens who are concerned about our environment, can work together so we can have a clean environment and a healthy agricultural industry in our State. I found the discussion to be extremely helpful. We talked about the Regional Conservation Partnership Program.

I thank Senator STABENOW for her incredible leadership on the farm bill. When we reauthorized it, we consolidated a lot of the conservation programs—particularly for specific great water bodies—into the Regional Conservation Partnership Program. It provided new energy and tools available for conservation within agriculture so we can have a clean environment and also have sustainable agriculture in our country.

Recently, the Chesapeake Bay watershed was designated as one of the critical conservation areas. That becomes important because that allows a certain amount of the funds under the Regional Conservation Partnership Program to be available to the critical conservation areas in our country and will be used by our farmers to conserve their land, and to be better stewards of the land and our environment, and at the same time have a sustainable agricultural program.

The Chesapeake Bay Program first started many years ago under the leadership of then-Governor Harry Hughes of Maryland, who worked with the Governors of Pennsylvania and Delaware and then expanded to include the States of New York, West Virginia, and of course Virginia, to establish the Chesapeake Bay Program. They understood that in order for the program to be successful, they had to deal with development issues and storm runoff, the hardened surface, the loss of forestry land in the Chesapeake Bay watershed, and the causes of the pollutants in the soil and our environment through

surges which rush into our water system, our streams, and rivers, and into the Chesapeake Bay. We have to do a better job of development in dealing with storm runoff.

It also recognized the responsibility of local governments. They are the primary entity responsible for how we treat our waste with the wastewater facility plants and how we can do a better job of preventing pollutants from entering our water system.

We also dealt with business growth and the pollution coming in through business activities.

One of the major focal points was how do we deal with agriculture. In one sense agriculture is very positive for our environment. Maintaining open space is important, and agricultural activities are generally open space. That can be good because it gives us a larger tract of land in order to filter rainwater, to filter the pollutants from perhaps never entering the bay but, if they do enter the water system, they enter in a way that has already been filtered. So in that sense agricultural preservation is important for the conservation of the bay, but because of farming activities that use nitrogen and phosphorus, it can cause significant challenges for the bay.

I think Maryland farmers have done a good job. They have done a good job for many years. But I wish to speak about one farmer particularly because I was very pleased—before this meeting, I had a chance to meet Hank Suchting. He is a farmer in Baltimore County, MD. That is pretty close to the urban centers. The Presiding Officer was referring to me as being the Senator from Baltimore. I am a proud resident of Baltimore, and Mr. Suchting's farm is only a few miles from my house. It is interesting. He has a beef-farming cattle activity. It is in the Oregon branch of the Gwynns Falls River, which has been dammed to provide for the Loch Raven Reservoir to deal with our water supply. In other words, that stream, which is part of his cattle production, is in the watershed that goes into the drinking water that the Presiding Officer and I drink in the Baltimore region. So we all have a significant interest in making sure that water supply is kept safe and that when we turn on our tap and when we drink our water, it is fresh water.

Mr. Suchting's farm activities produce about 30 beef calves a year. That is an important number because in order for that cattle population to be properly grazed, it needs to have a water supply, and it needs to have a place where the cattle can cool off, particularly on a hot day like we had yesterday. So the traditional farming activities for this cattle production were to allow the cattle—as I said, the stream goes right through his property—to use the stream for the purpose of cooling off and for the purpose of the drinking water for the cattle. However, that was not the best way to do it for the purposes of protecting the water

supply of Baltimore and to deal with the Chesapeake Bay and to deal with our environment because, as the Presiding Officer knows, free access for the cattle to the river meant that the cattle manure, the phosphorus would go into the waters, causing a challenge for the water system, and it caused significant erosion to the streambed itself.

So Mr. Suchting felt a commitment to help the environment, so he said: Look, why don't I look at fencing in the riverbed so my cattle do not get direct access to the stream and producing a supplemental water system through a water trough—as we see in the photograph. It works through gravity. It uses the aquifer, works through gravity, and produces direct water for the cattle to drink.

Here is the interesting part. His principal motivation was that he wanted to do something that would help the environment, but he still wanted to be able to produce his cattle. He felt an obligation to do this.

The State of Maryland had help for him. In partnerships with the Federal Government and conservation programs, there were funds available to help him fence in the property to have a sensible crossing—because he was on both sides of the creek—so that he could have a way for the cattle to cross safely and still protect the water bed itself. That program made it more financially advantageous for him to put in the fencing so the cattle did not have direct access to the stream and to put in the water trough so they could get fresh water.

But guess what. He put a pencil to it and found out it was better economically for him to do this. It actually made his farming practices more financially viable. How did that happen? Well, he was losing calves every season to storms when there were water surges and they would get caught in the stream and they would actually drown. He was losing calves because of extreme weather. Being in the stream caused hypothermia for the calves, and they would die. Every time he lost a calf, he also lost about \$1,000. This was a sound investment from the point of view of the financial viability of his cattle production.

Also, he found it was healthier for his cattle in two respects. First, the water supply did not include the pathogens that can be found in the streams, so he found it was healthier for his cattle to get water through the trough rather than through the stream itself. Secondly, he said the growth around the stream increased dramatically because the cattle were not in the stream, and it gave better shade on the property to allow the cattle to be able to cool off in the shade in a more efficient way than going into the stream itself.

My point is this: This is just one example. I could give hundreds of examples where conservation makes sense for agriculture and our environment.

My reason for being at this farm and my reason for bringing together the

leaders in agriculture in Maryland is to talk about this new program that is now available. It is the Regional Conservation Partnership Program, which is available under the farm bill, which makes hundreds of millions of dollars available competitively—it is not earmarked—for farmers to be able to do what Mr. Suchting did through similar types of programs to help themselves and help our environment so we can have a safer environment for our community.

Working together, we can have a cleaner environment and successful agriculture. There are now new tools available. We want people to know about them. We want farmers to know about them. We want conservation districts to get this information out to our farming community because, quite frankly, agriculture is critical to Maryland, it is critical to New Jersey, it is critical to this country. It is the largest single part of our local economy, and I expect it is the same in New Jersey and around the Nation. We want viable agriculture. We outcompete the world in production. We want to be able to continue to do that, but we also want to pass on a cleaner environment to our children. We can do both.

Thanks to the leadership of Senator STABENOW and thanks to the leadership of this body, we now have new tools available to help our farmers in conservation. I hope they will take advantage of them for the sake of our environment and for the sake of agriculture.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 4660, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the consideration of H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, which appropriations bill is this that we just announced?

The PRESIDING OFFICER. The motion to proceed to the Commerce-Justice-Science provisions.

Mr. INHOFE. I thank the Chair.

Let me make two comments on two amendments actually to the THUD appropriations bill having to do with CNG, natural gas vehicles. If I could speak very briefly on two amendments, the first is amendment No. 3245. That amendment is the regulatory streamlining for the use of compressed natural gas. This will allow us to give some of the same treatment to natural gas vehicles that are given to other alternative fuel vehicles. In fact, I am joined with Senator CARL LEVIN on this amendment, which also gives access to HOV lanes for certain vehicles that are using natural gas and other alternative fuel vehicles.

The other one is amendment No. 3275 having to do with light semi trucks that use natural gas, because of the additional weight of the equipment, we would give some leniency—up to 2,000 pounds—in terms of the total weight to allow them and encourage them to use compressed natural gas without facing a freight-weight competitive disadvantage.

Those are the two amendments, when the time comes, that I wanted to get into the RECORD that I will be proposing at that time.

I thank the Senator from Maine for yielding me a few minutes of her time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. 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.

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

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

Mr. BOOKER. Madam President, I rise to speak on an amendment I have filed on the appropriations bill that this Chamber is now considering. The amendment is cosponsored by Senators ROCKEFELLER, FEINSTEIN, MENENDEZ, SCHUMER, BLUMENTHAL, GILLIBRAND, MARKEY, WARREN, and BROWN.

Madam President, I ask unanimous consent to add as cosponsors to the amendment Senator DURBIN, Senator BOXER, Senator HIRONO, Senator MURPHY, and Senator SCHATZ.

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

Mr. BOOKER. Thank you, Madam President.

Our amendment would maintain critical evidence-based safety rules that reduce truckdriver fatigue. I am disappointed that this bill currently includes a provision that would roll back the enforcement of these rules—rules

that are based on years of scientific evidence. It is doing so without further study. It is rolling back these safety rules without public input. It is rolling back these safety rules without even a hearing.

At a time when truck crashes are actually on a rise in the United States of America, it is paramount that Congress do more in transportation safety to improve the protection of lives—not remove an evidence-based element of reform.

Keep in mind that the rule the bill currently suspends enforcement of was the result of feedback from more than 20,000 formal comments submitted by industry and stakeholders. It was a result of 6 public sessions and incorporated 80 sources of scientific data and research, as well as a regulatory impact analysis.

Over the past week alone, New Jersey has been impacted by at least four major, separate accidents involving tractor trailer collisions. National statistics, unfortunately, show that these tragedies are unfolding more and more frequently.

Many of my colleagues may not spend much time in New Jersey, but I am willing to bet that many have driven on the more than 38,000 miles of public roads that exist in my State. If you know the New Jersey Turnpike, this corridor connects our State and drivers, much of our commerce, and our economy all together. This highway also sees a lot of trucks at all times of the day, all around the clock.

So I am compelled by these facts:

Nearly 4,000 people are killed in truck accidents and over 100,000 people are injured every single year.

From 2009 to 2012, truck crash injuries increased by 40 percent and truck fatalities increased in our Nation by 16 percent.

Truckdriver fatigue is a leading cause of major truck accidents. These drivers, who work extensively long days delivering the goods we depend upon, deserve basic protections allowing them to get sufficient rest to do their job safely and efficiently.

Just this morning the National Transportation Safety Board released a preliminary report about a truck crash that happened on the New Jersey Turnpike on June 7 which killed one passenger traveling in a limousine, and four others were airlifted to a hospital. Six cars were impacted by the collision between the truck and the limo. The truckdriver, according to the NTSB report, had logged 13 hours 32 minutes of work at the time of the crash. Had he reached his destination, he certainly would have exceeded the number of federally permitted hours to work in a given day. The truckdriver will clearly be punished for pushing the limits.

Truckdrivers are working extremely long days to deliver the goods that keep America moving, but it should never ever be at the cost of safer roads.

At a time when we should be doing more to improve safety, we should not

be rolling back evidence-based rules. Our amendment prevents readopting a policy that could force many truckdrivers to work over 80 hours per week. It maintains a balanced rulemaking that provides for truckdrivers to be allowed two nights' rest at the end of a taxing workweek.

The Department of Transportation itself—our Federal Department of Transportation—estimates that the current rulemaking is preventing 1,400 crashes each year, saving 19 lives and avoiding 560 injuries on American highways.

Our amendment would simply retain a provision to authorize—it would actually retain a provision to authorize further study. We believe further study on the issue is good. I am not against further study, nor are we against further analysis. But we believe it is absolutely unacceptable to consider suspending these driver rules while the study is being conducted. Safety cannot wait.

I have not been in the Chamber very long and even today may have violated some of the rules of comity of this great body, but I know this effort is an important one, and I know it will be an uphill fight. There are some entrenched interests who tend to have a lot of influence on Capitol Hill, but this, to me, is one worth fighting. I urge my colleagues to join me.

I have heard a lot of the arguments and questions about why this should possibly be rolled back, why we should roll back safety regulations in the face of increasing accidents on our highways. Somebody might say that DOT rules make the roads less safe by forcing trucks on the road during busy rush hour traffic.

The notion that the DOT's rules—which were based on all of those hearings, all of that public input, the scientific study—somehow make the roads less safe, to me, is unfounded. To be sure, the rule does require that scientifically proven optimal sleep hours of 1 a.m. to 5 a.m. be included in the DOT's mandatory 34-hour "restart" period. But let me be clear. This restart period only applies when a truckdriver has reached his or her maximum driving hours for the week—the maximum allowed. It only triggers that provision when someone has worked a 70-hour workweek.

Keep in mind that most people work 40-hour workweeks. Requiring those drivers operating 80,000-pound trucks on busy roads to get some rest is not only common sense, it is supported by the science. The Department of Transportation estimates that the current rule, again, is preventing crashes, is preventing the loss of life. Nineteen lives they believe these rules around hours have saved, 560 injuries, 1,400 crashes. Suspending this rule without studying it first is not common sense.

I have heard another argument that the DOT rules are a solution looking for a problem, that truckdriver fatigue is somehow not that common. A study

that was conducted by FMCSA in 2006 found an astonishing number of truckdrivers—65 percent of truckdrivers—reported that they often feel drowsy while driving. Over 40 percent of truckdrivers responded they have trouble staying awake at the wheel. An alarming 13 percent admitted they have fallen asleep while driving.

Fatigue is an issue. The survey illustrates how vitally important rules governing hours of service and rest periods are in keeping our roads and highways safe. Now is not a time to roll back those rules without studying, without evidence, without a hearing, without information.

There are some people who might say this is a partisan issue, that somehow Democrats are safety advocates and are exploiting the severe accident that faced a comedian named Tracy Morgan, that we are using this as a political opportunity. But that suggestion is wrong. Somehow it misses that fatal accidents are common on our highways.

This concern continues to rise in our country as the number of accidents increases. While the accident involving Tracy Morgan on the turnpike was tragic, it was one of thousands of accidents and crashes that occur in our country each day. The incident has brought needed attention to a rising trend of trucking accidents. This is a problem policymakers have long been trying to address through Federal rules and initiatives, based again on years of study and analysis.

In fact, last month I sent a letter to the U.S. Department of Transportation regarding important truck safety concerns. My predecessor, Frank Lautenberg, spent years of his life in public service trying to make our roads safer.

I also have heard that most truckdrivers are negatively impacted by the current rule, that language in the Senate appropriations bills stops this impact that most truckdrivers are seeing.

That is simply not true. A driver is only required to use the 34-hour restart if and only if he or she works the maximum number of hours allowed under the Federal regulation. This restart is most frequently in effect for those long-haul drivers who make up only about 15 percent of the trucking workforce. Those averaging 70 hours per week or less are not affected by the changes to the 34-hour restart, because they would never work the number of hours that would require them to use the restart under the current rule.

The Senate amendment would allow drivers, though, to return to the extreme schedule allowed under the pre-July 2013 rule, when a company could require a driver to work a maximum of 82 hours a week, pushing the limit of human endurance. Not only 82 hours in 1 week, trucking companies would force the limits of human endurance of 82 hours week after week after week after week, 82-hour week after 82-hour week after 82-hour week.

I have also heard this HOS provision in the T-HUD appropriations bill is a

low-impact change to the hours-of-service rule, that this is actually not that much of a change. Suspending enforcement of these DOT hours-of-service rules substantially increases the number of hours a truckdriver could be forced to work each week and forced to push the realm of human endurance. In fact, the change would be from an already high 70-hour workweek to a more than 80-hour workweek, which is the equivalent of an extra workday each week and nearly twice the amount the average American works.

The appropriations bill will remove this commonsense guarantee that truckdrivers themselves, as we have seen with the support from the Teamsters Union, that truckdrivers themselves get at least a 2-night rest, the humane 2-night rest at the end of a tasking workweek.

What these changes mean in practice is that drivers may be forced to work grueling hours now, week after week by truck companies that are pushing the limit. Studies have shown this leads to the fatigue that causes accidents such as we are seeing on the New Jersey Turnpike. The DOT hours-of-service rules, some people say, implemented last year were based on insufficient analysis, that somehow these were rushed rules.

But I have said already, this came out of a balanced rulemaking effort and process that took into account both safety and industry interests. DOT rulemaking involved the feedback from 21,000 formal document comments submitted by a wide range of stakeholders, including six public listening sessions, and incorporated 80 basic scientific research data provided by scientists, as well as conducted a formal regulatory analysis.

By contrast, the bill rolling this all back was done in an appropriations process. It was not reviewed. It was not considered by the committee of jurisdiction upon which I sit. It was not subject to public comment. It had no hearings established where both sides were listened to and their comments were weighed and engaged. It rolled back a rule that now will allow truckdrivers to be pushed more into the limits of their human endurance and put more fatigued drivers on our roads.

Some people say this amendment I am putting forth, with many of my colleagues, somehow would prevent further study. That is not true. Our amendment only strips the provision of the appropriations bill that ties the Department of Transportation's hands and prevents them from enforcing the current rules on the books. But we actually leave intact authorization for more study, which I am open to.

This should be done on scientific studies in an open process, with hearings, with information, with testimony. It should not be saddled onto an appropriations bill that ultimately would roll back rules which the DOT themselves are saying will help to preserve the safety and the lives of Amer-

ican citizens. So I caution right now, why not wait? Why not do a study, leaving the current rule intact? Why not keep these regulations, these safety regulations in place, and let's do another round of studies? Let's do another round of hearings. Let's have debate and discussion in committee and the committee of jurisdiction before we roll back rules that put truckdrivers on our roads, pushed by trucking companies, to further their limits of exhaustion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, it appears I first need to say to my colleague and to those who are listening, there is no one in this body, in the trucking industry, among their customers who wants to see trucking accidents. All of us are committed to safer roads, and to make sure that freight is delivered in a safe manner in this country.

In fact, the former Administrator of the Federal Motor Carrier Safety Administration said in a letter to the committee dated June 17:

The fact is the Senate Transportation, Housing and Urban Development bill which contains a temporary suspension of two new provisions in the 34-hour restart rule makes the roads safer.

Makes the roads safer. That is what this debate is about.

I am very disappointed to see that the Senator from New Jersey is otherwise engaged and not listening to these comments.

Let me start with a fact. The fact is, under current law, under the Collins amendment, under the provisions we reported in the Appropriations Committee, it is illegal for any driver to operate a commercial motor vehicle when that driver's ability or alertness is impaired through fatigue, illness, or any other cause so as to make his or her driving unsafe.

That is illegal. That is illegal now. That will continue to be illegal if our provisions become law. I think that perhaps it would be helpful, given the disappointing amount of misinformation that has been circulated by the proponents of this amendment, if I were to go through some of the provisions of the hours-of-service regulation. Those are the regulations that are the foundation of the rules that govern truck safety in this country.

The fact is our Transportation-HUD appropriations bill would not suspend the entire hours-of-service regulation or the entire 34-hour restart provisions as some keep saying, both on the Senate floor and in the media. To be clear, our proposal would not change the maximum driving hours that are allowed per day. It would not change the total on-duty window in each shift. It would not change the minimum number of off-duty hours between shifts, which is 10 hours. It would not change the mandatory 30-minute rest break that is required by your eighth hour.



That is a new provision that was adopted last July.

My friend from New Jersey claims I am wiping out all of these rules. Regrettably, he is simply mistaken about that. I am not changing any of these provisions of the hours-of-service regulation, including one that was adopted last July requiring a mandatory 30-minute rest break prior to your eighth hour. I support that. I think that is a good idea. I support the provisions for a limit on how many hours a driver can be behind the wheel. I support the limit on the maximum on-duty hours. I support the requirement for 10 hours off between shifts. So to say I am repealing all of these truck safety regulations is simply false. It is a disservice to the debate on an important issue for wrong information to be circulated about what we are trying to do.

There is another important provision we are not changing that I think is going to help to improve truck safety, and that is the upcoming requirement for electronic, onboard recorders to replace the paper logs that are kept by some truckdrivers now.

The paper logs have been proven to be less accurate, and obviously there is a potential for reporting false information. With electronic logs, that goes away. I am a strong supporter of the rulemaking that is going to lead to the requirement for electronic logs, which many truckdrivers are already using. Our bill, in fact, includes some funding to help truckdrivers of smaller fleets afford the electronic logs.

What are we changing? We are changing only two provisions, and that is why our amendment—my amendment—was adopted by an overwhelmingly strong bipartisan group in the Appropriations Committee. The vote was 21 to 9 because the members of the committee took the time to understand what we were doing and what we were not doing.

Here is one of the problems. The new rules require that a truckdriver have two consecutive nights where he must be off duty and sleeping between 1 a.m. and 5 a.m. There are a lot of people in this country who work a night shift, and if we talk to them they will tell you that what is disruptive to them is to work a day shift part of the week, a night shift part of the week, go back to the day shift, and go back and forth.

Many of our drivers want to drive during the overnight hours because the statistics overwhelmingly show that is the safest time for them to be on the roads.

This isn't a matter of conjecture. It is based on the Federal Motor Carrier Safety Administration's own analysis about what times of the day crashes occur. The fact is, the safest time for trucks to travel is between midnight and 6 a.m. The number of crashes nearly quadruples between 6 a.m. and 9 a.m. It is five times higher between noon and 6 p.m.

Let's think about this for a moment. It just makes sense. There are far fewer

vehicles on the road. Why in the world would we want to push truckdrivers to have to be on the road when children are going back and forth from school, when commuters are going to work.

One truckdriver from Maine gave me a great example. For those of us who are familiar with downtown Boston, with all of its small, curvy streets and all of its one-way streets, he said to me: If I have to wait until 5 a.m. to deliver fuel to a convenience store on the corner of two busy streets in downtown Boston and I am going to arrive there at 7 a.m.—during the rush hour, during the time when people are getting up, going to school and to work—it is far more dangerous. It is far more difficult for those commuters trying to stop at that convenience store while I am trying to deliver the fuel. It is far safer for me to be delivering that fuel at 4 a.m. or 5 a.m. in the morning before the convenience store even opens and before the traffic picks up.

But, again, the Senator from New Jersey doesn't have to take my word for it. Please, I would implore the Senator from New Jersey to look at the statistics—and these are the newest statistics the Department has put out. They are very clear that the crashes more than quadruple—quadruple—during those daylight hours.

That is why the truckdrivers would prefer to be on the road at night when it is safer and to do their deliveries when their customers need the deliveries to be done—whether it is to that convenience store that needs gas before the rush hour starts or whether it is to a grocery store that needs to reload its shelves. That just makes sense.

The second change—and the only other change—that our amendment makes to the hours of service provisions has to do with the limitation on the use of the restart. Under the new regulations which were implemented last July about 1 year ago the Department limited the 34-hour restart to once a week. It is once every 168 hours.

How does that make sense? The Presiding Officer and I both come from States where there can be severe winter weather, and a truckdriver who is delivering in Wisconsin or Maine may run into a terrible storm.

Why shouldn't he or she be allowed to take a 34-hour period off while the storm is raging and then restart the clock on the number of hours that he or she can take?

By the way, the restart, under the current law, is voluntary, and we do not change the requirement—which is current law—that a truckdriver cannot drive more than 70 hours in 8 days. What we are saying, however, is we don't want that truckdriver to be out there in bad weather trying to push through and get home because he or she is running up against the clock and can't take a second 34-hour restart.

In fact, as the former administrator—who, by the way, has spent her professional life of 22 years in public safety—has written: We encourage

drivers to get more rest, to not take the chance of driving through bad weather.

Now let me address the conflicting arguments I heard from the Senator from New Jersey on the issue of whether these regulations have been studied enough.

On the one hand, he says they have been studied to death and they are well based in scientific research. But the fact is that the current Administrator of FMCSA recently testified over on the House side and was specifically asked if the agency had evaluated the safety and congestion impacts of large trucks being forced by the new regulations to drive during the hours when crashes are most likely.

The Administrator confirmed: The field study did not address or talk about the impact of traffic on the road.

That is why it is critically important to study all aspects of the regulation. It appeared that FMCSA also failed to coordinate with its sister agency the Federal Highway Administration.

Just last month the Federal Highway Administration announced a grant program called the Off Hours Freight Delivery Program for cities that "look at how truck deliveries made outside of peak and rush hours—when there is less traffic on the highways—can save time and money for freight carriers, improve air quality and create more sustainable and livable cities."

So clearly the agencies within the Department of Transportation are not communicating their policies with one another. We have one DOT agency trying to direct more trucks onto our Nation's highways during the daylight hours, and then we have a second agency that is pushing funding out to cities in order to keep those same large trucks from operating during daylight hours and to encourage them to operate during overnight hours.

Why we would want to prevent or discourage large trucks from being able to drive during overnight hours simply makes no sense.

On the other hand, my colleague from New Jersey says: Don't worry, we have kept in the study. We have kept the Collins study in the bill.

Well, if it has been studied so extensively, as he claims, then why is there a need for the study? You can't have it both ways. You can't say these regulations were thoroughly studied and supported by scientific evidence, but, gee, we need a study. I mean, which is it?

I think what the Administrator admitted in her testimony over on the House side is accurate, and that is the field study did not look at the overall impact of congestion on our roads, and that is a real flaw. That is why I worked with colleagues on both sides of the aisle to come up with a study that will look at all of these factors, to make sure that we do not have what the Administrator herself has conceded are unintended consequences of these changes, and that is what we have now.

The fact is that these changes that were adopted by a vote of 21 to 9 by the



Appropriations Committee are common sense. They will lead to less fatigued drivers. They deserve more study and consideration, and—as the former Administrator of this agency has said—they will improve traffic safety.

I hope my colleagues will oppose the amendment that has been offered by the Senator from New Jersey. I will speak further, but I know there are others who want to debate this issue or who are waiting to speak.

I yield the floor.

Mr. BOOKER. Will my colleague yield for one short question?

Ms. COLLINS. I would be glad to engage in more debate later, but my colleague from Missouri has been waiting for a half hour to speak, and I think it would be courteous for him to be allowed to speak.

Mr. BLUNT. Madam President, I thank my good friend from Nevada for yielding a few minutes to me. He is going to speak on an amendment which requires the Senate to pass a budget I am supportive of and support his efforts to do that, but I wish to speak in support of this great explanation of what the committee did as we just heard from the Senator from Maine.

The committee debated this. We looked at the facts as Senator COLLINS has repeated. That full debate, that full discussion in the committee ultimately had a bipartisan vote of 21 to 9. This was something the committee thought about. I think the committee reached the right decision, and I was glad to be part of the 21 votes that said this should be part of the underlying bill.

There is a wide consensus that further study is needed. That consensus goes even to the administration.

As the Senator from Maine has already pointed out, the “restart rule” allows drivers to restart their weekly on-duty time calculations by taking at least 34 hours off duty.

In July of 2013, new restrictions were placed on the restart provision, and the changes, frankly, have had unintended consequences and unintended effects for drivers, for their families, for customers in the supply line, and even other users of the road.

The new restrictions state that a restart period has to include two back-to-back periods in the middle of the night—from 1 a.m. to 5 a.m. I am usually up not too long after 5 a.m. I am almost never up between 1 a.m. and 5 a.m., but many people are.

The Federal Government can decide a lot of things, but what is the best work and rest pattern for people should not be one of them, particularly when that work pattern forces people to do their work at a more dangerous time. I believe that is what this rule does. That is what the accident reports would verify; that back-to-back rest periods can only be used in a way that disrupts the ability to get the job done in a way that works for these drivers and their families, and works for safety on the road.

This rule would push more trucks onto the road during the daylight hours, and accidents are worse when there is more traffic.

The Federal Motor Carrier Safety Administration just admitted that this wasn't studied as it should have been. I asked the Secretary of Transportation over 1 month ago to tell what studies were done on this issue. We still haven't gotten a report. He very nicely said, “I would like to take that for the record.” Apparently the record is pretty hard to complete here because we haven't had a report yet about the research done on what would happen if you took truckdrivers off the road in the middle of the night and put them on the road in the middle of the day, the middle of the afternoon, the very rush hour hours the Senator from Maine has talked about.

I have heard from a lot of drivers in our State. We are in the middle of the country. We are a transportation hub. We have lots of drivers in our State. One constituent of mine, a driver from Energy Transport Solutions in Bates City, MO, said a lot of drivers are losing a whole day on the road and a whole day with their family.

Many drivers choose to drive at night or early in the morning so they can be home when their kids come home from school. If a driver wants to be home when their kids come home from school and if they want to drive during safer parts of the driving 24-hour cycle, why would the government tell them they can't do that without any study to indicate it somehow would be safer?

The fact is this provision would in no way affect the hours-of-service rule. The Senator from Maine once again has explained what wouldn't change. It wouldn't change the daily driving time limit; it wouldn't change the daily working limit; it wouldn't change the daily break requirement; it wouldn't change the weekly work limit.

This rule only says: We are not going to move forward with more dangerous traffic times required by law until there is some proof that somehow this works out to their advantage. Drivers still can't work longer than the maximum 14 hours in a shift. They can't drive longer than 11 hours at a time. By the way, that is what the rules say now. They would still be required to take at least 10 consecutive hours' rest before starting the next shift, and they have to take at least 30 minutes before the 8 hours they come on duty. These safeguards will remain in place.

The provision the committee is offering as part of this bill merely suspends the two restrictions on the restart rule, which is only one subset of a larger part, a rule that would still be in effect.

During that suspension, the Federal motor safety group would be required to adequately study the effects of what they have required to happen here. It is also worth mentioning again that they have said they need to make this study. So why don't we let them? Traf-

fic accident reports would indicate we are forcing people to drive at a more difficult time.

Talking about the terrible accident we saw lately, the fact is, somebody who drives 24 hours straight, whether it is their own car or a truck, is in violation of every rule that is out there now.

The rules the Senator from New Jersey says we should protect because of the recent accident are the rules that were in effect during the recent accident. Those were the rules in effect then. If anything, we should say what rules were in effect a few days ago and how would we reevaluate them so this wouldn't happen again, rather than saying we have to have exactly the rules in effect we had in effect when the tragedy occurred. That makes no sense at all.

There are reasons to research this. There are reasons to look at it. One of the reasons to keep the current rules in place is not that they would have prevented the accident that happened, because the current rules were in place when the accident happened.

Reports have stated the vehicle was traveling too fast, and the person drove in their own vehicle long before they got in the other car. There is nothing in the amendment the Senator from New Jersey proposes that would have done anything about those violations of the rules our bill would leave in effect that Senator COLLINS and I are advocates for.

We don't want to put truckdrivers and others on the road in danger unnecessarily. The more cars that are out, the more likely you are to have an accident; the more cars and trucks that are out there, the more likely you are to have an accident.

This overnight rest rule has clearly put trucks on the road at a busier, more congested time. We believe that is not good. The committee, by a vote of 21 to 9, believes that is not good. I hope the Senate decides to stay with the decision the committee has brought to the floor.

Let's have a study. It should have happened before these rules came out, and it absolutely should happen now.

I see now Senators from Nevada on the floor. I do wish to mention again I am grateful to Senator HELLER for letting me make these remarks before we get to the amendment he wants to talk about.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 1:45 p.m. today, the Senate proceed to executive session to consider the following nominations: Calendar No. 770, Aguilar; No. 538, Nichols, to be Ambassador to Peru; No. 766, McWatters, to be a Member of the National Credit Union Administration; and No. 712, which is Wormuth, to be Under Secretary of Defense for Policy;

with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Nevada.

Mr. HELLER. Madam President, I thank my colleagues on the floor for their healthy debate on advancing traffic safety. I am sure we will hear a lot more about it, and I look forward to continued debate.

I also thank my colleague from Missouri for his support on the amendment I am about to offer and talk about. The amendment I am speaking of is the Heller amendment No. 3269 to H.R. 4660.

While I commend the chairwoman and the ranking member of the Appropriations Committee for all of their hard work in putting together the appropriations minibus to be considered on the floor, this is only the first of the appropriations bills that Congress needs to, and should, consider before the end of the fiscal year.

This will not surprise the American public, but this Congress is once again facing another October 1 deadline to complete all of the current fiscal year appropriations bills. We are now well into the year and only now are we starting to bring appropriations bills to the Senate floor. By our own calendar there are only 8 full legislative weeks left to avoid yet another continuing resolution.

Missed deadline after missed deadline has been a staple of this Congress. Without even a basic budget process, we have failed to pass any of the current fiscal year appropriations bills on time so far this year.

I know the Appropriations Committee has been working hard to pass each of their spending bills in committee, but all too often these bills end up being rolled into one large omnibus measure or a continuing resolution that is not subject to any amendments.

As our Nation faces a rising national debt, the American people can no longer afford Congress's failure to tackle our Nation's spending addiction. I must admit that since coming to Washington back in 2006, I have never seen Congress pass all 12 appropriations bills on time. In fact, I am certain most of my colleagues who serve with me today have not experienced a normal appropriations process, and there are probably even more Members who don't think it is even a realistic expectation to pass all 12 appropriations bills on time anymore. So I am here to remind everyone that Congress has been able to accomplish its regular budget and appropriations process before in recent history.

A couple examples: It happened under President Clinton with a Republican Congress in 1996. It happened under President Reagan with a Democratic Congress in 1988. These are just two examples, but the fact remains that these deadlines have been met before, and now is the time to start meeting those deadlines again.

I have always said Washington, DC, is a pain-free zone that faces no consequences—zero consequences—if Members fail to do their jobs. I think it is time we start requiring accountability for Members of Congress in order to get things done.

I know many of my colleagues have heard me talk about my legislation, No Budget, No Pay. It is pretty simple: If Members of Congress do not pass an annual bipartisan budget resolution and all 12 spending bills on time each year, then they simply should not be paid.

I wish to repeat that last part: If Congress fails to pass all 12 spending bills on time each year, they should not get paid.

We have honest, hardworking Americans in the gallery and across this country who play by the rules. That rule says: If people do their job, they get paid. Why shouldn't it be the same for us as Members of Congress? We need to be honest.

We also need to recognize that both Democrats and Republicans are at fault. Governing from crisis to crisis while our long-term debt continues to grow is now the new normal in Washington. We need bipartisan solutions, but nothing will happen if Members of Congress don't start feeling some pain.

Instead of playing another game of brinkmanship, let's start working now on a plan that will place our Nation on sound fiscal footing or cultivate a progrowth economy that will produce jobs in the long term.

I have filed No Budget, No Pay as an amendment to this appropriations minibus to highlight that we have to end this cycle of inaction and indecision. Let's show the American people their elected officials are ready to lead and make the tough decisions these times deserve.

While I am not a betting man, I am from Nevada so I would bet that once again we will fail on passing any appropriations bills into law before October 1, and we will once again punt our responsibilities by doing another CR or omnibus.

I ask my colleagues—if you are sick and tired of this broken budget and appropriations process as much as I am, support No Budget, No Pay, and let's fix this problem once and for all.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. I would ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Thank you, Madam President. I know Senator KIRK is on his way to give tribute to one of his staffer—a tragic situation—so I am going to be very brief.

Madam President, I come to the floor to support Senator COLLINS' efforts to bring some common sense to these

truck safety regulations, and I know this is a very emotional debate because of the tragic accident that occurred recently with a very well-known and well-respected comedian, Tracy Morgan.

I understand that there are families in my State and around the country who have had horrible and, unfortunately, fatal accidents with trucks that are more and more prevalent on our overcrowded highway system. I am not insensitive to those families, to those stories, and I honestly believe that what Senator COLLINS and I and others are trying to do is going to make a very unsafe situation more safe, not less safe.

There is really an honest and sincere disagreement among us that has to be debated. I am glad we are having this debate so that the evidence, the record, and the facts can speak for themselves.

This first came to my attention a couple of months ago when a group of citizens came up from Louisiana to say: Senator, we are shocked to tell you this, but there is a new rule out that is going to require truckers to sleep between the hours of 1:00 and 5:00 two nights a week.

I looked at them and said: That cannot possibly be correct. Nobody at the Federal Government would ever mandate when people are supposed to sleep.

I mean, how would you do such a thing? How can you tell people when to sleep and when to be awake? You can tell them how many hours they need to rest, you can determine how many hours they can drive before they have to take a break, but how exactly are you going to enforce when people sleep? That is going a step too far. So that is why I signed on with Senator COLLINS to say: Wait a minute, there has to be a better way.

When they told me—which I could not believe and later found it to be true—they said: Senator, don't you think that sometimes it is better for truckdrivers to drive at night when the highways are less crowded than during the day when they are more crowded, when children are on their way to school, when people are on their way to work, when most people have day jobs?

But there are millions of Americans who work at night. It is probably two-thirds who work during the day and one-third at night.

Wouldn't it be safer for the trucks to drive at night? Some of these truckdrivers can sleep during the day.

I said: Absolutely. That makes sense to me.

They said: Well, that is soon going to be illegal under these rules.

So that is why I got into this debate.

I am very respectful of Senator BOOKER, one of the outstanding, brightest lights that has hit this Chamber in a long time. His intellect is spectacular. His heart is in the right place. He and I both agree that we want our highways safe. We want the truckers rested. We don't like the crowding on the highways. But it is going too far when

the Federal Government starts mandating when workers should sleep. We just can't go there.

So I am going to support Senator COLLINS' legislation that is going to back up these no-commonsense rules and ask them to come back with another suggestion that will result in the same safety but not mandate when Americans should sleep. I think adults who drive trucks can make those decisions for themselves.

If the law is that they have to rest 8 or 9 hours in a 24-hour period, I think they are responsible enough to do so. If they are not, then they should be held accountable and prosecuted for reckless driving—which happens frequently—and they should then be appropriately punished, whether by fine or revocation of their license or jail time. But I cannot be part of any government that is making regulations demanding that people sleep a certain hour—not from midnight to 4, not from 2:00 to 7:00, but from 1:00 to 5:00 on consecutive nights a week. I just don't understand it, and I am not going to support it.

So this is not about safety; this is about government overreach to a point where it is almost visceral. There has to be a better way to come up with a rule to get our highways safe. I am open to it. Not this rule.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### REMEMBERING LISA RADOGNO

Mr. KIRK. Mr. President, I rise to memorialize the life of my Washington, DC, scheduler who passed away yesterday, Lisa Radogno.

This is a picture of her. I am going to give these remarks as if I am talking to Lisa because this blow was such a severe one that we suffered yesterday.

Lisa Radogno was one of the brightest lights of my Washington, DC, office. She was such a strong supporter of mine, even stronger than I.

Lisa was a diehard White Sox fan. She even had a White Sox logo tattoo on her ankle. We will miss her so very dearly.

Lisa, I will tell you that this loss is—sorry, Mr. President. I get very emotional about this death that just happened yesterday. I want to memorialize Lisa, who was so much like her mother, State senator Christine Radogno of Lemont, dedicated to the service of the people of Illinois. She was a fierce, fierce worker on campaigns and here in the Senate. She is somebody I will miss with every fiber of my being. She was with me in the House of Representa-

tives and here in the Senate and was so proud to represent the people of Illinois here in the Senate.

To have her die yesterday was a big blow, especially for a young woman in her thirties. It is a real shock to my staff to have Lisa gone from us.

Lisa, these days are going to be really hard. I will just say you ran the schedule so perfectly. It was a work of art, in your case, to do the complicated workings of a House office, of a Senate office, to be so perfect and so young in what you did. The staff is all now in shock. You were certainly the social light of our operation here in Washington, DC.

I spent a good part of last night on your Facebook page looking at pictures of you, and it really caused me to cry a bunch. I will miss you, especially in our office, and watching you online quite a bit, hoping that Facebook leaves up those pictures forever so I can always take a quick look at your smile and remember your humor, which was always right at the ready.

Lisa was such a strong supporter of my office. To have her lost like this so suddenly was a big shock to us. This is pretty hard for all of us in the Kirk operation to handle.

Thank you Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I know we have pending now the appropriations bill for Commerce, Justice, and Science, which contains an important issue I have offered an amendment on, along with Senator CHAMBLISS, who is the ranking Republican on the intelligence committee, as well as Senators WICKER, INHOFE, CRUZ, GRAHAM, and BLUNT, all of whom serve on the Armed Services Committee, and Senator VITTER and Senator KIRK. Our amendment would prohibit the administration from transferring to or releasing to the custody or control of any foreign country Guantanamo detainees whom our own Guantanamo Review Task Force has recommended for continued law-of-war detention.

This is a task force that looks at all the circumstances surrounding those who are being held at Guantanamo, including whether they continue to represent a danger to our country and to our allies if they were to be released.

Our amendment does three things. It prohibits the transfer to foreign countries of these detainees, that this group the administration put together to review each of the detainees and their status at Guantanamo has recommended them for continued law-of-war detention.

These are the worst of the worst. These individuals have been determined to be the most dangerous to continue to present a risk to the United States of America and to our allies if they were to be released.

So our amendment is pretty straightforward. It simply says they cannot be transferred to third-party countries—

or transferred to the United States of America, for that matter—and that they shall remain at the secure detention facility, Guantanamo Bay, based on the recommendation of the Guantanamo Review Task Force.

Our amendment would also prevent the transfer of Guantanamo detainees to countries that have had prior instances of Guantanamo detainees being transferred to that country and then those detainees getting back in the fight against us.

It is pretty common sense. If we have a history with a country where we previously, under either the Bush administration or the Obama administration, transferred the detainees there and then they have been released and have gotten back in the fight against us or our allies, why would we want to transfer them to this type of country again? Because, obviously, these countries cannot guarantee the security of these detainees, and it puts us and our allies at risk.

Finally, our amendment would prohibit the transfer of Guantanamo detainees to countries that have failed to honor their previous commitments to the United States of America to monitor, detain, or control the travel of former Guantanamo detainees. Again, if we have had a prior agreement with a country and we have transferred a detainee or detainees there, and they have failed to honor those agreements, why would we want to transfer detainees there now?

The most recent instance of this was the five Taliban dream team who were transferred to Qatar, because the country of Qatar actually had a prior instance where they failed to honor their commitments to us with regard to how they would treat the detention and travel restrictions on a Guantanamo detainee.

I am deeply concerned about the national security implications of the five detainees who were transferred in the prisoner swap. In fact, having asked our intelligence officials about what will happen to these five detainees, what I have heard from them is on a scale of 1 to 10, 4 out of 5 of those detainees are a 10 for 10 on the likelihood to get back in the battle against us or our allies. The fifth is about an 80-10 scale. We have a 29-percent reengagement rate or recidivism rate from those we have held at Guantanamo, meaning 29 percent of them get back in the fight against our country, against us, against our interests after they have been captured and put in Guantanamo.

So we have a history here, and it is important if the administration is going to transfer anyone out of Guantanamo they not transfer individuals who have been found too dangerous to be let loose because they have been designated for continued law-of-war detention and they present too much of a risk to our country and the world. Second, to not transfer these individuals to countries where we have already

transferred people in the past—and guess what, they couldn't keep them secure and they got back in the fight against us and our allies. Third, to prohibit transfer to countries that have not honored prior commitments when we have transferred a Gitmo detainee there, and that would apply to the country the President most recently released the five Taliban dream team to who, unfortunately, are going to get back in the fight, and that 29 percent are those who have reengaged in the fight or are suspected of reengaging in the fight against us.

Our amendment is straightforward. It is focused on making sure the terrorists held at Guantanamo—the most dangerous of those individuals who present a threat to our country—are not put in a position where they can get back in the fight against us or against our allies.

We have to think about the men and women in uniform who have put their lives on the line to capture these individuals, in some instances, and honor our commitment to them to make sure we can hold the country safe and secure, to not allow those who have been deemed the most dangerous at Guantanamo for continued law of war detention to be transferred to a third-party country or not allow us to transfer them to countries where we already have a history of either detainees getting back in the fight from that country or the country not honoring its commitment to the United States of America.

My prior job was as a prosecutor. I will tell you, it is just a matter of common sense. This is a matter of protecting the American people from dangerous captured terrorists who we already have in our custody, to make sure we are not putting them back in a position where they can harm us again.

I think that is something that America would expect of us. That is what I believe our amendment would do. I hope, as we take up this appropriations bill, this amendment will be considered so we can pass it to ensure that dangerous Guantanamo detainees are not put in a position again where they can harm us, our people or our allies because too many of them, unfortunately, have already committed acts against our country, our people, and our allies, and shame on us if we do not do everything we can to prevent that from happening again.

I thank the Chair.

I yield the floor.

## EXECUTIVE SESSION

# NOMINATION OF GUSTAVO VELASQUEZ AGUILAR TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

## NOMINATION OF BRIAN A. NICHOLS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU

## NOMINATION OF J. MARK MCWATTERS TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD

## NOMINATION OF CHRISTINE E. WORMUTH TO BE UNDER SECRETARY OF DEFENSE FOR POLICY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The bill clerk read the nominations of Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development; Brian A. Nichols, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru; J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration Board; and Christine E. Wormuth, of Virginia, to be Under Secretary of Defense for Policy.

## VOTE ON AGUILAR NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development?

Ms. AYOTTE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr.

COCHRAN), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Kansas (Mr. MORAN), and the Senator from South Dakota (Mr. THUNE).

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

The result was announced—yeas 54, nays 38, as follows:

[Rollcall Vote No. 201 Ex.]

## YEAS—54

Baldwin	Harkin	Murphy
Begich	Heinrich	Murray
Bennet	Heitkamp	Nelson
Blumenthal	Heller	Pryor
Booker	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Sanders
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	Markey	Walsh
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Hagan	Mikulski	Wyden

## NAYS—38

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	

## NOT VOTING—8

Burr	Johanns	Schatz
Coburn	Moran	Thune
Cochran	Rockefeller	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—CALENDAR NO. 428, H. R. 4660

Mr. REID. Mr. President, I ask unanimous consent that postcloture time on the motion to proceed be considered expired; that the Senate proceed to vote on adoption of the motion to proceed; that if the motion is agreed to, Senator MIKULSKI or her designee be recognized to offer substitute amendment No. 3244, which consists of the text of S. 2437, Calendar No. 411, division A; the text of S. 2438, Calendar No. 412, as division B; and the text of S. 2389, Calendar No. 390, as division C; provided further that for the consideration of division B, H. R. 4745, Calendar No. 430, and for the consideration of division C, H. R. 4800, as reported by the House Committee on Appropriations, be deemed House-passed text in H. R. 4660 for purposes of rule XVI; further, that the substitute amendment offered by Senator MIKULSKI or her designee be considered a committee amendment for the purposes of paragraph 1 of rule XVI; further, all amendments or motions to commit be subject to a 60-vote threshold.

Mr. President, before the Presiding Officer calls for approval of this consent, let me say a few words so everyone understands all of the procedural stuff.

It is a fairly simple matter. We have waited all week to get a simple agreement to move forward on appropriations bills the way we have always done. If it had been just one appropriations bill we wouldn't need consent. We put three of them together, and that was the right thing to do. But it seems to me we spent all week doing, so much of the time, nothing. Sadly, I am sorry this is the norm around here. For every single matter, even wildly popular matters such as an appropriations bill, it requires the full play of the cloture rule to advance. This has been so even though on Tuesday, when cloture was invoked on proceeding, 95 Senators voted to get on the bill, only 3 voted against it.

Senators on both sides said they want to have amendments, and we should have amendment votes. I am willing to have amendment votes on this and other things. Let's talk about this today.

I want to have votes on the conditions that Senator MCCONNELL has so frequently stated, a 60-vote threshold. The idea of a 60-vote threshold will not come as a surprise to anyone in this Chamber, I don't think, because I wish to take a minute outlining direct quotes from my friend the Republican leader.

No. 1: Now, look, we know that on controversial matters in the Senate, it has for quite some time required 60 votes.

No. 2: Requiring 60 votes, particularly on matters of importance, is not at all unusual. It is the way the Senate operates.

No. 3: Matters of this level of controversy require 60 votes, so I will ask my friend [referring to me] if he would modify his consent request to set the threshold for this vote at 60.

Again he said: For him to suggest that a matter of this magnitude in a body of 60 votes for almost everything is going to be done with 51 votes makes no sense at all.

And he said: So it is not at all unusual that the President's proposal of this consequence would have to achieve 60 votes. That is the way virtually all business is done in the Senate, certainly not extraordinarily unusual.

Finally he said, quite recently: Mr. President, I can only quote my good friend [again referring to me] who repeatedly has said—most recently that in the Senate, as has been the case, we need 60 votes. It requires 60 votes, certainly on measures that are controversial.

So let's make this pretty simple. We are going to have the ability to offer germane amendments, and we will follow the McConnell rule and will have 60 votes on them. It seems fair.

That is my consent request, and I would ask that it be approved.

The PRESIDING OFFICER. Is there objection to the request?

The Republican leader.

Mr. MCCONNELL. Reserving the right to object, what I think I hear the

majority leader saying is that any amendment offered by any Republican is controversial and thus must require 60 votes.

It was my hope we could get forward on this appropriations bill with a full and open amendment process and a reasonable number of amendments from both sides.

The only restrictions on amendments to this bill are those in the Standing Rules of the Senate, which create a requirement that the amendments deal with an appropriations matter or, if legislative in nature, have a defense of germaneness to one of the underlying House appropriations bills.

Chairman MIKULSKI has been determined to try to get us back to regular order in considering appropriations bills.

In 2011, just a couple of years ago, we considered this same appropriations package—the very one we are considering now under the regular order—and all Senators, Democrat and Republican, were treated fairly—just 3 years ago.

Today's Senate is a totally different place. The majority leader has blocked all but nine rollcall votes on Republican amendments since July of last year. That is about a year ago.

By contrast, during that same period, House Democrats got 153 amendments, rollcall votes, over that same period of time. That is in the House where you would think it would be hard for the minority to get amendments.

In fact, one Member of Congress, SHEILA JACKSON LEE from Houston, has had 15 amendments herself. SHEILA JACKSON LEE has had more votes over the past year than Senate Republicans. In fact, the House seems to have turned into the Senate and the Senate seems to have turned into the House.

The gag rule, as was pointed out by Senator ALEXANDER and others this morning in an appropriations meeting, seems to now apply to committee meetings as well. So not only do we not get votes on the floor, we don't get votes in committee either.

They cancelled the scheduled markup on the Energy and Water bill, I assume out of concern that some Republican amendment might, my goodness, actually pass with Democratic support. So we are being shut out of amendments in committee as well as on the floor.

When do we start legislating again? What has happened to the Senate?

Therefore, I would ask unanimous consent that the proposed agreement by the majority leader be modified so that all amendments be considered under the regular order, Chairman MIKULSKI and Ranking Member SHELBY, and move this bill across the floor in a bipartisan manner exactly as we did it on the very same bill back in 2011.

The PRESIDING OFFICER. Does the majority leader so modify his request?

Mr. REID. Reserving the right to object, my friend the Republican leader is obviously not in contact with what is going on around here. This doesn't

apply to Republican amendments, it applies to Republican or Democratic amendments—as all of his requests, which are in the record and I read.

A reasonable number of amendments he wants. Fine. That is what we want too. We want to have a reasonable number of amendments on this bill and move it forward. It is important we get this done.

I have served in the House of Representatives—not without going into a lot of detail here, as the Presiding Officer has served in the House of Representatives. The rules there are totally different. Of course, there are a lot of votes because every vote is predetermined in the House, with rare exception, because the Rules Committee sets the boundaries of what happens. So over in the House the majority never loses.

Here the Senate is the way it is. We are willing to do votes as the Republican leader has stated time and time again we should do it. I disagree, but as he has said, this is the way the Senate operates now. I wish it didn't, but it does and that is the way we should proceed.

I am willing to move forward on this bill. We should have a 60-vote threshold, and I think that would be the appropriate thing to do.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

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

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

Mr. MCCONNELL. My friend the majority leader always reminds me he gets the last word, and I am sure he will have something to say further, but let me briefly say that during this same period, going back to last July, Senate Democrats have only had seven rollcall votes. Congresswoman SHEILA JACKSON LEE, in the minority in the House, has had 15 rollcall votes over the last year.

I yield the floor.

Mr. REID. The House is different than the Senate. There is no question about that. We could have on this bill a lot more than seven votes, so we should do that.

Would the Chair state the business that is before this body?

VOTE ON NICHOLS NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Brian A. Nichols, of

Rhode Island, a career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru?

The nomination was confirmed.

#### VOTE ON MCWATTERS NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2019?

The nomination was confirmed.

#### VOTE ON WORMUTH NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Christine E. Wormuth, of Virginia, to be Under Secretary of Defense for Policy?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### VOTE EXPLANATION

Mr. THUNE. Mr. President, today, due to tornados and severe storms in South Dakota, which resulted in significant damage to homes and businesses in my State, I was traveling back to South Dakota to survey the damage and meet with local leaders coordinating response efforts during the scheduled vote. Had I been present for today's vote on the confirmation of Executive Calendar No. 770, Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development, I would have voted nay.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am told there is 7 minutes remaining postcloture on the motion to proceed to H.R. 4660.

The PRESIDING OFFICER. There is 9 minutes remaining.

Mr. REID. I yield that time back.

Ms. MIKULSKI. Mr. President, I would like to claim those 9 minutes.

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

Mr. REID. If she wants to use the time, please do.

Ms. MIKULSKI. Mr. President, before we move to the adoption of the motion to proceed on CJS appropriations, if in fact we do so, I wish to speak as the chairperson of the Appropriations Committee and the chair of the subcommittee on CJS.

I am really sad about what has happened here. I am really sad we couldn't find a way to proceed to bring up these three outstanding bills.

I note that what we wanted to bring to the floor was the Commerce-Justice-Science bill, the Agriculture bill, and Transportation, Housing and Urban Development.

There are significant policy differences even on each one of those bills, whether it is truck requirements, whether it is school nutrition, whether it is environmental—important discussions and decisions on the environmental protection.

On my own CJS bill, we are going to really lose a lot. You know, I had money in this bill—working with Senator SHELBY—for bulletproof vests for cops to protect those who protect us and more money for domestic violence to be able to protect those in their own homes. I have also added more money to work with those people who have been rape victims, doubly assaulted by the system where they are not only raped by a perpetrator, but the very system didn't process the forensic evidence that would have validated the guilty party or even ascertained that there was a serial rapist.

Agriculture fed the hungry in this country and fed the hungry around the world. And of course transportation and housing both created jobs, solved problems in physical infrastructure, and also at the same time met compelling human needs in our housing. Particularly, I note the items such as housing for the elderly and the economic development.

I am not going to take my full 9 minutes, but I would hope that at the end of today we figure out how we could have another day.

I know on both sides of the aisle in the Appropriations Committee itself, those subcommittee chairmen really worked hard to produce bills. As of today, we have moved six bills out of our full committee and are pending on the floor. But now we have to truly arrive at a set of rules for the road on how we can proceed to bring these bills to the floor. I really hope we can do so.

There has been so much good will on both sides of the aisle and also on both sides of the aisle a really incredible effort to be able to meet the needs of our country, to have a more frugal government and a really, truly civil process.

So this day will come to an end. But I really hope that the Appropriations Committee coming to the floor doesn't die today.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I know there are others who wish to speak, and if they want to use time remaining postcloture, fine; otherwise, I yield the time back, and the floor will be open for everybody. But I need to do that first. So, does anyone want to speak for the 2 minutes remaining on this?

I ask unanimous consent that all time postcloture be yielded back.

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

The question is on agreeing to the motion to proceed.

The motion was agreed to.

#### BIPARTISAN SPORTSMEN'S ACT OF 2014—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 384, S. 2363.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 384, S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and other purposes.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, I know my friend from Tennessee is on the floor and would like to make a few observations. I would just very briefly make the following point ahead of him.

Another way of looking at the way the Senate is being run that affects Democratic Senators:

Democratic House Members from Oregon have had 12 rollcall votes on their amendments, but Oregon's Democratic Senator does not have any—none. Democratic House Members from Virginia have gotten 11 rollcall votes on their amendments, but Virginia's two Democratic Senators have gotten none—zero. Democratic House Members from Colorado have gotten seven rollcall votes on their amendments, but the Democratic Senators from Colorado have gotten none—zero. Democratic House Members from California have gotten 37 rollcall votes on their amendments, but California's Democratic Senators have gotten none—zero.

So that is the condition of the Senate today. It is not just affecting the Republican minority, but the Democratic majority as well.

I see Senator ALEXANDER is on the floor. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, let me see if I can say something that contributes to progress, especially while the Senator from Maryland, the chairman of the Appropriations Committee, is on the floor.

She has really done a terrific job in working with the Republican and Democratic leaders to try to get us back to the business of appropriating. We are not that far away. We have three bills ready to come to the floor. We have consent on the Republican side—which had to be unanimous over here to be able to bring it up in this way.

Now we have a difference of opinion between the two leaders about whether all the amendments ought to be 60 votes. I would respectfully suggest that is not the norm.

It is true that the Republican leader has said many times that an important amendment ought to be 60 votes. Recently when we were working on the



Child Care and Development Block Grant or some other legislation, we would say the norm is 51 votes. But for a nongermane amendment, or if it was an especially controversial amendment, then maybe it would be 60 votes. That was a matter of negotiation.

So my hope is that we could move through these appropriations bills in the normal way, which would mean most votes would be 51. Occasionally, there might be a 60-vote vote. That is what we usually have done. That is what we historically have done. The majority party has 55 members last time I checked. It has a President who can veto anything, and it takes 67 to override him. So they have plenty of advantages on their side.

Now, let me conclude in this way—and I said it this morning in our Appropriations Committee. Last week I was visiting with some Senators and an Ambassador. We had dinner at the home of an ambassador from a country who greatly admires the United States. He was saying how much he envies this great tribunal—the Senate, and how other countries in the world envy it, and how it is the only tribunal like this anywhere in the world that is set up to have extended debate on important issues until we reach a consensus and stop debate and come to a result.

That is the history of the civil rights bill, the Medicare bill, and the student loan bill last year, and bills even more recently than that.

What that means in very simple terms is that the majority decides what we are going to talk about, the minority decides what amendments it would like to offer, and we keep talking and keep talking until it is time to cut off debate and try to come to a result. That is what we should be doing.

I would respectfully say that this business of not being willing to vote on amendments because it might hurt some individual Senator is not really worthy of the Senate. It is not practical, and it really doesn't make that much difference in campaigns.

The idea that only 9 Republican amendments have received votes out of more than 800 amendments offered since last July is probably a record in the Senate. What is even worse is that—according to the Senator from Wyoming, who has counted these—there were only 7 Democratic amendments voted on out of nearly 700 offered since last July.

Now, why are we here if we are not here to speak on behalf of our constituents about Benghazi, about the new health care law, about whether we need a college rating system from Washington, DC, about fixing No Child Left Behind?

I remember in Senator Byrd's book he talked about the Panama Canal Treaty that he and Senator Baker marshaled through. It took 67 votes—a very divisive issue. He said: We allowed nearly 200 amendments, reservations, and other codicils to the amendments, and we killed them all. We beat them

all. But, he said: We never would have gotten the treaty ratified if we hadn't allowed Senators to have their say.

So we have gotten to this level of distrust between that side and this side. And most of us are trying over here to say: All we want is an opportunity to have amendments offered in the regular order, a chance to debate them and a chance to vote on them, and if we are defeated, so be it. To impose a gag rule on us imposes a gag rule on the people who sent us here. This morning in the Appropriations Committee, that gag rule moved from the Senate floor to the Appropriations Committee.

If the Republicans were in charge of the Senate, the Democrats wouldn't put up with that. I don't know why they are putting up with it today.

I know there is distrust on both sides. But we are very close to a situation where we have three major appropriations bills which are on the floor. We have a disagreement only about whether all amendments ought to require 60 votes. That has not been the norm before. We should be able to work that out and use our time to represent the people of the United States so that ambassador, when he has another group of Senators out there, can say: You belong to the tribunal that is unique in the world that every country in the world wishes it had, because it is a forum—the only one in the world of this kind—where you have extended debate on major issues until you get a consensus and come to a result.

That is the only way to govern a complex country like the country that is the United States of America. We are getting back toward that, and I hope that our leaders and our Appropriations Committee members can make the next few steps and let us all go to work like we aim to do.

We have some pretty talented people here. We have Rhodes Scholars and former Governors and people who have been here a long time and people who have been here a short time. It is not easy to get here, and it is not easy to stay here. So while we are here, we would like to work—which means we would like to speak, have our say, vote, and, if we can, get a result.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, my friend from Tennessee is a fine man. He has been a good Senator, a good member of a President's cabinet, and he really has tried to be a peacemaker all the time I have known him. But his speech that he just gave could be given by any Democrat about the obstruction, the delay, the diversions that have taken place during the entire time President Obama has been President.

We have never had to file cloture on every motion to proceed as we did on this one, as we have done on everything that comes along.

So we can talk about where we have been, but I think we should talk about

where we are. Everyone knows that, because of the Republicans, there has been a threshold of 60 votes.

But I say to my friend from Tennessee: I asked for my consent agreement. He says we are very close. With his skills of negotiating compromises, I am willing to listen to something else if he has a better idea to change the McConnell 60-vote threshold rule. I have some ideas myself, but perhaps they should come from him. I, on behalf of my caucus, am entirely agreeable to listen to any reasonable counteroffer.

We have been trying really hard to get things done, but every step we take is a stalling tactic. My friend talked about ambassadors. I don't know the exact count—I haven't gotten it for a day or two—but the last count I had, 54 foreign ambassadors were held up. The continent of Africa, up to a third of the countries there do not have a U.S. ambassador. That doesn't count the scores of other people who are being held up. Why are they being held up? They are being held up because we are now able to move judges. Ambassadors related to judges is nearly empty. We have a few district court judges, and we have a circuit court judge. They will report some more out. But in an effort to—use whatever term you want—"We will show you guys. You are going to get your judges, and we are not going to give you any other nominations." So we are working through those very slowly.

As much as I care and respect the Senator from Tennessee, he does not need to lecture me about stalling around here. We are not. If they want to beat the record of eight or nine amendments—however many it is—move this bill. They will have lots of amendments. And we can start doing that this afternoon.

So, Madam President, I repeat now for the third time: If my friend from Tennessee has a better idea on moving forward—he says we are so close—I am willing to listen to him.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I want to say to my friend from Tennessee that the majority leader has offered a way forward, and he has taken a page out of the book of the Republican leader, and he quoted him, and I have those quotes here: "Matters of controversy always require 60 votes." And my friend knows. He knows.

I stand here as the chairman of the Environment and Public Works Committee. I am so grateful I have moved some bills through here—highway bills, water bills—but my friend knows that the two big amendments that his side wants to offer don't deal with ordinary matters. They deal with matters that have jurisdiction in the environment committee, and they deal with a repeal of parts of the Clean Air Act and a repeal of parts of the Clean Water Act.

So my friend wants to move forward. I am sure he would agree that to repeal



parts of landmark laws on an appropriations bill is legislating on appropriations and ought to require 60 votes. It is wrong.

Now, I would say to my friend, why is the other side so determined to repeal two laws—one dealing with the Clean Water Act and the Safe Drinking Water Act, and then the other one is this Clean Air Act—why are my friends on the other side continuing to go against these landmark laws—which, by the way, were signed into law by a Republican President? He has to explain, because I don't understand why people want to put children at risk and families at risk, pollute our rivers and streams, and suspend a plan that the President has announced is going to save thousands of lives, going after carbon pollution, making sure we don't go back to the days of smog and ozone. And we know these are the riders that my Republican friends want to offer. There is no secret.

The Republican leader defined the 60-vote threshold for controversial amendments. I can assure my friend that if there was a tweak or two that was going to be made and Senator MIKULSKI and Senator SHELBY agreed with it, I would not demand 60 votes.

We are talking about repealing basic, important landmark provisions of environmental laws, and that is exactly what this is about.

Ms. MIKULSKI. Will the gentlelady yield for a question?

Mrs. BOXER. I would be happy to yield, yes.

Ms. MIKULSKI. Because I was listening to what she said, Senator REID proposed a 60-vote threshold on amendments to our appropriations bill. It was rejected. OK. The Senator said now she wouldn't object—

Mrs. BOXER. To a 60-vote threshold, no.

Ms. MIKULSKI. On all amendments? Could the Senator clarify?

Mrs. BOXER. Yes. I would say—

Ms. MIKULSKI. In other words, the Senator does want a 60-vote threshold or is it—

Mrs. BOXER. I would go with the Mitch McConnell rule, which he has stated seven times, which is that on controversial amendments we have to have 60 votes. I am not going to stand here—

Ms. MIKULSKI. So the Senator would want—

Mrs. BOXER. I just want to answer my friend.

Ms. MIKULSKI. Sure.

Mrs. BOXER. My friend said we are trying to spare people tough votes. That is ridiculous. Members on your side, Members on our side—we are grownup Senators. We know how to win elections, cast tough votes. I want to protect the American people, and so do a lot of folks on our side of the aisle. And we don't want to see majority rule to repeal landmark environmental laws. We are not going to stand for it, and neither would the minority leader in the way he describes it. He said over

and over that on amendments of controversy we have to have a 60-vote threshold.

So my friend, if he is sincere about this—he is sincere about this. But if the two chairmen can come up with a plan where amendments like this, controversial amendments, require 60 but amendments that both sides feel are not controversial can go to a voice vote, I will be a happy person. I have gotten bills through here before. I wasn't born yesterday, as you can probably tell, and we know a controversial amendment from a noncontroversial amendment.

So I will close with this: I know my friend Senator MIKULSKI is an incredible chairman, and with RICHARD SHELBY working with her, they are quite the duo. And I have seen their work—because every single Member cares about the work they do—and it is stellar. But I am not going to sit here and see amendments come to the floor that would repeal clean air, clean water, safe drinking water, and just nod approval and say: Oh yeah, just take it away. No big deal. That is it.

And that is why I feel the majority leader was right when he said let's move forward with a 60-vote threshold. That makes a lot of sense. I am sorry the Republicans objected.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask unanimous consent that I be permitted to continue and finish my remarks.

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

Mr. HATCH. Madam President, I have been really interested in this debate. Let's just be honest about it. The Senate is being run in a shoddy fashion. I don't care which side you are on. I have only been here 38 years, and I have never seen a bigger mess than we have right now. I have never seen the majority stifling amendments by the minority like we have right now. I have never seen cloture filed almost immediately when a bill is brought up, like we are filibustering when we are not. All we want are amendments and to have a vote up or down—something we always gave the Democrats on crucial bills like this one. It is pathetic, and it has to change.

Frankly, if the American people really knew—we have had nine amendments since last July that we voted on. The Democrats have had only seven. Now, even some of my Democratic friends are up in arms about it. They are not able to act as Senators. They are not able to do the work. They are not able to be part of it. I mean, my gosh, is protecting your side from the election—is that more important than having the Senate run the way it should? The answer to that is a resounding no.

This is pathetic. I have never seen anything like it. To come out here and act holier-than-thou about it, as if it is just normal around here, is just plain

wrong, and everybody knows it. That is the thing that just kills me.

If we were doing that, if we were in the majority, my gosh, the whole world would be coming down on us, especially with the beloved media we have in this country—and rightly so if we were pulling the kinds of the stunts that are being pulled on the Democratic side.

Look, I am tired of it. I know Democrats who are tired of it. Every Republican is tired of it. We are being treated as though we don't count in this battle—in this battle between the two parties in the Senate. It doesn't have to be a battle every time. Both sides have been wrong from time to time but nothing like this. This is pathetic.

#### IRS INVESTIGATION

Madam President, about a year ago the American people learned that the IRS—one of the most feared and powerful agencies in our government—had engaged in political targeting. There is no doubt about that. Specifically, we learned that the IRS had, by its own admissions, singled out individual conservative groups applying for tax-exempt status for harassment and extra scrutiny during the runup to the 2010 and 2012 elections, and the IRS admits it—at least some in the IRS admit it. Needless to say, the American people were outraged when this news became public, and the IRS's credibility was seriously damaged.

We saw numerous groups and individuals come forward to acknowledge that they had been targeted. Politicians across the political spectrum, including the President of the United States, condemned these actions and vowed to get to the bottom of it.

In the many months since the targeting scandal was revealed, I have said numerous times that the most important objective for the IRS and its leadership consisted of repairing its reputation with the American people. For a while there, it appeared as though the agency was serious about doing that. Sadly, over the last few days a new chapter in this scandal has been opened, and as a result the IRS's credibility has taken yet another serious hit.

For more than a year the Senate Finance Committee has been engaged in a bipartisan investigation into the targeting scandal. During most of that time we were under the impression that the IRS was acting in relative good faith to cooperate with our inquiry. As of last week we believed we were close to completing our investigation. We had prepared the bipartisan majority report and the majority and minority views in addition. We were about ready to come out with that. The facts, we believed, were coming together. Then, in what I thought would be one of the last steps in the investigation, I insisted that we send a letter to IRS Commissioner John Koskinen demanding that he formally certify that the agency had produced

all documents that were relevant to our requests. It was then—after we sent that notice to them asking them to verify—that we learned there was an enormous hole in our factfinding. I am sure glad we sent the letter.

On Friday of last week the IRS informed us that due to a hard drive crash, it was unable to produce thousands of pages of emails from Lois Lerner—the one who took the fifth amendment—the former Director of Exempt Organizations and one of the central figures, by anybody's estimation, if not the central figure, in this investigation. The gap in the emails was from 2009 through April 2011—a pivotal time in the activities under investigation.

You heard that right, Madam President. A full year after our initial investigation request or information request, the IRS informed us that a huge chunk of relevant emails was mysteriously gone.

Needless to say, this was disturbing. That is why Chairman WYDEN and I demanded to meet with Commissioner Koskinen on Monday of this week. Sadly, this meeting produced even more bad news.

The first thing we learned during the course of this meeting was that Ms. Lerner's emails were not going to be reproduced. The IRS's redundancy operations were apparently insufficient to ensure that these emails would be saved in the event of a hard drive crash. According to Commissioner Koskinen, the IRS only saves emails on its servers for 6 months. Get that. The IRS only saves emails on its computer servers for 6 months. Now, they require you and me and everybody else to save at least 3 years of our tax returns, but they only—according to them—were saving emails on their servers for 6 months. I don't know about you, but I have a rough time believing that. I cannot believe it. That is what they do.

The next thing we learned is that officials at the IRS became aware of this gap in Ms. Lerner's emails as early as February of this year and that the Commissioner was made aware of the hard drive crash about 3 weeks or more prior to our meeting—he wasn't quite sure, but sometime around the end of March or the first part of April, is my recollection, but certainly more than 3 weeks before our meeting. It was never made clear to us why it took at the very least 3 weeks and a letter from us demanding a signed certification from the Commissioner for the IRS to inform the Finance Committee that the emails were missing. As of right now we still don't know why the agency failed to inform us immediately that the emails were gone.

The IRS was more willing to share this information with others in the administration. Yesterday we learned that by April the IRS had already notified Treasury that some of Ms. Lerner's emails appeared to be missing. We also learned that in April Treasury informed the White House of this devel-

opment, but they didn't inform us. The IRS has offered no explanation of why they waited 2 more months to inform Congress—and particularly the Senate Finance Committee, which is the crucial committee here in the Senate which was performing an active investigation into this very issue. You haven't heard from either me or the chairman, Senator WYDEN, popping off about this. We conducted a reasonably good investigation, doing everything we thought we could do without mouthing off about it.

Moreover, we do not know what discussions have taken place since April between the White House, Treasury, and the IRS about the lost emails.

That would be bad enough, but it gets worse.

After our meeting on Monday, we were surprised to learn, via a press release from the House Ways and Means Committee, that even more emails relevant to our investigation may be missing. Apparently the IRS had informed the Ways and Means Committee, but not us, knowing we were conducting an investigation, that it might have lost the emails for six IRS employees, all of whom were covered by the Finance Committee's document requests. Think about that.

One of these employees is reported to be Nikole Flax, who was the chief of staff to former Acting Commissioner Steve Miller. In that role Ms. Flax helped oversee the processing of tax-exempt applications. From our investigation, we also know that she directly dealt with the White House and the Office of Management and Budget on a number of issues.

It seems there is an epidemic of hard-drive crashes going on at the IRS, and it seems to be particularly focused on individuals relevant to the targeting scandal and the ongoing congressional investigations. Chairman WYDEN and I just wanted to get to the truth on these matters, but it is going to be difficult to ever get there now.

Needless to say, it is very troubling that even more emails might be missing and may never be recovered. It is also troubling that neither Commissioner Koskinen nor his staff thought they should reveal this information to Chairman WYDEN and myself during our long conversation earlier this week. They knew about it, but they didn't tell the people who were conducting the investigation about it at all.

It is obvious from the timing of the revelations that people in that room were aware of the additional missing emails. Yet it didn't occur to any of them that they should disclose this information to the chairman and ranking member of the only Senate committee with oversight authority over this agency.

As I said, the Finance Committee was getting close to completing its investigation last week. We were getting close to issuing our report, and we were moving forward under the assumption

that the IRS had been cooperating. It took me a week to read the bipartisan report and the majority and minority views that were added to it—not because I am a slow reader, but because I was interrupted all day long every day. I had to set aside various times when I could read it. We were moving forward under the assumption that the IRS had been honestly cooperating—we thought. Now we have to ask ourselves whether we can trust any of the statements coming out of this agency.

Our investigation is important. We need to have a full and complete account of what went on at the IRS during the 2010 and 2012 election campaigns. Sadly, it seems that in order to get such an account, we are going to need to also delve into what has gone on at the IRS during the months the agency was supposedly trying to respond to our reasonable document requests.

One way or another, I am going to get to the bottom of this, and I am prepared to take any steps that are necessary to do so. We need to get to closure on what the facts are before we can close out the investigation. Otherwise, the conclusions in the investigation will be based on a faulty factual premise.

Earlier today, I sent a letter to Commissioner Koskinen demanding to know what he knew about the additional missing emails and why the chairman and I were not informed about them during our meeting this last Monday. He had three others with him, and at least one of them fully knew about the additional six hard drives that crashed.

I am not naive. I do a lot in the IT world, and I can tell you this: These are the first hard drives that crashed—that I have known about—that some of our IT, information technology, experts could not get into and find some of the data. That is possible but not probable in seven different cases. Once again, it appears that either the Commissioner or his staff were less than forthcoming in the meeting and someone needs to be held responsible.

This is important. If we can't trust these agencies to be truthful to congressional leaders, we have serious problems. This letter is only the first step. More action needs to be taken. There needs to be an independent review of the fiasco surrounding all of these lost emails and crashed servers.

We need an independent arbiter to determine if the agency's account of the computer problems is accurate and whether the relevant emails are, in fact, unrecoverable. We also need a review to determine if there are more missing emails. As I said, this review needs to be independent as we apparently can't trust the IRS to be fully forthcoming on these issues. This is what we are going to need to get to the bottom of it, but sadly, even that won't be enough.

The problem with these missing emails is that we won't have any assurances that we will ever get a complete

picture of what went on. We need to take the necessary steps to find out what communications these individuals were making during the time in question.

We have received many of these employees' emails from the IRS because for obvious reasons they tended to include the email addresses of other IRS employees. However, what we don't have are emails sent by these individuals to parties outside the IRS. If the computer problems at the agency have indeed made these emails impossible to recover on the IRS's end, the only way to recover them is to extend the inquiry to agencies outside the IRS.

Let me say, this is a mess. Honestly, I don't see how any reasonable person cannot conclude that there is a very real possibility that something is wrong in Washington, something is wrong at the IRS, something is wrong at Treasury, and something is wrong at the White House.

Communications to agencies such as the Treasury Department, Justice Department, and the Federal Election Commission are all relevant, as are emails sent to the White House.

I plan to send document requests to all of these parties, asking them to produce any communications they received from the seven IRS employees whose emails have been lost.

Of course, in an ideal world none of this would be necessary, but we are not living in an ideal world. Instead, we are living in a world where apparently hard drives crash every day and administration officials decide to withhold information from congressional investigators. As a result, additional steps are necessary in order for the truth to finally come out.

In conclusion, I want to make one thing clear. While I am angered and disappointed by this recent turn of events, I am not the aggrieved party here. That unfortunate distinction belongs to the American people.

Once again, the IRS is one of the most powerful and feared agencies in our government. It is one that millions of Americans have to deal with on a daily basis. The American people have a right to expect this agency will conduct itself in a fair manner without regard to parties and politics, and that trust was broken last year when the targeting scandal was made public.

Now, a year later, after all the work we have done to hold this agency accountable and to get to the bottom of these matters, that trust has been broken again.

I have to say that Chairman WYDEN has been very good on these matters. He has tried to be bipartisan in every way, and I personally appreciate it. I think he will continue to work in a bipartisan way as we try to get the real facts about all of these matters.

It is a shame, but once again I am going to get to the bottom of this one way or the other. It is going to be difficult because it appears that going forward we will not be able to trust any-

thing the IRS says to Congress. That is why we are going to have to bring other parties into the inquiry. This is unfortunate. As I said, this is the world we are living in.

I am discouraged about this. I mean, the administration knows I am as fair as a person can be on our side, and all I want to do is get to the facts and the truth and resolve these problems in the best interest of the American people.

Why some of these were not brought up when they were known is beyond me. It is beyond me that only after we sent a letter saying: Will you verify this is everything, then all of a sudden there were other emails that were found, but not from these servers, and not for 2 years in the case of the Lois Lerner server.

Lois Lerner took the Fifth Amendment, which is her right. I am not about to condemn her as a guilty criminal around here, but I think the best thing she could have done was help provide these emails that would hopefully exonerate her, but I believe would not. Otherwise I don't think there would have been a crash of the computer.

What really bothers me is this too: When computers in the Federal Government crash, they usually have backups, and the backups will allow us to get the computer up and working. For some reason there apparently were not backups here either. Not only that, they were only keeping track of the prior 6 months, so you would have never gotten the 2 years no matter what you did if the computer crashed. But we don't have those 2 years, which were relevant years, in anybody's estimation.

There is something rotten in Washington. I am not sure who is responsible for it. I have to say I like Mr. Koskinen. I helped put him through in a very ready fashion and got him confirmed. I believed he was telling us the truth. But I am disturbed that the only way we even got the rest of the available emails—none from 2009 to 2011. And who knows, as to the other six servers, how many of those crashed and how many of those emails are gone forever.

The administration will say, well, we did look at the addresses and we got the emails in some respect from some of the people they were sent to, but that is not what the real investigation would show either. They don't have a bit of an excuse here. It just makes one wonder, why did Lois Lerner take the protections of the Fifth Amendment? Why has not the administration been outraged as much as we are? I can say I believe our distinguished chairman is as outraged as I am. I can't speak for him, naturally, but I know him, and he is as upset as I am because we sat right there last Monday and they never told us about the six servers. As far as I know, they disposed of the crashed server of Lois Lerner. So nobody will ever be able to examine it and determine whether there is the possibility of

getting the emails for that crucial period between 2009 and 2011, which is probably the most crucial period of the whole investigation.

Now Senator WYDEN and I have to rework our report on this, and hopefully we can do that, even though we don't have all the information that anybody with common decency would expect us to have.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Florida.

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

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

IRAQ

Mr. RUBIO. Madam President, we all continue to follow the events in Iraq that have significant national security implications for the United States now and in the years to come. The President spoke on this issue a few moments ago, and I wish to share a few thoughts before we return to our States for the next few days and then come back to Washington early next week to continue our work.

The first thing I wish to say about this issue of Iraq is, while I certainly respect those Members who have served in this body and those commentators who have either served in government and now are out and others who have strong opinions about the decisions that were made regarding Iraq in the past, I would say I hope what we spend our time around here doing during this process is focused on what is happening now and what lies ahead. That doesn't mean there shouldn't be a debate about the decisions made in 2003 and beyond. Those are important debates to have, primarily because we learn from history. We learn from the successes and the mistakes, but I think we are spending a lot of time around this process these days talking about the past. We have the rest of history to debate who was right and who was wrong with regard to the war in 2003 or the surge thereafter. I have strong opinions about it, and we should certainly spend time talking about that so we can learn from it and so we can apply it to new decisions that are being made, for example, in Afghanistan, but I would hope that 90 to 95 percent of what we spend our time on is talking about how to deal with this threat now—the one that is right before us.

The President today announced—and it is going to be covered—that they are going to send close to 300 additional American trainers and advisers into Iraq. I have no direct objection to that decision. I am hopeful, however, that it is but the first step in a multistep process in this counterterrorism risk we now face. I am hopeful what this is designed to do is set the framework for the United States to achieve a number of important goals that directly impact the national security of the United States.

The first, of course, is I believe the United States, working in conjunction

with others in the region, needs to do everything we can to cut off ISIL's supply lines. Many people may not be fully aware of this, but ISIL or ISIS—the same group involved in Syria—is not simply a bunch of Sunni Syrians or Sunni Iraqis; these are foreign fighters, including hundreds who are estimated to have come from the West, who have flocked to Syria and now Iraq to participate in this fight.

In addition, this group, in order to make the advances and the gains it is now making in Iraq, requires—as any force would—distinct supply lines that allow them to transport individuals and weapons and ammunition, in addition to, by the way, the things they are now getting their hands on as they make these advances. So one of the goals the United States must have, working in conjunction with others, is to sever those supply lines so they cannot continue to make these gains.

Secondly, I hope what the President announced today as the beginning of a process will, in part, also focus on the command and control areas they currently operate from within Syria. Without those safe havens, they would not possibly be able to expand the reach they now have. So I hope, again, that what the President announced today is but a first step toward a multistep process that allows us to address those two issues.

In addition, I think it is important to continue to revisit the issue of the opposition in Syria. When people read about the opposition in Syria, it is important to note there is no such thing as the opposition. There are a handful of groups operating within Syria against the Assad regime, but these groups also fight each other, and there is a group of nonjihadists, nonradical terrorists who are fighting in Syria to topple Assad, but this group also takes on the al-Nusra Front and ISIS. I have for many months now been calling on the administration to do more to capacitate these groups, the nonjihadists. I felt it was a mistake not to do so early on because that actually created the possibility or the eventuality that now we face; that is, that the best organized, best equipped, best trained groups in Syria happen to be the most radical ones. That includes ISIL and of course al-Nusra. By the way, al-Nusra and ISIL fight each other, which adds further complexity.

Last but not least, I think it is important to spend a significant amount of focus on helping our allies in Jordan. If we play out what is happening—if, in fact, ISIS is able to erase this border between Syria and Iraq and establish this Sunni caliphate, their next move logically will be to threaten the Kingdom of Jordan, an incredibly important ally to the United States, to the stability of the region, to Israel, and to others. So we should continue to provide assistance to Jordan in protecting their borders and their future.

These are four goals I hope we will continue to move toward, and I am

hopeful that with the announcement the President made today, it is a first step as we work toward those goals.

A couple of points are important to make, and I do so every time I address this issue of Iraq. The first is this is not about the United States taking sides in a Sunni-Shia civil war. The future of Iraq depends on the people of Iraq. It is up to them to establish a government that functions. It is up to them to provide a secure and safe country where people can prosper. It is up to them to create a political system and a social system where both Sunni and Shia feel as though they have a voice in the governance of their country. This is not about the United States stepping in and saying, We are on the Shia side. In fact, I can tell my colleagues that while this is not uniform, there are many Sunnis within Iraq who do not necessarily sympathize with ISIL and what they are doing. So this is not about the United States engaging itself in a civil war.

This is also not about the United States trying to build a country. This is not about the United States going into Iraq and saying, We have to rebuild Iraq. This is about counterterrorism and this is about the future security of the United States.

Every time I come to the floor, I remind everyone that the reason 9/11 was possible was because Al Qaeda was able to establish a safe haven in Afghanistan, under the protection of the Taliban, and from that safe haven they raised money, they recruited, they plotted, they planned, and they ultimately carried out the most devastating terrorist attack in U.S. history, and we can never allow another similar safe haven to take root.

This is especially true when the group trying to establish such a safe haven—in fact, not just a safe haven but a caliphate run by a radical government—is a group whose expressed goal is to establish that caliphate, to use it to terrorize the people of the United States by attacking us in the United States, in the hopes of driving us out of the Middle East and then destroying Israel and establishing their brand of Islam and forcing it on all the peoples and countries of the region.

We cannot allow such a safe haven to take root. If they are successful in their goal of creating a new country, a new State, this Islamic radical caliphate, we will have in the future grave risks and potentially severe and devastating terrorist attacks against Americans both abroad and here in the homeland. This group has a very clear mandate. They have been very clear about what their goals are, but in order to carry that out successfully, they need an operational space, and we cannot allow them to create one in Iraq. That is what this issue is about. That is why this issue matters.

I know when I say what I have said, I open myself to those voices that say there are warmongers and people who want to go back to war. Absolutely

not. On the contrary. What has happened is, after looking at this issue, studying the lessons of the past 20 years and what we have learned after 9/11 especially, it becomes evident to me that we are going to have to deal with this group. That is not what we are debating. The issue before us that we have to decide is when do we deal with them? Do we deal with them now, when they still have not created that caliphate, or do we deal with them 5 or 10 years down the road when they have established a safe haven and significant operational capacity? It is going to cost a lot more money, potentially many more lives and, in the process, significant terrorist attacks and terrorist risks if we deal with it later. It will cost less money, be more effective, and be a lot less dangerous if we deal with it now.

That must be our goal, to not allow this group ISIS to establish a safe haven of operation in Iraq, or in Syria for that matter, and then give the people of Iraq the opportunity to decide a future for themselves. That is important, which is why this issue of Iran is important.

I have been asked by reporters and others: Should we be working with Iran? My opinion, based on all I have learned regarding this situation and based on factors that are obvious for anyone to see, is we do not share the same goal Iran does. We don't have the same goal. Iran's goal is not simply to defeat ISIL. Iran's goal is to establish a Shia government that oppresses Sunnis and that is responsive to them. That is their goal. What they want to set up in Iraq is a public government under the control of Iran. That is not our goal, that should not be our goal, and it never has been our goal.

Our goal is to ensure that a terrorist organization cannot establish a safe haven, and our hope is that the Iraqi people can create for themselves a government and a country where both Shia and Sunni can live in peace and harmony among each other. That is up to them. We can help them do that, but we can't make them do that. What we can do is everything we can to ensure that this terrorist group doesn't take root. So I think our goals are completely incompatible with Iran.

The other point I would make is we should not do anything to legitimize that regime. That regime is the world's greatest State sponsor of terrorism. In virtually every continent on this planet, Iran has a hand in sponsoring terrorism. So I am not sure how we could possibly work side by side to wipe out terrorism with a government that sponsors terrorism more than any other government on the planet. I caution against that approach as well.

To close the loop, I hope we will spend most of our time focused on what we need to do now and in the future. We have forever to debate who was right and who was wrong about the war in 2003 or the surge in 2007.

Also, I hope the announcement the President made today was the first

step in a multistep process that will allow us to prevent ISIL from establishing the kingdom, the caliphate, and the safe haven they seek. I hope we make clear to the American people what the stakes are for us, that the reason we care about what is happening in Iraq is not because we want to nation build or because we want to force any sort of government on the people of Iraq. Their future belongs to them. It is because we cannot allow a terrorist group that has the stated goal and the increasing capacity of attacking the United States to establish an operational space such as Afghanistan was for Al Qaeda before 9/11.

I hope we will continue to play the important role the Senate plays in speaking out and hoping to give guidance and advice to the Commander in Chief. But as I said yesterday, ultimately, the role of leading on this matter corresponds to the President. Only the President of the United States can come up with a plan that hopefully all of us can unite behind because it is that important for our country and for our future and for our security.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. CRUZ. Madam President, I rise today to discuss the deteriorating situation in Iraq. There has been considerable debate in recent days about what we want to achieve in that country and the importance of achieving so-called political reconciliation in Baghdad. I wish to propose three simple principles that should guide any action we take in Iraq.

No. 1, we should do everything possible to secure our people. No. 2, we should defend our national security interests. No. 3, we should not partner with the Islamic Republic of Iran.

First and foremost, we need to be certain we are doing everything humanly possible to secure the Americans who are still in Iraq. The instability of the situation in the north of that country could quickly devolve into nationwide chaos, and it requires our immediate attention.

We need to be developing and implementing an immediate plan to get out all nonessential American personnel, to get them to safety now. I am deeply concerned, as all of us should be, that our people on the ground will become pawns in a sectarian conflict we cannot control. I am concerned the up to 275 marines who may be deployed to assist in embassy security, along with the 300 additional military advisers that President Obama announced today, will also become targets, isolated in Baghdad.

It is not at all reassuring to have the security in Baghdad provided by either

Shia militias, loosely controlled by the al-Maliki government, or by the Iranian Quds forces themselves or their agents. If we have to rely on either to keep our people safe, we should not be there. Let me repeat that. If we have to rely on either to keep our people safe, we should not be there.

Second, we need to define and then to defend the national security interests of the United States in Iraq. There has been extensive discussion of “political reconciliation” in Iraq and of making any American military action contingent on achieving that ephemeral objective. This makes no sense. Although a political solution to Iraq’s troubles may have been an appropriate goal in 2005 or 2011, it simply may not be feasible in 2014. The time for this sort of argument would have been 3 years ago when America was the most influential voice in Baghdad and we were completing our largest embassy on the planet on the banks of the Tigris River.

But we chose to relinquish that influence when we did not successfully negotiate a status-of-forces agreement with the Iraqis. Much of the blame for that diplomatic impasse lies with the al-Maliki government, but the Obama administration bears considerable responsibility as well. The President campaigned on “ending the war in Iraq” which he defined by removing all of our forces, not winning. So immediate troop withdrawal, not negotiating a proper status-of-forces agreement, was the priority. In the words of Secretary Clinton on CNN on Tuesday, “We did not get it done.” The result is that today we have little or no influence in Baghdad.

It is not my purpose today to relitigate the history of U.S. involvement in Iraq but, rather, to propose what we can do with the circumstances in which we find ourselves right now. Given our current circumstances, any attempt to reconcile a Sunni-Shiite religious conflict that has waged for more than 1,500 years seems either the height of hubris or naivete or both.

Rather than prioritizing an unachievable political solution we have no power to effect, it seems much more practical to focus on what is in the actual national security interests of the United States of America. The most acute security threat to the United States in Iraq is the aggressive movement of the Islamic State of Iraq and Syria, ISIS, forces out of Syria and into Iraq over the last 6 months. These vicious Sunni fanatics may be relatively small in number, but they make up for it in sheer brutality. Although President Obama dismissed their aggression into Fallujah in January of this year as the terrorist equivalent of the “junior varsity,” recent events suggest they are of a much higher capability.

Indeed, an obvious question the administration should answer is, has the Obama administration ever armed ISIS? Has the administration given lethal weapons to ISIS? We are doing so

to rebels who are fighting alongside ISIS in Syria. It is an obvious question to ask, whether we have, in fact, armed these radical Islamic terrorists as well.

ISIS is much more than a local or even regional threat. They are among the worst of the radical jihadists who attacked us on September 1, 2001, and again on September 11, 2012. They are so bad, in fact, that the “core Al Qaeda,” as President Obama likes to call the terrorist cells in Pakistan and Afghanistan, have renounced them. Their goal is to establish a new Islamic caliphate in the Middle East and northern Africa, from Syria to Iraq. They have publicly announced that when they achieve their ambition in Syria and Iraq, their goal is to move on to Jordan, to Israel, and to the United States of America.

Because of their actions and their stated intent, it would seem a targeted mission to seriously degrade the lethality of ISIS could well be in the national security interests of the United States. Such an action would not require the commitment of American combat forces, but it would require a commitment from the Commander in Chief that this action would not be merely a symbolic message or an effort simply to perpetuate the al-Maliki government in Baghdad.

Instead, it would need to be an expeditious and emphatic demonstration of America’s ability to strike at the terrorists at the time and means of our choosing. If the President needs to respond to an imminent threat to the national security interests of the United States, or to act to an imminent threat to the lives of Americans in Iraq, he has the constitutional authority to do so. However, Congress has the constitutional authority to declare war. So if the President is planning on launching a concerted offensive attack that is not constrained by the exigency of the circumstances, he should come to Congress to seek and to receive authorization for the use of military force. A precondition for any such mission in Iraq should be the utter rejection of any partnership with the Islamic Republic of Iran on which the al-Maliki government is increasingly dependent.

Iran has been the implacable enemy of the United States since 1979, when revolutionaries took 54 American citizens hostage for 444 days, some of the darkest days of our history. Earlier this year, Iran demonstrated that this rapid anti-American hostility is alive and well by trying to get a U.S. visa for one of those hostage takers to serve as their Ambassador to the United Nations, to live in Manhattan with diplomatic immunity. It was one of my proudest days in the Senate to introduce the legislation countering this action that passed unanimously through both Houses of Congress, and that was signed into law by President Obama, stopping known terrorists from entering the United States.

When push comes to shove, the American people understand that Iran

is our enemy. We need to bring that same clarity, that same bipartisan unity to current circumstances in Iraq.

Just because Iran fears ISIS jihadists, it does not follow that we should partner with them in this fight. The enemy of our enemy, in this instance, is not our friend. If we cannot secure our people absent Iranian involvement, we need to get them out. If we cannot strike ISIS in Iraq without Iranian involvement, then we need to look for another means of doing so.

ISIS consists of radical Islamist terrorists who seek to murder Americans. Yet the Iranian regime has over and over demonstrated the same hostile intent. Indeed, it is the leading sponsor of terrorism across the world.

It is deeply concerning that not only Secretary of State John Kerry but also former Secretary of State Hillary Clinton and Secretary of Defense Chuck Hagel have all signaled in recent days they are actively interested in exploring a partnership with Iran to deal with Iraq.

Indeed, today President Obama publicly suggested: "Iran can play a constructive role." This is the height of foolishness. It is deeply disturbing that so many current and former senior Obama administration officials would share this same misguided and naive view.

There could be no more ill-advised or counter-productive policy for the United States at this moment than to partner with the Islamic Republic of Iran. Rather than partnering with Iran, we should be all the more mindful of the dangers of taking our eye off the ball of Iran's nuclear program, as no doubt Tehran hopes we will in this most recent crisis.

As grim as the threat of ISIS is, it pales in comparison to the threat of a nuclear-armed Iran, given their long and well-documented history of state-sponsored terrorism. Indeed, Iran is working now and has been working for years now to develop nuclear ICBMs for one reason and one reason only, and that is to strike at America and potentially murder millions of Americans. It would be the height of folly to take any action in Iraq that would further embolden Iran, which is already moving to make Iraq a client state in its pursuit of regional hegemony.

We already know how that script plays out. We have seen it in our ally Ukraine, where former President Viktor Yanukovich acted as Vladimir Putin's stooge and planted pro-Russian agents throughout the Ukrainian government and armed forces. But the Ukrainian people refused to accept Russia's attempt to reintegrate them into a 21st century reincarnation of the Soviet Union.

They stood in the Maidan Square, a place I visited just a few weeks ago, and they braved the freezing cold. They braved the murderous army snipers who shot the protesters down in that square, and they stood and demanded freedom. They demanded to stand with America, with Europe, and the West.

Iran, in its attempt to create a modern version, a new version of the Persian Empire, has attempted a similar play on behalf of so-called Supreme Leader Ali Khamenei through the means of the Iraqi regime of Nouri al-Maliki.

Sadly, Iranian forces today permeate both the Government of Iraq and the Iraqi security forces.

America has demonstrated, beyond any shadow of doubt, our offer of liberty to the people of Iraq. Indeed, thousands of our sons and daughters have given their lives in pursuit of freedom in Iraq. But if the Iraqi Government is more interested in forging a relationship with Iran than with the United States, we should not and we cannot attempt to force them to adhere to our political goals for them.

Absent active partners in Iraq who want a closer alliance with America and with our allies, our key objective should be, quite simply, to secure our people, to counteract terrorist threats to our national security, and to make sure that we do not further embolden the Islamic Republic of Iran.

These objectives—not the fantasy of resolving the Sunni-Shiite conflict that has been raging since the death of Muhammad in 632 A.D. or the illusion that we can magically find productive common ground with Iran—should define our policy toward Iraq.

I would like to make one final note. It is my hope that my colleagues will think more broadly about what is happening in the world in Iraq, in Iran, in Russia, and in Libya. We are being faced with options of options of options that have been created by the bad choices our leaders make.

Those guiding our foreign policy at the White House, the State Department, and even, unfortunately, in the Senate have refused to address true dangers posed to Americans at home and abroad. Bad choices inevitably leave us with bad options.

Refusing to recognize the radical religious extremism of individuals who are committed to jihad and have pledged to murder Americans is a bad choice. Refusing to utter the words "radical Islamic terrorists" is a bad choice. Negotiating with terrorists to release terrorist leaders is a bad choice, and considering any kind of deal with Iran is a very bad choice.

In the last 5 years America has receded from leadership in the world. Into that vacuum have stepped nations such as Iran, such as Russia, such as China. As we have abandoned our allies, the consequences have been to make the world a much more dangerous place. America's leadership has never been more critical than it is today.

Until the leaders of our government stop making these bad choices, we will continue to be left with bad options.

I thank the Chair.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Rhode Island.

## CJS APPROPRIATIONS

Mr. REED. Mr. President, I rise to speak about the appropriations minibus that many of us were prepared to move forward on today. I am deeply disappointed that the Republican minority is effectively blocking another bill on this floor from moving forward for consideration and ultimately approval by the Congress.

It is disappointing because I know that the bipartisan work that was done in the committee was absolutely critical and extremely productive. The Appropriations Committee, which I have the privilege of serving on, presented us, this Senate, with three very excellent pieces of legislation. I am disappointed that we are not moving forward to pass them. It is also disappointing because this process gives us the opportunity to shape the spending priorities of the government, to focus on the needs of the American people, and to do so in a way that will be responsive to their needs and we hope improves their opportunities to grow this economy and participate in the economy.

Without appropriations bills, we run the risk of being stuck with a continuing resolution—funding just what we did the last year—perhaps a little less, perhaps a little more in some areas. But it deprives us of focusing on issues that are more sensitive and more critical at this moment to the American public.

Chairman MIKULSKI has done an excellent job leading the Appropriations Committee. As I said from the beginning, she was determined to make it a substantive, respectful, and bipartisan process. The results are reflected in the unanimous or near unanimous committee votes on the bills that are coming to this floor in this minibus, as we call it. So I thank her, obviously, for her leadership.

I also want to thank my colleagues on the relevant subcommittees, Senator MURRAY, in the Transportation, Housing and Urban Development, and Related Agencies Subcommittee; Senator PRYOR, the chair of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee. Together they have prepared balanced bills that invest in our people, our infrastructure, and in science.

The transportation-HUD bill includes \$550 million for the important TIGER Discretionary Grant Program, which is shared by the entire country but has been particularly critical to Rhode Island in helping us improve our commercial ports and in jump-starting major road projects, including the replacement of a major bridge, the Providence Viaduct on route 95.

Indeed, it is one of the potential choke points on route 95 that will not only affect Rhode Island, but it will affect Massachusetts, the home of the Presiding Officer. It will affect Connecticut. It will bottle up traffic if we don't continue to fix it, improve it, and



make it traffic ready for another several decades.

The bill also maintains robust support for the Airport Improvement Program. One of the things we are very pleased about is the T.F. Green Airport. We are investing about \$100 million in safety improvements, a runway extension, and an expansion. I thank Chairman MURRAY for including this funding in the bill, this general category funding which has been very helpful to the Rhode Island Airport Corporation as it has applied for these grants.

I was particularly delighted last month because Chairwoman MIKULSKI joined me at T.F. Green Airport to look at the improvements, to talk about the issues, and to get a firsthand sense of how her efforts and Senator MURRAY's efforts are translating into real projects throughout the United States.

The bill also includes more than \$3 billion for the Community Development Block Grant Program, again an important program critical to all communities in Rhode Island. It provides more than \$2 billion for homeless assistance grants. There is no portion of the country today that is not facing a very real problem with homeless Americans who need help, assistance, and support.

There is \$75 million for the Family Self-Sufficiency Program, which again helps people who are struggling not only to find a place to live but also to deal with all of the issues of getting by in a very difficult economy.

All of these programs are extremely worthwhile. They serve the Nation—not in one particular area or in one particular State—and they contribute to our productivity—not just for the moment but looking ahead.

We can take, for example, the Commerce-Justice-Science bill with the strong support for NOAA, including funding for fisheries, aquaculture, Sea Grant, ocean exploration, and ocean education—again, initiatives that affect my home State of Rhode Island, the Commonwealth of Massachusetts, the State of Florida, the State of North Carolina, every coastal area, the gulf coast, et cetera, all critical to our country, to our productivity, to our commerce, and to the livelihood of so many Americans.

We are looking also at investments in the National Science Foundation, fully funding, for example, the request for the EPSCoR Program at nearly \$160 million. This is absolutely critical for many reasons, particularly to make that connection between academic institutions and business enterprises and also to economic development.

The bill also supports, with respect to our criminal justice system, \$376 million for Byrne justice assistance grants and \$181 million for COPS hiring grants—actually putting police officers on the street, increasing our ability to deal with crime and making our communities more livable. This is absolutely critical.

We look at the Agriculture appropriations bill—and I thank Senator PRYOR—because, today, agriculture includes aquaculture, the commercial growing, if you will, of shellfish and other seafood products.

Again, in my State—but not just in my State, in other parts of the country—it is a growing and commercially thriving enterprise which deserves support. In fact, because of federal investments, we have been able to initiate in Rhode Island aquaculture projects that have taken on their own lives and own momentum and are extremely productive.

I am disappointed we are here today only talking about these appropriations bills instead of actually moving forward and passing them.

Another topic that is very frustrating is the fact that this body passed on a bipartisan basis an extension of unemployment insurance, fully paid for, fiscally responsible—a bipartisan bill that went through all of the rigorous steps that required 60 votes to get cloture, and a majority of votes to get final passage. We didn't cut any corners. That is what we had to do, and we did it.

Unfortunately, it has languished in the House of Representatives so now the extension, which as we passed the bill would have been looking backward and forward several months—now it has been totally eclipsed. So we are back working.

I have reached out, and fortunately Senator DEAN HELLER of Nevada has been an extraordinarily thoughtful and crucial leader, along with other colleagues on the other side of the aisle and colleagues on this side of the aisle. So we are beginning again, but I have to express my frustration.

Over 3 million Americans now are without benefits that they would have received had we been able to extend unemployment compensation benefits which were terminated December 28 of last year. These are modest benefits, about \$300 a week, but for people who are looking desperately for work, it could mean the difference between staying in their homes or being forced out, repairing their car, having a telephone if they need it—which we all need to communicate to look for jobs.

So we have to start again. Not only is this the right issue for individual Americans—millions of them—but it is the right issue for our economy.

Economists who look at the unemployment problem will tell us—and in fact they did—if we would have extended the program last December for a full year, this economy would gain 200,000 jobs. We are in no position to turn down 200,000 jobs. In Rhode Island, that is particularly the case. It would have added to our GDP growth, some estimates as high as 0.2 percent, again helping to grow the economy.

I hope we can rejoin this effort and move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor because for those folks who picked up the Wall Street Journal this morning, this was the headline regarding the health care law: June 19, 2014, "Large Health Plans Set to Raise Rates."

The picture emerging from proposed 2015 insurance rates in the 10 States that have completed their filings, as the States have to do—stretching from Rhode Island to Washington State, in all but one of those 10, the largest health insurer in the State is proposing to increase premiums between 8.5 percent and 22.8 percent for next year.

That is not what the President of the United States promised the American people when he forced through a health care law with only Democrats voting for it in the House and in the Senate. What he said is that by the end of his first term, premiums for families would drop by \$2,500 per family. That is not what we are seeing: Across the board, the largest insurer in each of those 10 States, anywhere between 8.5 percent to 22 percent for next year. It makes us wonder how that is going to sit with the American public when they are faced with these bills.

Republicans have been coming to this floor to talk about the health care law that Democrats in the Senate voted for, the President signed, and we talked about the many alarming side effects—the alarming side effects Americans have been feeling ever since the law has passed.

People are still trying to understand the law, and they are asking the question: How is this actually helping me? That is what people want to know, is how is the law helping them. Much of what they are hearing is not how it is helping them, but how it is hurting them. Once again, an alarming side effect in the front page of the newspaper this morning.

It seems like just about every day we pick up a newspaper and see headlines about another broken promise by the Democrats who voted for the health care law—Democrats who came to the Senate floor and the floor of the House of Representatives and said this is a good thing.

But then, of course, it was NANCY PELOSI, Speaker of the House, who said: First you have to pass it before you get to find out what is in it. As more Americans are finding out what is in it, they continue to be very unhappy with what they are getting.

American families all across the country are finding out that the President's promises didn't come true. They weren't true.

As chairman of the Republican policy committee, I have been looking at the damaging side effects of the health care law around the country and in different States and what I have found meeting people around the country. Here is what I found in North Carolina:

Last Friday there was a headline in the Triangle Business Journal in the



Raleigh-Durham, NC, area on the Affordable Care Act: “ACA forcing majority of [North Carolina] employers to change health care offerings.”

The President said: If you like what you have, you can keep it. The headline in North Carolina is: The law is forcing a majority of employers to change their health care offerings.

The article says:

More than half of North Carolina companies are considering radical changes to the health plans they offer employees—

Not little changes, not little tweaks, radical changes to the health plans they offer employees.

“You might look at raising your deductible to keep premiums lower, or look at what you are covering,” Hegeman says. “Or charging more in terms of co-pay, in order to keep premiums lower.”

It quotes one human resources executive says that companies “. . . might look at raising your deductible to keep premiums lower, or look at what you are covering. . . .”

Those are all considerations because the President made a lot of promises that are not being able to be kept, and people who actually read the law as it was being proposed knew the President's promises were not going to be able to be kept.

This is a terrifying side effect of the health care law for many people—people who now in North Carolina are worried about these radical changes to their insurance plans. That is what some companies are going to have to do to keep down the costs.

But for many people, the costs keep going up anyway, and we are seeing higher premiums in those 10 States I mentioned in the headlines today, but specifically in North Carolina, here is what WTVD, a television station in Raleigh, reported last month. They did a story entitled, “Blue Cross missing age sales target for ACA could mean higher bills.” So higher bills for North Carolina.

It turns out not enough young and healthy people signed up for the insurance in the State's ObamaCare exchange.

The President said: Oh, we will get all these young, healthy people signing up, buying insurance that—in my opinion—they don't need, don't want, can't afford, will never use. The President said: We will get all these healthy people signing up.

It didn't happen. They missed the sales targets in terms of what they expected in terms of the age of those signing up. So the biggest insurer in the State in North Carolina says it may have to raise rates next year.

The news story quoted a woman named Amanda LaRoque. She and her husband own their own business, they pay their own health insurance, and they say their premiums have doubled since they signed up for the Obama health care law. They are now paying \$999 a month for two people—almost \$1,000 a month for two people.

I remember listening to President Obama and President Bill Clinton having a discussion in New York a couple days before the exchange opened. The President was saying: Easier to use than Amazon, and he said: Cheaper than your cell phone bill.

The plan was going to cost less than your cell phone bill.

This couple in North Carolina says they are paying almost \$1,000 a month and their rates are going even higher. So it makes us wonder was the President of the United States again trying to mislead the American people intentionally? Did he not understand the law which was written behind closed doors over there in HARRY REID's office? Did he not care? Does he still not care? But that is what people are seeing and experiencing as a result of the President's health care law.

But this couple is not the only one paying more because of the health care law. According to a new analysis by the Manhattan Institute, people all over the country are going to have to pay more—much more—than what the President told them, much more than they ever anticipated.

The Manhattan Institute found that for an average 64-year-old woman in North Carolina, her premiums would have been \$210 a month in 2013, before the ObamaCare mandates and everything else kicked in. In 2014, 1 year later and all the mandates, buying insurance through the ObamaCare exchange her premiums almost triple to \$623 a month. She is paying almost \$5,000 a year more this year than last year because of the President's health care law that the Democrats voted for in the House and in the Senate. The President said it would lower premiums by \$2,500 a year. Yet she is seeing her premiums go up by \$5,000 a year.

For a 27-year-old man, he would have paid an average of \$80 a month in 2013. Under the President's health care law, \$217 a month—an extra \$1,600 a year than last year. That is not what the President promised him.

President Obama then goes and gives a speech not that long ago and said: Democrats who voted for this law—and there are a lot of Members of this body that fit this description. Democrats who voted for this law should forcefully defend and be proud of it—forcefully defend and be proud, the President of the United States said just a couple weeks ago. Is there a Senator in this body who is willing to stand and forcefully defend the fact that people in North Carolina are paying double or triple for insurance? Is there anyone who wants to defend this expensive side effect of the health care law?

I know some people have been helped by the law. Some people are paying less for insurance than they would have before, but many people are paying much more. That is because the people who pay less are getting a subsidy from Washington to help hide the rate hikes that everybody else is facing.

President Ronald Reagan once said, “Government doesn't solve problems; it subsidizes them.” That is exactly what is going on with the President's health care law. The Democrats who voted for this health care law did not solve the problem with our health care system. They just threw more money at it to hide the fact that the law actually made things worse. People wanted reform that gave them access to quality care, that gave them affordable care. No one wanted more expensive coverage.

I will talk about one more example. That is the devastating side effect of smaller paychecks some families will be facing because of the Democrats' health care law. Another side effect, smaller paychecks.

The law says employers—including State governments, including local governments, school districts, communities, counties—have to cover people who work 30 hours a week or more and treat them as full-time employees. They have to cover those people with insurance and treat them as full-time employees. That is what the law considers full-time employees.

There was another story in Raleigh, NC, on WTVD. It said State agencies—we are not talking about for-profit businesses. State agencies are looking at cutting the hours of part-time workers to keep them under that 30-hour limit.

The North Carolina Agriculture Department has about 240 part-time employees who are now working more than 30 hours—less than 40, more than 30—240 of these folks at the North Carolina Agriculture Department.

How about the North Carolina Department of Transportation? They have almost 600 people in exactly the same situation. So North Carolina is going to have to look very closely at what to do with those individuals. If the hours are cut back to under 30 hours, that can mean smaller paychecks.

One expert at Duke University told the TV station he expects the State will see 300,000 full-time workers be moved to part time. Local governments, State governments, private employers, they are all having to make these same decisions. Why? Because of the health care law. Those 300,000 workers moved to part time by the definition—not what the man or woman on the street thinks of as the definition of full time, but what the health care law defines it as. That is a big hit to people's paychecks, and it is another very harmful side effect in the health care law.

It didn't have to be that way. Republicans have offered solutions for patient-centered health care reform such as increasing the ability of small businesses to get together, join together, negotiate for better rates, expand health savings accounts, allow people to buy insurance that works best for them and their family and shop in other States to do it, and not have to

buy this whole big list of insurance the President says they need when it is not what their family needs. It is not what they need for their kids, for their families, for their spouses, not what they want, not what they can afford, because the President essentially thinks he knows better than American families about their own personal situation. Republicans have offered ideas that would give people the care they need from a doctor they choose at lower costs—not lower costs as a subsidy for some people, but lower costs for everybody. That is what we are working on, lower cost of care.

Republicans are going to keep coming to the floor. We are going to keep offering real solutions for better health care without all of these terrible side effects, because we know the list is there, one side effect after another. They are costly, harmful, some are irreversible, and nothing that the American people wanted.

On the front-page headline today is “Large Health Plans Set to Raise Rates.” Insurance rates in 10 States that have completed their filings, stretching from Rhode Island to Washington State, all but one of them, the largest health insurer in the State is proposing to increase premiums between 8.5 and 22 percent for next year. The American people will once again realize that the Democrats and the President who voted for this health care law have broken their trust, broken their promises to the American people, and the American people deserve better.

Thank you, Mr. President. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The legislative clerk proceed to call the roll.

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

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

#### EXECUTIVE SESSION

#### NOMINATION OF PAUL G. BYRON TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 779.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Paul G. Byron, of Florida, to be United States District Judge for the Middle District of Florida.

#### CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

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

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Paul G. Byron, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, Elizabeth Warren, Tim Kaine, Richard Blumenthal, Robert P. Menendez, Barbara A. Mikulski, Debbie Stabenow, Christopher Murphy, Sheldon Whitehouse, Sherrod Brown, Patty Murray, Tom Harkin, Tom Udall, Christopher A. Coons, Robert P. Casey, Jr.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF CARLOS EDUARDO MENDOZA TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

Mr. REID. I move to proceed to executive session to Calendar No. 780.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Carlos Eduardo Mendoza, of Florida, to be United States District Judge for the Middle District of Florida.

#### CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk and I ask that it be reported.

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

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Carlos Eduardo Mendoza, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Patrick J. Leahy, Tom Udall, Robert P. Casey, Jr., Cory A. Booker, Jack Reed, Tim Kaine, Bar-

bara Boxer, Bill Nelson, Jeff Merkley, Christopher A. Coons, Angus S. King, Jr., Richard Blumenthal, Richard J. Durbin, Christopher Murphy, Patty Murray, Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF BETH BLOOM TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA

Mr. REID. I move to proceed to executive session to consider Calendar No. 781.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Beth Bloom, of Florida, to be United States District Judge for the Southern District of Florida.

#### CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

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

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Beth Bloom, of Florida, to be United States District Judge for the Southern District of Florida.

Harry Reid, Patrick J. Leahy, Tom Udall, Robert P. Casey, Jr., Jack Reed, Tim Kaine, Barbara Boxer, Bill Nelson, Jeff Merkley, Christopher A. Coons, Angus S. King, Jr., Richard Blumenthal, Cory A. Booker, Richard J. Durbin, Christopher Murphy, Patty Murray, Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

## EXECUTIVE SESSION

## NOMINATION OF GEOFFREY W. CRAWFORD TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF VERMONT

Mr. REID. I now move to proceed to executive session to consider Calendar No. 836.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Geoffrey W. Crawford, of Vermont, to be United States District Judge for the District of Vermont.

## CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

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

The assistant legislative clerk read as follows:

## CLOTURE MOTION .

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Geoffrey W. Crawford, of Vermont, to be United States District Judge for the District of Vermont.

Harry Reid, Patrick J. Leahy, Tom Udall, Robert P. Casey, Jr., Tim Kaine, Jack Reed, Cory A. Booker, Barbara Boxer, Bill Nelson, Jeff Merkley, Christopher A. Coons, Angus S. King, Jr., Richard Blumenthal, Richard J. Durbin, Christopher Murphy, Patty Murray, Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

## EXECUTIVE CALENDAR

## NOMINATION OF LEON RODRIGUEZ TO BE DIRECTOR OF THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY

Mr. REID. I move to proceed to executive session to consider Calendar No. 742.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Leon Rodriguez, of

Maryland, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

## CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk that I ask be reported.

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

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Leon Rodriguez, of Maryland, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, Patty Murray, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Sherrod Brown, Tom Harkin, Richard Blumenthal, Benjamin L. Cardin, Angus S. King, Jr., Thomas R. Carper, Elizabeth Warren, Amy Klobuchar, Debbie Stabenow, Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

## LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

## MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to 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.

## JUNETEENTH 149TH ANNIVERSARY

Mr. REID. Madam President, today we celebrate Juneteenth. For those who aren't familiar with this holiday, today marks the 149th anniversary of the emancipation of the slaves in Galveston, TX. Two-and-a-half years after President Lincoln's Emancipation Proclamation took effect and 2 months after General Lee's surrender at Appomattox, the slaves of Galveston were still being treated as they were years before. Union GEN Gordon Granger and his troops arrived in Galveston with one thing in mind, to right this wrong. General Granger addressed the entire city, declaring all slaves in Texas to be free, and granting them "an absolute equality of personal rights and rights of property."

Upon receiving the news, the newly freed slaves could not contain their

joy. They were crying, they were hugging, they were celebrating, because they were previously confined to shackles. They were slaves in the true sense of the word.

So today, 149 years later, we once again celebrate the occasion of the emancipation so long overdue. Juneteenth is a reminder of promises kept.

Although it may be late in coming, it is the duty of a responsible government to honor its word and never forget any of its citizens. There are millions of Americans who need help today, right now. They are escaping the bonds of hunger, unemployment, and inequality. So may we here in the Senate come to their rescue, just as General Granger did for the slaves of Galveston those many years ago.

Mr. CARDIN. Madam President, I wish to commend the Senate for unanimously passing S. Res. 474 last week. I am a proud co-sponsor of the resolution authored by Senator LEVIN, which designates today as Juneteenth Independence Day for 2014. The resolution includes specific recognition of Frederick Douglass who was born in the State of Maryland in 1818, escaped from slavery and became a leading writer, orator, publisher, and one of the United States' most influential advocates for abolitionism and the equality of all people.

On this 149th anniversary of Juneteenth, America celebrates the end of slavery in the United States. Juneteenth—or June 19—is the day in 1865 when MG Gordon Granger and Union soldiers enforced 'General Order No. 3', finally freeing the remaining slaves in the United States.

Thanks to the hard work of Americans committed to living up to our highest ideals, we have come a long way since that first Juneteenth. This is a time for joy but also reflection for African Americans. We should use our collective history, and days like Juneteenth, to grow, learn and become more connected to one another. We owe it to those who endured the brutal institution of slavery and to those who dedicated their lives to ending such an injustice.

Today, our children study Marylanders like Harriet Tubman and Frederick Douglass, both former slaves who helped deliver freedom to millions. As we observe Juneteenth in Maryland and across the country, we also reflect on the reality that human bondage has not been abolished worldwide. The continued existence of slavery anywhere is an affront to the progress made since that first Juneteenth and a cause for action.

## JOINT STRIKE FIGHTER

Mr. MCCAIN. Madam President, earlier this week I came to the floor to discuss ethics in defense procurement contracting, specifically relating to the Joint Strike Fighter. I ask unanimous consent that an article on this

topic from Inside Defense be printed in the RECORD.

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

[From Inside Defense, May 30, 2014]

CARTER: JSF PROGRAM MANAGER BASED F-35 AWARD FEES ON DESIRE TO PROTECT LOCKHEED EXEC

(By Jason Sherman)

A former Joint Strike Fighter program executive officer was fired in 2010 after explaining that he based the government's decision to award prime contractor Lockheed Martin 85 percent of the potential award fee—when the F-35 program was suffering from major cost growth and schedule delays—on his desire to protect the job of his Lockheed counterpart, according to a former senior Pentagon official.

Ashton Carter, deputy defense secretary from 2011 to 2013, on May 16 provided a Harvard University audience a behind-the-scenes account of his efforts in 2009, during his first year as Pentagon acquisition executive, to understand why projected costs for the F-35 aircraft had doubled and why the program was facing schedule delays.

At the time, an independent cost estimating team was advising Pentagon leaders that the true cost to develop and procure the planned F-35 fleet would be billions of dollars more than the JSF program office estimated, foreshadowing a \$60 billion increase to the F-35's official price tag.

Carter said he called in the program manager, whom he does not name during his remarks. At that time, Marine Corps Maj. Gen. David Heinz had recently become the F-35 program manager, in April 2009. His predecessor, from 2006 to 2009, was Air Force Maj. Gen. Charles Davis, now a three-star general and the military deputy to the Air Force acquisition executive.

"I want to see the bill, everything that goes into the cost of this airplane," Carter said, in a video of his remarks posted on YouTube on May 22. "The program office didn't know, could not tell me where the money was going."

At that time, the F-35's development was being executed under a cost-plus contract, a vehicle that allows a contractor to pass costs on to the government in addition to seeking an award fee. "I asked the program manager: 'Let me see your award fee history.' I look at the award fee history over 10 years, it is 85 percent a year," Carter said.

The former deputy defense secretary said he told the program manager the F-35 program was "a disaster," adding, "You're giving an 85 percent award fee every year, what's going on?"

"And," Carter continued, "he looked me in the eye . . . and said: 'I like the program manager on the Lockheed Martin side that I work with and he tells me that if he gets less than 85 percent award fee, he's going to get fired.'"

"So, this guy was fired," Carter said of Heinz. Then-Defense Secretary Robert Gates announced Heinz's dismissal during a Feb. 1, 2010, press conference.

Carter subsequently ordered a sweeping technical review of the JSF program and transitioned it to a fixed-price contract in an effort to force Lockheed to shoulder a portion of the costs associated with developmental risks.

"We began a process that was very difficult: to re-educate the Air Force-Navy team that managed this important aircraft so that they knew what the hell they were paying for," Carter said in the Harvard speech. "They had no idea."

In 2013, the Pentagon restructured the award-fee scheme for the Joint Strike Fight-

er program, setting aside \$337 million that Lockheed Martin could earn by achieving specified goals during the balance of the aircraft's development phase.

Air Force Lt. Gen. Christopher Bogdan, the current F-35 program executive officer, told the Senate Armed Services tactical air and land forces subcommittee on April 24, 2013, that a portion of the remaining award fees Lockheed could earn would be tied to the timely delivery of planned aircraft complete with scheduled software and capability improvements. The bulk of the remaining fee is tethered to achieving the current aircraft development plan on time and budget, he said. (Defense Alert, April 24, 2013).—Jason Sherman

#### SIMPSONS' 60TH WEDDING ANNIVERSARY

Mr. BARRASSO. Madam President, on Saturday, June 21, 2014, Senator Alan Simpson and his wife Ann will celebrate their 60th wedding anniversary. I invite all of my colleagues to join me in wishing them heartfelt congratulations.

Their children Bill, Colin, and Sue, sent an announcement honoring this milestone saying their parents are "celebrating 60 years of love, commitment and compromise." Those of us who have known and worked with Al and Ann Simpson have seen this spirit of love and devotion in every aspect of their lives.

For six decades, Wyoming has been fortunate to learn from Al and Ann. Though they met much earlier, the couple first began dating while they were students at the University of Wyoming. Over 60 years later, they are a true power couple. Each complements the other in every way—they are resilient, compassionate, and know the value of compromise. This special relationship has evolved into a lifelong partnership that serves as a model for all of us to follow.

My wife Bobbi and I look forward to celebrating this outstanding milestone with Al and Ann when we see them in Cody on July 4th. We will tell them what an inspiration they have been, not only to us, but to people all across the State. And, we will thank them for their service to Wyoming and our great Nation.

#### ADDITIONAL STATEMENTS

##### REMEMBERING LAURA LAPLANTE

• Ms. AYOTTE. Madam President, I wish to honor the life of Laura LaPlante—a law student from Hancock, NH, who was preparing to graduate from the University of Chicago Law School when her life was tragically cut short last month.

Laura was a student at St. Patrick's School in Jaffrey and at ConVal Regional High School in Peterborough, from which she graduated in 2006. After attending Columbia University, she returned to New Hampshire and graduated in 2010 from UNH—where she was a scholar-athlete who was at the top of her class.

Laura continued to distinguish herself as a student in law school, where she became a campus leader. In addition to serving as the president of the school's chapter of the Federalist Society, she also served as treasurer of the Law School Republicans. Additionally, Laura devoted her time and energy to the Saint Thomas More Society, the Law Women's Caucus, and the Edmund Burke Society.

Laura was a vibrant young woman whose kind and generous spirit and commitment to excellence—touched the lives of everyone around her.

A high school friend of hers said: "Laura is the kind of person everybody wants to be."

And a former teacher and coach at ConVal said, "She was the type of person that was always there for you"—adding that Laura was "very selfless."

She brought that same trademark kindness to Chicago, where one of her law school classmates was quoted as saying: "Laura was one of those people who would take the time to ask how I'm doing and actually listen."

These are just a few remembrances of this remarkable young woman. She was smart, outgoing, kind, and curious about the world around her. I know that Laura would have been an outstanding lawyer who brought intellect and integrity to the legal profession. And I also know that she would have continued to be a leader in her community.

Tragically, we will never know the heights that Laura would have achieved. She was taken from us far too soon.

As Laura's family and friends mourn her loss, I hope and pray that they will be comforted by their warm memories of her. She was a very special person whose uncommon kindness, caring spirit, and commitment to service brightened our world. Laura leaves behind an extraordinary legacy for all of us to carry on.●

##### TRIBUTE TO DAVID GIORDANO

• Mr. BOOKER. Madam President, today I recognize David Giordano, the former director of the Newark Fire Department. A driving force for good in the City of Newark, Dave's exceptional career as firefighter, fire director, and trusted advisor created the foundation for the long-term strength of the department, setting it on the path to a sustainable future, and improving safety for the city's residents.

A native of North Newark, Dave grew up near Sacred Heart Basilica and is a product of the Newark Public School system. As Newark invested in him, so, too, did he invest in Newark—first as a small business owner in 1979, and then, in 1985, as a firefighter. Committed to serving as a strong voice for his colleagues, Dave became active in the Newark Firefighter's Union, serving as treasurer and vice president, and ultimately union president.

When I became mayor of Newark in 2006, I knew Dave's knowledge and experience would be an asset to my team.

Indeed, he worked hard to obtain new equipment, shorten response times, and streamline the delivery of service to make our fire department more effective. In an emergency, every second counts; Dave's commitment to excellence surely saved lives.

Dave retires from the City of Newark on June 30, 2014, after 29 years of dedicated service to the city. These years have been marked by exemplary dedication to the best interests of the community and his fellow firefighters.

It is an honor to formally recognize the contributions that David Giordano has made to the citizens of Newark throughout his career, to thank him for his tremendous service, and to wish him happiness in a well-deserved retirement.●

#### TRIBUTE TO LYNN WOLF GENTZLER

● Mr. BLUNT. Madam President, I wish to honor Lynn Wolf Gentzler, who has had a remarkable 42-year career with the Western Historical Manuscript Collection at the University of Missouri-Columbia and the State Historical Society of Missouri. Next month, Lynn will leave her position to enjoy a well-deserved retirement. I have served on the board of trustees of the State Historical Society for some time, and I can tell you that Lynn has played a critical role in the promotion of the history of our State of Missouri.

As a native of DeKalb County, Lynn Wolf Gentzler attended the University of Missouri-Columbia and graduated with honors and a degree in education. She then went on to earn her master's degree and began a career as a manuscript specialist at the Western Historical Manuscript Collection in Columbia. Over years of dedicated hard work, she rose to the position of senior manuscript specialist and assistant director of the Western Historical Manuscript Collection.

She eventually assumed the positions of assistant director of the State Historical Society of Missouri and associate editor of the Missouri Historical Review in 1990. A year later, she became the associate director of the State Historical Society in Missouri, while continuing in her role as the associate editor of the Missouri Historical Review. In 2003, the board of trustees for the State Historical Society of Missouri asked Lynn to take up the role of acting executive director.

Lynn Wolf Gentzler is a leader who has demonstrated an incredible understanding and commitment to the past, present, and future of her community. Outside of her work with the Missouri Historical Review, Lynn's impressive authored and editorial works include entries in the "Dictionary of Missouri Biography," the "American National Biography," and the State Historical Society's publication entitled "Marking Missouri History." In addition, she edited every single book published by the State Historical Society of Missouri over the past decade.

In 2004, Lynn received the State Historical Society's Distinguished Service Award and Medallion for her outstanding decades of service to the cultivation and promotion of Midwestern history. Her enthusiastic and determined leadership as an administrator, writer, and editor has played a vital role in the preservation of our State and Nation's history.

Lynn has provided an incredible service to the State of Missouri for over 40 years, and I wish her well on her retirement.●

#### WARREN COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act, and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Warren County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Warren County worth over \$6.8 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than \$9.5 million to the local economy.

Of course, my favorite memories of working together include my support of the great work done by public safety entities in the county, working to improve local transportation infrastructure, as well as a strong partnership with Simpson College.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Central Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects, including improved roads and bridges, modernized sewer and water systems, and better housing options for

residents of Warren County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Warren County, I have fought for more than \$1.4 million for improvements to Highway 92, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than \$132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Warren County has received over \$4.6 million in Harkin grants. Similarly, schools in Warren County have received funds that I designated for Iowa Star Schools for technology totaling \$367,796.

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency-response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster, it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Warren County has received over \$1.1 million to remediate and prevent widespread destruction from natural disasters.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs;

strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Warren County has received more than \$1.4 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Warren County's fire departments have received over \$1.1 million for firefighter safety and operations equipment and \$175,000 in Department of Justice funding to support law enforcement efforts in the county.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed-captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Warren County, both those with and without disabilities.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Warren County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Warren County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

#### BUTLER COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities

across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Butler County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Butler County worth over \$2.6 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than \$11 million to the local economy.

Of course, one of my favorite memories of working together has been a terrific partnership with the Butler County Rural Electric Cooperative, REC, which has done a tremendous job at securing funds for a variety of local economic development projects. I am particularly proud of the work I have done with the Homeward, Inc. project to provide quality affordable housing to Iowans throughout the region. I am pleased to have secured more than \$1.9 million over the years to assist in this important work. I should also single out the outstanding leadership and tireless leadership of the former CEO and general manager of the Butler County REC, Bob Bauman, for his years of service and vision. He is the kind of Iowan, who has done so much to help those that have so little, that makes me so proud to have served Iowa in the Senate.

Among the highlights:

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than \$132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a

school district. Over the years, Butler County has received \$664,437 in Harkin grants. Similarly, schools in Butler County have received funds that I designated for Iowa Star Schools for technology totaling \$115,000.

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency-response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster, it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Butler County has received over \$6 million to remediate and prevent widespread destruction from natural disasters.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Butler County has received more than \$5.8 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as the methamphetamine epidemic. For instance, Butler County has received \$449,956 in Community Oriented Policing Services grants. Also, since 2001, Butler County's fire departments have received over \$323,000 for firefighter safety and operations equipment.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have



had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Butler County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Butler County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Butler County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

#### REMEMBERING SHEILA LUMPE

● Mrs. McCASKILL. Madam President, I ask the Senate to join me today in honoring the life of Sheila Lumpe, who passed away on June 4, 2014. Sheila was a much-loved member of the St. Louis community. Sheila has left a legacy of public service that will always be cherished, and St. Louis will not be the same without her.

Sheila was born in Strinestown, PA and graduated from high school in Indiana where she had moved as a young girl. She attended Indiana University to study political science and met a fellow student, Gus Lumpe. They married and moved to St. Louis in 1965. Sheila served 17 years in the Missouri House representing University City, a suburb of St. Louis. After she retired from the house, the Governor named her the State's chief utilities regulator and she served 6 years on the Public Service Commission. She was a member of the Missouri Humanities Council board of directors and received numerous awards and honors.

With four children enrolled in University City schools, Sheila became involved in the Parent Teacher Association. In 1973, the school board was divided over integration and Sheila's husband Gus encouraged her to run for a seat on the board. Sheila won and spent 8 years on the school board. When her neighbor gave up his house seat to run for Lieutenant Governor, Sheila ran for his seat and won.

I had the distinct honor of serving with Sheila in the Missouri General As-

sembly, where her tenure was marked by excellence and community involvement and where I learned important lessons about public leadership from her. Sheila became the first woman to lead the powerful House Budget Committee and nearly became the first woman speaker of the House.

Sheila fought tirelessly for women's rights, equal pay and universal health care. She helped Planned Parenthood retain funding while in the legislature. Her legislation to expand health care for children passed the year after she left the legislature. Sheila was a role model to not only female legislators, but all legislators. She was regarded highly by everyone she interacted with, including those with very different views.

Sheila retired from the Public Service Commission and public life in 2003. She devoted herself to taking care of her husband, who passed away in 2009 from Alzheimer's disease. Sheila also passed away from Alzheimer's disease. She is survived by her three sons Abraham, Nathan and Andrew; daughter, Karen, and six grandchildren.

Sheila left an indelible and permanent mark on St. Louis and will be fondly remembered and dearly missed. Sheila's life and commitment to others serves as an inspiration to me and to all Missourians. I have lost a friend and mentor and our State has truly lost a leader and a hero.

I ask that the Senate join me in honoring the life and legacy of Sheila Lumpe.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

#### REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13617 OF JUNE 25, 2012, WITH RESPECT TO THE DISPOSITION OF RUSSIAN HIGHLY ENRICHED URANIUM—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13617 of June 25, 2012, with respect to the disposition of Russian highly enriched uranium is to continue in effect beyond June 25, 2014.

The risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13617 with respect to the disposition of Russian highly enriched uranium.

BARACK OBAMA.  
THE WHITE HOUSE, June 19, 2014.

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 9:32 a.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:

S. 1254. An act to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

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

#### MEASURES DISCHARGED

The following bill was discharged from the Committee on Commerce, Science, and Transportation, by unanimous consent, and ordered returned to the House:

H.R. 4412. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

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

S. 2491. A bill to protect the Medicare program under title XVIII of the Social Security Act with respect to reconciliation involving changes to the Medicare program.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 19, 2014, she had presented to the President of the United States the following enrolled bill:



S. 1254. An act to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyrooxasulfone; Pesticide Tolerances" (FRL No. 9911-08-OCSPP) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6142. A communication from the Associate Administrator of the Livestock, Poultry and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Sheep Industry Improvement Center" (AMS-LPS-14-0028) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6143. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that occurred in the Department of Homeland Security Preparedness Directorate, Treasury Symbols 70/0911 and 70X0565; to the Committee on Appropriations.

EC-6144. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Charles R. Davis, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6145. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Keith C. Walker, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6146. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Joint Precision Approach and Landing System (JPALS) Increment 1A program; to the Committee on Armed Services.

EC-6147. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the MQ-8 Vertical Takeoff and Landing Tactical Unmanned Aerial Vehicle (VTUAV) Fire Scout program; to the Committee on Armed Services.

EC-6148. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general and brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6149. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6150. A communication from the Acting Under Secretary of Defense (Personnel and

Readiness), transmitting, pursuant to law, a report relative to the Department of Defense assigning women to previously closed positions in the Navy; to the Committee on Armed Services.

EC-6151. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing—Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Housing Constructions and Safety Standards: Correction of Reference Standard for Anti-Scald Valves" (RIN2502-AJ21) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-6152. A communication from the Acting Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2014-0002)) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-6153. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Idaho Roadless Rule" (RIN0596-AD11) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Energy and Natural Resources.

EC-6154. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Portable Fuel Container Amendment to Pennsylvania State Implementation Plan" (FRL No. 9912-21-Region 3) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Environment and Public Works.

EC-6155. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Use Rules on Certain Chemical Substances; Update of Chemical Identities" ((RIN2070-AB27) (FRL No. 9910-51)) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Environment and Public Works.

EC-6156. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Exemption of Certain Chemical Substances from Reporting Additional Chemical Data" ((RIN2070-AK01) (FRL No. 9910-84)) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Environment and Public Works.

EC-6157. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Nevada; Update to Materials Incorporated By Reference" (FRL No. 9908-86-Region 9) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Environment and Public Works.

EC-6158. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval and Promulgation of Air Quality Implementation Plans; South Dakota; Revi-

sions to South Dakota Administrative Code; Permit: New and Modified Sources" (FRL No. 9912-24-Region 8) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Environment and Public Works.

EC-6159. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Review of New Sources and Modifications in Indian Country Amendments to the Registration and Permitting Deadlines for True Minor Sources" ((RIN2060-AS24) (FRL No. 9911-46-OAR)) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Environment and Public Works.

EC-6160. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Extension of Compliance and Attest Engagement Reporting Deadlines for 2013 Renewable Fuel Standards" ((RIN2060-AS25) (FRL No. 9912-00-OAR)) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Environment and Public Works.

EC-6161. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Particulate Matter Limitations for Coating Operations" (FRL No. 9912-09-Region 5) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Environment and Public Works.

EC-6162. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to Delaware's Ambient Air Quality Standards" (FRL No. 9912-22-Region 3) received in the Office of the President of the Senate on June 16, 2014; to the Committee on Environment and Public Works.

EC-6163. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration; 2014 Section 45Q Inflation Adjustment Factor" (Notice 2014-40) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Finance.

EC-6164. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Practice Before the Internal Revenue Service" ((RIN1545-BF96) (TD 9668)) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Finance.

EC-6165. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, "Report to the Congress: Medicare and the Health Care Delivery System"; to the Committee on Finance.

EC-6166. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Additional Extension of the Payment Adjustment for Low-Volume Hospitals and the Medicare-dependent Hospital (MDH) Program Under the Hospital Inpatient Prospective Payment Systems (IPPS) for Acute

Care Hospitals for Fiscal Year 2014" (RIN0938-ZB17) (CMS-1599-N)) received during adjournment of the Senate in the Office of the President of the Senate on June 13, 2014; to the Committee on Finance.

EC-6167. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "Report to the Congress on Medicaid and CHIP"; to the Committee on Finance.

EC-6168. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-046); to the Committee on Foreign Relations.

EC-6169. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-042); to the Committee on Foreign Relations.

EC-6170. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2014-0870); to the Committee on Foreign Relations.

EC-6171. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2014-0871); to the Committee on Foreign Relations.

EC-6172. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2014-0071-2014-0078); to the Committee on Foreign Relations.

EC-6173. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102-1) for the February 15, 2014-April 15, 2014 reporting period; to the Committee on Foreign Relations.

EC-6174. A communication from the Acting Assistant Secretary (Office of Postsecondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority. Language Resource Centers Program" (CFDA No. 84.229A); to the Committee on Health, Education, Labor, and Pensions.

EC-6175. A communication from the Acting Assistant Secretary (Office of Postsecondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities. National Resource Centers Program" (CFDA No. 84.015A); to the Committee on Health, Education, Labor, and Pensions.

EC-6176. A communication from the Acting Assistant Secretary (Office of Postsecondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority. Foreign Language and Area Studies Fellowships Program" (CFDA No. 84.105B); to the Committee on Health, Education, Labor, and Pensions.

EC-6177. A communication from the Acting Assistant Secretary (Office of Postsecondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities. Centers for International Business Education Program" (CFDA No. 84.220A); to the Committee on Health, Education, Labor, and Pensions.

EC-6178. A communication from the Acting Assistant Secretary (Office of Postsecondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority. Undergraduate International Studies and Foreign Language Program" (CFDA No. 84.016A); to the Committee on Health, Education, Labor, and Pensions.

EC-6179. A communication from the Assistant Secretary (Office of Elementary and Secondary Education), Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities. Requirement, and Definitions; Innovative Approaches to Literacy (IAL) Program" (CFDA No. 84.215G); to the Committee on Health, Education, Labor, and Pensions.

EC-6180. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practices, Quality Control Procedures, Quality Factors, Notification Requirements, and Records and Reports, for Infant Formula" ((Docket No. FDA-1995-N-0063) (formerly 95N-0309)) received during adjournment of the Senate in the Office of the President of the Senate on June 13, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-6181. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date" (Docket No. FDA-2012-C-0900) received during adjournment of the Senate in the Office of the President of the Senate on June 13, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-6182. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report entitled "Railroad Unemployment Insurance System"; to the Committee on Health, Education, Labor, and Pensions.

EC-6183. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report entitled "Railroad Retirement System"; to the Committee on Health, Education, Labor, and Pensions.

EC-6184. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Homeland Security, received in the Office of the President of the Senate on June 17, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-6185. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two (2) reports relative to vacancies in the Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on June 13, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-6186. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department of Housing and Urban Development Semiannual Report of the Inspector General for the period from October 1, 2013, through March 31, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-6187. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled

"Consolidated Report to Congress on the Native Hawaiian Revolving Loan Fund for Fiscal Years 2005 through 2013"; to the Committee on Indian Affairs.

EC-6188. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XD277) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6189. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2014 Sub-Annual Catch Limit (ACL) Harvested for Management Area 1B" (RIN0648-XD231) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6190. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XD300) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6191. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Commercial Gulf of Mexico Aggregated Large Coastal Shark and Gulf of Mexico Hammerhead Shark Management Groups" (RIN0648-XD281) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6192. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Recreational Harvest of Snowy Grouper in South Atlantic Waters" (RIN0648-XD199) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6193. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Recreational Harvest of Golden Tilefish in South Atlantic Waters" (RIN0648-XD200) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6194. A communication from the General Counsel, Department of Commerce, transmitting proposed legislation relative to the implementation of two international fisheries conventions relating to the Pacific Ocean; to the Committee on Commerce, Science, and Transportation.

EC-6195. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Schools and Libraries Universal Service Support Mechanism; A National Broadband Plan For Our Future" ((RIN3060-AF85) (DA 14-712)) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6196. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

“Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648-XD268) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6197. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Blacktip Shark Fishery in the Gulf of Mexico Region” (RIN0648-XD312) received in the Office of the President of the Senate on June 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC-6198. A communication from the General Counsel of the Department of Commerce, transmitting proposed legislation entitled “Northwest Atlantic Fisheries Convention Amendments of 2014”; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 2499. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2015, and for other purposes (Rept. No. 113-195).

By Mrs. SHAHEEN, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 4487. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2015, and for other purposes (Rept. No. 113-196).

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Jill A. Pryor, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Ronnie L. White, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California.

Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida.

Randolph D. Moss, of Maryland, to be United States District Judge for the District of Columbia.

John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

Leigh Martin May, of Georgia, to be United States District Judge for the Northern District of Georgia.

Leslie Joyce Abrams, of Georgia, to be United States District Judge for the Middle District of Georgia.

Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia.

Eleanor Louise Ross, of Georgia, to be United States District Judge for the Northern District of Georgia.

Nancy B. Firestone, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Thomas L. Halkowski, of Pennsylvania, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ENZI (for himself, Mr. PAUL, Mr. RUBIO, Mr. RISCH, Mr. BARRASSO, Mr. VITTER, and Mr. ISAKSON):

S. 2495. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget.

By Mr. BARRASSO (for himself, Mr. VITTER, Mr. MCCONNELL, Mr. RISCH, Mr. RUBIO, Mr. CRAPO, Mr. WICKER, Mr. INHOFE, Mr. COBURN, Mr. JOHANNES, Mr. ENZI, Mr. CORNYN, Mr. SESSIONS, Mr. TOOMEY, Mr. GRASSLEY, Mr. BOOZMAN, Mrs. FISCHER, Mr. HATCH, Mr. ROBERTS, Mr. PAUL, Mr. THUNE, Mr. ISAKSON, Mr. HELLER, Mr. COCHRAN, Mr. CHAMBLISS, Mr. BLUNT, Mr. HOEVEN, Mr. CRUZ, Mr. LEE, and Mr. BURR):

S. 2496. A bill to preserve existing rights and responsibilities with respect to waters of the United States; to the Committee on Environment and Public Works.

By Mr. MURPHY (for himself and Mr. SCHATZ):

S. 2497. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments by angel investors; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. THUNE, Mr. TOOMEY, and Mr. SCHATZ):

S. 2498. A bill to clarify the definition of general solicitation under Federal securities law; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY:

S. 2499. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2015, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. WALSH:

S. 2500. A bill to restrict the ability of the Federal Government to undermine privacy and encryption technology in commercial products and in NIST computer security and encryption standards; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself, Mr. WICKER, Mr. KIRK, and Mr. NELSON):

S. 2501. A bill to amend title XVIII of the Social Security Act to make improvements to the Medicare hospital readmissions reduction program; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. BOOZMAN, Mr. COONS, Mr. ISAKSON, and Mr. KAINE):

S. 2502. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Relations.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2503. A bill to direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agree-

ment, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona; to the Committee on Indian Affairs.

By Ms. AYOTTE (for herself and Mr. DONNELLY):

S. 2504. A bill to address prescription opioid and heroin abuse; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2505. A bill to promote unlicensed spectrum use in the 5 GHz band, to maximize the use of the band for shared purposes in order to bolster innovation and economic development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself and Mr. HARKIN):

S. 2506. A bill to award grants to States to support efforts at institutions of higher education to increase degree attainment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 2507. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. CORKER, Mr. COONS, Mr. ISAKSON, Mr. MARKEY, and Mr. JOHANNES):

S. 2508. A bill to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. CORKER, and Mr. MARKEY):

S. 2509. A bill to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself, Ms. AYOTTE, and Mr. ROBERTS):

S. 2510. A bill to establish a temporary limitation on the use of funds to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. HARKIN (for himself and Mr. ALEXANDER):

S. 2511. A bill to amend the Employee Retirement Income Security Act of 1974 to clarify the definition of substantial cessation of operations; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. KAINE (for himself, Mr. BURR, and Mr. BLUMENTHAL):

S. Res. 479. A resolution recognizing Veterans Day 2014 as a special “Welcome Home Commemoration” for all who have served in the military since September 14, 2001; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself, Mr. PORTMAN, and Mr. MURPHY):

S. Res. 480. A resolution expressing condolences and supporting assistance for the victims of the historic flooding in the Western Balkans; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 603

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 635

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 981

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 981, a bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes.

S. 1476

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1476, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 1504

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1504, a bill to increase funds set aside for off-system bridges.

S. 1971

At the request of Ms. MURKOWSKI, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1971, a bill to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2103

At the request of Mr. BOOZMAN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2103, a bill to direct the Administrator of the Federal Aviation Administration to issue or re-

vise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes.

S. 2133

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2133, a bill to amend title VII of the Civil Rights Act of 1964 and other statutes to clarify appropriate liability standards for Federal anti-discrimination claims.

S. 2333

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2333, a bill to amend title 10, United States Code, to provide for certain behavioral health treatment under TRICARE for children and adults with developmental disabilities.

S. 2337

At the request of Ms. MURKOWSKI, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2337, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era.

S. 2405

At the request of Mr. REED, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2405, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 2476

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2476, a bill to direct the Federal Communications Commission to promulgate regulations that prohibit certain preferential treatment or prioritization of Internet traffic.

S. 2491

At the request of Mr. PRYOR, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Massachusetts (Ms. WARREN), the Senator from Ohio (Mr. BROWN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED), the Senator from Montana (Mr. WALSH), the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2491, a bill to protect the Medicare program under title XVIII of the Social Security Act with respect to reconciliation involving changes to the Medicare program.

AMENDMENT NO. 3246

At the request of Mr. COONS, his name was added as a cosponsor of amendment No. 3246 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3249

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 3249 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3254

At the request of Mr. BOOKER, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 3254 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3262

At the request of Ms. KLOBUCHAR, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 3262 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3278

At the request of Mr. LEAHY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 3278 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3280

At the request of Mr. VITTER, the names of the Senator from Texas (Mr. CRUZ), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 3280 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

AMENDMENT NO. 3289

At the request of Mr. PAUL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 3289 intended to be proposed to H.R. 4660, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself, Mr. BOOZMAN, Mr. COONS, Mr. ISAKSON, and Mr. Kaine):

S. 2502. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Relations.

Mr. CARDIN. Mr. President, I rise today to discuss the Global Development Lab and the legislation I am introducing along with Senators BOOZMAN, COONS, and ISAKSON that codifies the Global Development Lab and provides the U.S. Agency for International Development, USAID, with the flexibility it needs to make the Lab the gold standard in global development innovation.

This year, the Office of Science & Technology and the Office of Innovation & Development Alliances at USAID were abolished to pave the way for the Global Development Lab—a new approach to invest, test, and bring to scale more effective solutions to the world's biggest development challenges.

The Global Development Lab partners with entrepreneurs, experts, non-governmental organizations, NGOs, universities, and science and research institutions to solve development challenges in a faster, more cost-efficient, and more sustainable way. The lab utilizes a pay-for-success model, which uses science, technology, and innovation-driven competitions to expand the number and diversity of solutions to development challenges. This means that instead of issuing grants or contracts, USAID can give a competitor an award only after the objectives of the competition have been achieved.

The lab already has an impressive 32 cornerstone partners. These partners are businesses, NGOs, foundations, universities, and governments—all of whom are committed to sharing information and expertise and to bringing innovative development projects to scale. I am pleased that two Maryland-based organizations, Johns Hopkins University and Catholic Relief Services, are cornerstone partners of the Global Development Lab. Catholic Relief Services intends to work with the lab on food security, global health, climate change, energy, and information and communications technology, and it is already using geographic information systems in Haiti to map schools and education programs across the country to better improve education interventions. Johns Hopkins University plans to partner with the lab on improving health care and access to clean and affordable water and energy.

The Global Development Lab makes sense: America has a proud history of achieving unprecedented gains for humanity through science and technology. Evidence has shown that when we harness American science, innovation and entrepreneurship, we achieve the greatest leaps in social and economic development.

For example, ninety percent of new HIV infection in children is a result of mother-to-child transmission at birth.

When newborns receive antiretroviral drugs at a clinic or hospital within 24 hours of birth, their chances of contracting HIV go from 45 percent to less than 5 percent. In regions where pregnant mothers do not have adequate access to medical facilities, getting newborns antiretroviral treatment is challenging. In response to this challenge, Dr. Robert Malkin and his students at Duke's Pratt School of Engineering and Duke's Global Health Institute—also Cornerstone Partners—designed the Pratt Pouch, a low-cost foil pouch that preserves a premeasured dose of antiretroviral medication for up to a year without requiring refrigeration. The pouch ensures accurate pediatric dosing and can be given to mothers to take home with them before birth. Mothers then simply tear open the pouch and squeeze the medication directly into their newborn's mouth, eliminating the need for a syringe and a health professional and ultimately reducing the likelihood of mother-to-child transmission of HIV at birth.

This type of innovation is exciting and is exactly what we hope to see more of as we scale up the Global Development Lab and empower it to be the world's most innovative incubator of global development projects.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2503. A bill to direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona; to the Committee on Indian Affairs.

Mr. FLAKE. Mr. President, on behalf of Senator MCCAIN and myself I am pleased to introduce S. 2503, the Bill Williams River Water Rights Settlement Act of 2014.

This measure would confirm important water rights claims of the Hualapai Tribe to water in the Bill Williams River watershed; provide protections for the Tribe's culturally significant springs in that area; secure a non-federal contribution toward a future settlement of the Tribe's claims in other river basins; provide certainty for continued water use by the Freeport Minerals Corporation, Freeport, at the Bagdad Mine complex and townsite; and facilitate the transfer of a portion of land known as Planet Ranch for use in the Lower Colorado River Multi-Species Conservation Program or MSCP. It would do all of this without any new spending authorizations.

Water users in Arizona have a long history of pro-actively addressing com-

plex water challenges. Among the State's many accomplishments is the resolution, in whole or in part, of water rights claims asserted by 13 of the State's 22 federally recognized Indian tribes. This measure would carry forward that strong tradition by recognizing reserved water rights to a total of 694 acre-feet per year, afy, on three different parcels along the Big Sandy River as well as the Tribe's claims to the Cofer Hot Springs.

For non-Indian communities, this legislation would confirm Freeport's right to withdraw 10,055 afy at the Wikieup Wellfield, which serves the Bagdad Mine and townsite. Achieving this level of certainty with regard to water supply would help to ensure continued economic benefits throughout the State.

By enabling the transfer of a portion of Planet Ranch to the Lower Colorado River MSCP, the settlement would help Arizona, California, and Nevada meet their obligations to both water management and Endangered Species Act compliance. However, in order to properly effectuate the transfer, Congress must act before five-year window for abandonment and forfeiture of Planet Ranch's water rights expires.

Finally, this bill would help to set the table for future negotiations regarding the Tribe's claims to water in the lower Colorado River and the Verde River by securing a non-federal contribution toward those settlement efforts. As those negotiations continue, I look forward to fully and fairly evaluating any subsequent settlement on its own merits.

I am pleased to have the opportunity to work with the parties that have negotiated this settlement, and I am committed to bringing it to fruition through congressional enactment. The settlement resolves significant legal claims, provides certainty for water users, and enhances the MSCP without including any new spending. Therefore, I urge my colleagues to support this legislation.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 479—RECOGNIZING VETERANS DAY 2014 AS A SPECIAL “WELCOME HOME COMMEMORATION” FOR ALL WHO HAVE SERVED IN THE MILITARY SINCE SEPTEMBER 14, 2001

Mr. KAINE (for himself, Mr. BURR, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Veterans' Affairs:

S. RES. 479

Whereas the United States, pursuant to the Authorization for Use of Military Force (Public Law 107-40), commenced a war against individuals responsible for the 9/11 attacks;

Whereas in the intervening 13 years, members of the United States Armed Forces have engaged in warfare around the globe, especially in Iraq and Afghanistan;

Whereas there have been 2,600,000 deployments to Iraq and Afghanistan and more than 500,000 soldiers have completed multiple tours;

Whereas over 110,000 sailors have deployed as individual augmentees in support of the war ashore and additional sailors have deployed on navy vessels serving over 180,000 days at sea, providing power projection, regional stability, and global presence;

Whereas over 238,000 airmen have deployed to Iraq and Afghanistan and more than 201,000 airmen have deployed to the Area of Responsibility, delivering flights in support of the war effort;

Whereas over 330,000 marines have deployed afloat and ashore, ensuring peace in some of the most dangerous provinces in Iraq and Afghanistan;

Whereas, between January 1, 2000 and January 10, 2014, 287,911 cases of traumatic brain injury (TBI), often referred to as a signature wound of the wars in Iraq and Afghanistan, were diagnosed among members of the Armed Forces, and approximately 7,100 cases were classified as severe or penetrating;

Whereas of the members of the Armed Forces who have been deployed to Iraq and Afghanistan since October 2001, more than 6,800 have been killed in action and more than 52,000 have been wounded in action;

Whereas United States Operation Iraqi Freedom and Operation New Dawn combat military operations in Iraq are complete and United States direct military operations in Afghanistan will end in 2014 as the United States transitions to a training and assistance role;

Whereas the sacrifices of United States servicemembers and their families during the last 13 years should be recognized by all citizens of the United States;

Whereas November 11, 1918, is generally regarded as the end of hostilities in World War I, and Veterans Day has been a legal holiday since May 13, 1938, when it was originally dedicated as "Armistice Day" to honor veterans of World War I and was subsequently amended to honor United States veterans of all wars in 1954; and

Whereas November 11th is the day for the nation to reflect on the service and sacrifice of every generation of veterans: Now, therefore be it

*Resolved*, That the Senate—

(1) recognizes Veterans Day 2014 as a special "Welcome Home Commemoration" for all who have served in the United States Armed Forces since September 14, 2001;

(2) promotes awareness of the services and contributions of all post-9/11 veterans; and

(3) encourages communities in the United States to plan activities for Veterans Day 2014 to honor and support all who have served during this time and to provide citizens of the United States an opportunity to present unified recognition of the service and sacrifices of post-9/11 veterans.

Mr. KAIN. Mr. President, I rise to talk about an American memory and the absence of a memory, and the lesson I draw both from the memory and the absence compels me to submit a resolution.

First, the memory. I would submit that the most known photograph in the history of the United States is the Alfred Eisenstadt photo of an American sailor kissing a woman in Times Square on V-J Day, August 14, 1945, at the end of World War II. If one Googles "V-J Day photo," you will find more than 31 million links. Joy, celebration, gratitude—the photo says it all.

It was important to celebrate the end of that war and to thank those from

that "greatest generation" who had made it possible by serving, and we have continued to celebrate them, most recently in the recent commemoration of the 70th anniversary of D-day.

Now the absence of a memory.

Where was that photo, where was that iconic moment of joy and celebration at the end of the Vietnam war? There was none. No iconic photo, no ritual moment of celebration and thanks—and that was a mistake.

This generation of Americans has lived through a war that began in the days after 9/11. I recently heard a student about the same age as our pages say, "While I don't know war, all I've known is war."

The combination of Operations Enduring Freedom, Iraqi Freedom, and New Dawn has lasted 13 years. It is the longest period of war in the history of the United States.

During these 13 years of war, over 2.5 million Americans have been deployed to Iraq and Afghanistan, hundreds of thousands completing multiple tours. This is from an all-volunteer force that comprises less than 1 percent of the American population.

More than 6,800 of our armed services have been killed in action, and more than 52,000 have been wounded in action.

Now this long period of war and sacrifice is coming to an end. U.S. combat operations in Iraq ceased in 2011, and all U.S. combat operations in Afghanistan will end this year, by the end of 2014.

Of course, while the combat mission may end, the sense of duty of our servicemembers continues and global challenges continue and U.S. troops will remain in Afghanistan in noncombat positions, just as U.S. troops remained in Germany and Japan and Korea in noncombat posts.

But in a deep and fundamental way, 2014 represents the end of a momentous and generation-defining war. The question for this generation of Americans is: How will we commemorate the end of this war?

When the war started, it started with a catastrophic attack on the World Trade Center and on the Pentagon in Virginia, with solemn speeches by the President to Congress and to the American public—whether delivered in the Capitol or standing on piles of rubble at Ground Zero—with Congress debating and voting to do the most serious thing the Nation does, which is go to war.

It began as serious undertakings should—with a sense of seriousness and purpose and even ritual. That is how this war began in America.

How will we choose to end it? Will we take steps to publicly commemorate the end of the war or will we just allow the important moment to pass, unacknowledged and unrecognized, with no iconic moment or memory? Will we celebrate with and thank those who have served or will we just turn our attention to the next headline or

the next issue or the next scandal or the next crisis?

I believe that as a generation we do not want to repeat the mistake of the Vietnam era and allow the sacrifice of so many to just pass unnoticed. So, together with my cosponsors Senators BURR and BLUMENTHAL, I submit today a resolution calling on the Nation to hold the special "welcome home" commemoration on Veterans Day 2014.

November 11 is the day we honor the sacrifice and service of every generation of American veterans. November 11, 1918, was generally regarded as the end of hostilities in World War I, and since 1938 America has paused on November 11 to recognize veterans of all wars. This year, after 13 years of war, we wanted to designate November 11, 2014, as a special "welcome home" commemoration for all who have served in the military since September 11.

We submit this resolution with the strong support of veterans organizations—the American Legion, the Veterans of Foreign Wars, and the Vietnam Veterans of America. The resolution promotes special awareness of our post-9/11 veterans. It encourages communities in the United States to plan activities for Veterans Day 2014 with a special focus on honoring and supporting those who served during this time.

I imagine, as mayor, that the Presiding Officer had Veterans Day commemorations in Newark. As Governor, we have them in Virginia, and communities all over the country are right now planning what they will do on November 11, 2014. This provides our citizens with a formal opportunity to present a unified recognition all across this country, at a designated moment, of the sacrifices made by our "greatest generation."

This resolution is not all we must do for our post-9/11 veterans. We owe them a better VA system. We owe them a job market that understands and values their skills. And with so many of our colleagues, we will keep working on those issues.

This resolution doesn't stand for the end of wars or conflicts. The daily papers will always be filled with wars and rumors of wars around the globe, and we know American troops will continue to stand ready to serve in harm's way for our best values. But for everything there is a season, and this year where we finish the war started earlier in this millennium, it is time to welcome home our post-9/11 veterans, to shine a light on their honor and sacrifice, to celebrate with those who have borne the battle, and to remember with affection those who will never return.

SENATE RESOLUTION 480—EX-PRESSING CONDOLENCES AND SUPPORTING ASSISTANCE FOR THE VICTIMS OF THE HISTORIC FLOODING IN THE WESTERN BALKANS

Mrs. SHAHEEN (for herself, Mr. PORTMAN, and Mr. MURPHY) submitted



the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 480

Whereas record rainfall beginning on May 13, 2014, has led to widespread flooding in Bosnia and Herzegovina, the Republic of Croatia, and the Republic of Serbia, causing thousands of landslides, massive destruction, and loss of life;

Whereas by May 22, 2014, the flooding caused over 40 deaths and impacted over 500,000 people across the region, particularly in western Serbia and eastern Bosnia and Herzegovina;

Whereas the equivalent of 3 months of rain fell during the course of 3 days, making this the worst flooding event in Serbia and Bosnia and Herzegovina in 120 years;

Whereas the flooding has left thousands of people stranded in their homes waiting for assistance, displaced, or without shelter;

Whereas according to the International Federation of Red Cross and Red Crescent Societies, 300,000 people in Serbia and 50,000 people in Bosnia and Herzegovina were left without clean water or electricity;

Whereas the Foreign Ministry of Bosnia and Herzegovina has reported that the flooding rendered 100,000 buildings unusable, caused 500,000 people to evacuate or flee their homes, and prompted 14 municipalities to declare a state of emergency;

Whereas the Government of Serbia has described the situation in that country as “catastrophic”, and estimates that at least 25,000 people have been forced to evacuate, particularly in the town and municipality of Obrenovac, and that the flooding has caused over 100,000,000 Euros (\$140,000,000) in damage to the Kolubara coal mine that supplies the Nikola Tesla power plants;

Whereas soldiers and energy workers scrambled to erect sandbag barriers to protect the Kostolac power plant and the Nikola Tesla power plants, which provide half of the country’s electricity, from the waters of the flooded Sava, Kolubara, and Tamnava Rivers;

Whereas, according to the International Medical Corps, as many as 120,000 landmines remaining from the Balkan conflicts of the 1990s may have been lost or dislodged due to landslides, causing great concern for public safety;

Whereas the United States Government has approved or provided \$2,060,000 in funds through the United States Agency for International Development’s Office of United States Foreign Disaster Assistance, the Department of Defense, and the Under Secretary of Public Diplomacy and Public Affairs for the Republic of Serbia.

Whereas the United States Government has provided \$2,740,000 in humanitarian assistance to Bosnia and Herzegovina; and

Whereas the Governments and people of Bosnia and Herzegovina, the Republic of Croatia, and the Republic of Serbia share an increasing commitment to core democratic values, reconciliation, and European integration: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses deep sympathy to all those affected by the flooding in the Western Balkans for the terrible loss of life and massive destruction;

(2) expresses solidarity with the people of Bosnia and Herzegovina, the Republic of Croatia, and the Republic of Serbia, as well as a continued desire to provide assistance to help their countries recover from this natural disaster;

(3) expresses ongoing support for humanitarian and reconstruction assistance provided by relief agencies and the inter-

national community as immediate and long-term needs are identified;

(4) commends local authorities, first responders and rescue personnel, NGOs, volunteers, and everyday citizens for their efforts to organize and deliver disaster relief to communities in need across Bosnia and Herzegovina, the Republic of Croatia, and the Republic of Serbia;

(5) commends the United States Government agencies, including USAID and the Department of Defense, for their response to the natural disaster; and

(6) urges additional assistance by other nations and organizations as needed to alleviate the difficult circumstances and suffering of the people of Bosnia and Herzegovina, the Republic of Croatia, and the Republic of Serbia, and to assist them in their recovery efforts.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3290. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table.

SA 3291. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3292. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3293. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3294. Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. MCCAIN, Ms. AYOTTE, Mr. WARNER, Ms. COLLINS, Mr. PORTMAN, Mr. COATS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3295. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3296. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3297. Mr. TOOMEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3298. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3299. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3300. Mr. TOOMEY (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3301. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3302. Mr. HELLER submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3303. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3304. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3305. Mr. LEE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3306. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3307. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3308. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3309. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3310. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3311. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3312. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3313. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3314. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3315. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3316. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3317. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3318. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3319. Mr. FLAKE submitted an amendment intended to be proposed to amendment



amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3372. Mr. DURBIN (for himself, Mrs. BOXER, Mr. HARKIN, Mr. REED, Mr. BLUMENTHAL, Mr. MARKEY, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3373. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

SA 3374. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3290.** Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### **TITLE —BUDGET AND ACCOUNTING TRANSPARENCY**

#### **SEC. 01. SHORT TITLE.**

This title may be cited as the “Budget and Accounting Transparency Act of 2014”.

#### **Subtitle A—Fair Value Estimates**

#### **SEC. 11. CREDIT REFORM.**

(a) IN GENERAL.—Title V of the Congressional Budget Act of 1974 is amended to read as follows:

#### **“TITLE V—FAIR VALUE**

#### **“SEC. 500. SHORT TITLE.**

“This title may be cited as the ‘Fair Value Accounting Act of 2014’.

#### **“SEC. 501. PURPOSES.**

“The purposes of this title are to—

“(1) measure more accurately the costs of Federal credit programs by accounting for them on a fair value basis;

“(2) place the cost of credit programs on a budgetary basis equivalent to other Federal spending;

“(3) encourage the delivery of benefits in the form most appropriate to the needs of beneficiaries; and

“(4) improve the allocation of resources among Federal programs.

#### **“SEC. 502. DEFINITIONS.**

“For purposes of this title:

“(1) The term ‘direct loan’ means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of such funds with or without interest. The term includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a Government asset on credit terms. The term does not include the acquisition of a federally guaranteed loan in satisfaction of default claims or the price support loans of the Commodity Credit Corporation.

“(2) The term ‘direct loan obligation’ means a binding agreement by a Federal agency to make a direct loan when specified conditions are fulfilled by the borrower.

“(3) The term ‘loan guarantee’ means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any debt obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

“(4) The term ‘loan guarantee commitment’ means a binding agreement by a Federal agency to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

“(5)(A) The term ‘cost’ means the sum of the Treasury discounting component and the risk component of a direct loan or loan guarantee, or a modification thereof.

“(B) The Treasury discounting component shall be the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

“(C) The risk component shall be an amount equal to the difference between—

“(i) the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification thereof, estimated on a fair value basis, applying the guidelines set forth by the Financial Accounting Standards Board in Financial Accounting Standards #157, or a successor thereto, excluding administrative costs and any incidental effects on governmental receipts or outlays; and

“(ii) the Treasury discounting component of such direct loan or loan guarantee, or modification thereof.

“(D) The Treasury discounting component of a direct loan shall be the net present value, at the time when the direct loan is disbursed, of the following estimated cash flows:

“(i) Loan disbursements.

“(ii) Repayments of principal.

“(iii) Essential preservation expenses, payments of interest and other payments by or to the Government over the life of the loan after adjusting for estimated defaults, prepayments, fees, penalties, and other recoveries, including the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

“(E) The Treasury discounting component of a loan guarantee shall be the net present value, at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

“(i) Payments by the Government to cover defaults and delinquencies, interest subsidies, essential preservation expenses, or other payments.

“(ii) Payments to the Government including origination and other fees, penalties, and recoveries, including the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee contract, or by the borrower of an option included in the guaranteed loan contract.

“(F) The cost of a modification is the sum of—

“(i) the difference between the current estimate of the Treasury discounting component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the Treasury discounting component of the remaining cash flows under the terms of the contract, as modified; and

“(ii) the difference between the current estimate of the risk component of the remaining cash flows under the terms of a direct loan or loan guarantee and the current estimate of the risk component of the remaining

cash flows under the terms of the contract as modified.

“(G) In estimating Treasury discounting components, the discount rate shall be the average interest rate on marketable Treasury securities of similar duration to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

“(H) When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the current assumptions, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

“(6) The term ‘program account’ means the budget account into which an appropriation to cover the cost of a direct loan or loan guarantee program is made and from which such cost is disbursed to the financing account.

“(7) The term ‘financing account’ means the nonbudget account or accounts associated with each program account which holds balances, receives the cost payment from the program account, and also includes all other cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(8) The term ‘liquidating account’ means the budget account that includes all cash flows to and from the Government resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991. These accounts shall be shown in the budget on a cash basis.

“(9) The term ‘modification’ means any Government action that alters the estimated cost of an outstanding direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) from the current estimate of cash flows. This includes the sale of loan assets, with or without recourse, and the purchase of guaranteed loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) such as a change in collection procedures.

“(10) The term ‘current’ has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(11) The term ‘Director’ means the Director of the Office of Management and Budget.

“(12) The term ‘administrative costs’ means costs related to program management activities, but does not include essential preservation expenses.

“(13) The term ‘essential preservation expenses’ means servicing and other costs that are essential to preserve the value of loan assets or collateral.

#### **“SEC. 503. OMB AND CBO ANALYSIS, COORDINATION, AND REVIEW.**

“(a) IN GENERAL.—For the executive branch, the Director shall be responsible for coordinating the estimates required by this title. The Director shall consult with the agencies that administer direct loan or loan guarantee programs.

“(b) DELEGATION.—The Director may delegate to agencies authority to make estimates of costs. The delegation of authority shall be based upon written guidelines, regulations, or criteria consistent with the definitions in this title.

“(c) COORDINATION WITH THE CONGRESSIONAL BUDGET OFFICE.—In developing estimation guidelines, regulations, or criteria to be used by Federal agencies, the Director shall consult with the Director of the Congressional Budget Office.

“(d) IMPROVING COST ESTIMATES.—The Director and the Director of the Congressional Budget Office shall coordinate the development of more accurate data on historical performance and prospective risk of direct loan and loan guarantee programs. They shall annually review the performance of

outstanding direct loans and loan guarantees to improve estimates of costs. The Office of Management and Budget and the Congressional Budget Office shall have access to all agency data that may facilitate the development and improvement of estimates of costs.

“(e) HISTORICAL CREDIT PROGRAMS COSTS.—The Director shall review, to the extent possible, historical data and develop the best possible estimates of adjustments that would convert aggregate historical budget data to credit reform accounting.

**“SEC. 504. BUDGETARY TREATMENT.**

“(a) PRESIDENT’S BUDGET.—Beginning with fiscal year 2017, the President’s budget shall reflect the costs of direct loan and loan guarantee programs. The budget shall also include the planned level of new direct loan obligations or loan guarantee commitments associated with each appropriations request. For each fiscal year within the five-fiscal year period beginning with fiscal year 2017, such budget shall include, on an agency-by-agency basis, subsidy estimates and costs of direct loan and loan guarantee programs with and without the risk component.

“(b) APPROPRIATIONS REQUIRED.—Notwithstanding any other provision of law, new direct loan obligations may be incurred and new loan guarantee commitments may be made for fiscal year 2017 and thereafter only to the extent that—

“(1) new budget authority to cover their costs is provided in advance in an appropriation Act;

“(2) a limitation on the use of funds otherwise available for the cost of a direct loan or loan guarantee program has been provided in advance in an appropriation Act; or

“(3) authority is otherwise provided in appropriation Acts.

“(c) EXEMPTION FOR DIRECT SPENDING PROGRAMS.—Subsections (b) and (e) shall not apply to—

“(1) any direct loan or loan guarantee program that constitutes an entitlement (such as the guaranteed student loan program or the veteran’s home loan guaranty program);

“(2) the credit programs of the Commodity Credit Corporation existing on the date of enactment of this title; or

“(3) any direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) made by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

“(d) BUDGET ACCOUNTING.—

“(1) The authority to incur new direct loan obligations, make new loan guarantee commitments, or modify outstanding direct loans (or direct loan obligations) or loan guarantees (or loan guarantee commitments) shall constitute new budget authority in an amount equal to the cost of the direct loan or loan guarantee in the fiscal year in which definite authority becomes available or indefinite authority is used. Such budget authority shall constitute an obligation of the program account to pay to the financing account.

“(2) The outlays resulting from new budget authority for the cost of direct loans or loan guarantees described in paragraph (1) shall be paid from the program account into the financing account and recorded in the fiscal year in which the direct loan or the guaranteed loan is disbursed or its costs altered.

“(3) All collections and payments of the financing accounts shall be a means of financing.

“(e) MODIFICATIONS.—An outstanding direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment) shall not be modified in a manner that increases its costs unless budget authority for

the additional cost has been provided in advance in an appropriation Act.

“(f) REESTIMATES.—When the estimated cost for a group of direct loans or loan guarantees for a given program made in a single fiscal year is re-estimated in a subsequent year, the difference between the reestimated cost and the previous cost estimate shall be displayed as a distinct and separately identified subaccount in the program account as a change in program costs and a change in net interest. There is hereby provided permanent indefinite authority for these re-estimates.

“(g) ADMINISTRATIVE EXPENSES.—All funding for an agency’s administrative costs associated with a direct loan or loan guarantee program shall be displayed as distinct and separately identified subaccounts within the same budget account as the program’s cost.

**“SEC. 505. AUTHORIZATIONS.**

“(a) AUTHORIZATION FOR FINANCING ACCOUNTS.—In order to implement the accounting required by this title, the President is authorized to establish such non-budgetary accounts as may be appropriate.

“(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—

“(1) IN GENERAL.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay to the financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described in the preceding sentence, except that the rate of interest charged by the Secretary on lending to financing accounts (including amounts treated as lending to financing accounts by the Federal Financing Bank (hereinafter in this subsection referred to as the ‘Bank’) pursuant to section 405(b)) and the rate of interest paid to financing accounts on uninvested balances in financing accounts shall be the same as the rate determined pursuant to section 502(5)(G).

“(2) LOANS.—For guaranteed loans financed by the Bank and treated as direct loans by a Federal agency pursuant to section 406(b)(1), any fee or interest surcharge (the amount by which the interest rate charged exceeds the rate determined pursuant to section 502(5)(G)) that the Bank charges to a private borrower pursuant to section 6(c) of the Federal Financing Bank Act of 1973 shall be considered a cash flow to the Government for the purposes of determining the cost of the direct loan pursuant to section 502(5). All such amounts shall be credited to the appropriate financing account.

“(3) REIMBURSEMENT.—The Bank is authorized to require reimbursement from a Federal agency to cover the administrative expenses of the Bank that are attributable to the direct loans financed for that agency. All such payments by an agency shall be considered administrative expenses subject to section 504(g). This subsection shall apply to transactions related to direct loan obligations or loan guarantee commitments made on or after October 1, 1991.

“(4) AUTHORITY.—The authorities provided in this subsection shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate a direct loan or loan guarantee program.

“(5) TITLE 31.—All of the transactions provided in the subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code.

“(6) TREATMENT OF CASH BALANCES.—Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on

these funds. The Secretary of the Treasury shall charge (or pay if the amount is negative) financing accounts an amount equal to the risk component for a direct loan or loan guarantee, or modification thereof. Such amount received by the Secretary of the Treasury shall be a means of financing and shall not be considered a cash flow of the Government for the purposes of section 502(5).

“(c) AUTHORIZATION FOR LIQUIDATING ACCOUNTS.—(1) Amounts in liquidating accounts shall be available only for payments resulting from direct loan obligations or loan guarantee commitments made prior to October 1, 1991, for—

“(A) interest payments and principal repayments to the Treasury or the Federal Financing Bank for amounts borrowed;

“(B) disbursements of loans;

“(C) default and other guarantee claim payments;

“(D) interest supplement payments;

“(E) payments for the costs of foreclosing, managing, and selling collateral that are capitalized or routinely deducted from the proceeds of sales;

“(F) payments to financing accounts when required for modifications;

“(G) administrative costs and essential preservation expenses, if—

“(i) amounts credited to the liquidating account would have been available for administrative costs and essential preservation expenses under a provision of law in effect prior to October 1, 1991; and

“(ii) no direct loan obligation or loan guarantee commitment has been made, or any modification of a direct loan or loan guarantee has been made, since September 30, 1991; or

“(H) such other payments as are necessary for the liquidation of such direct loan obligations and loan guarantee commitments.

“(2) Amounts credited to liquidating accounts in any year shall be available only for payments required in that year. Any unobligated balances in liquidating accounts at the end of a fiscal year shall be transferred to miscellaneous receipts as soon as practicable after the end of the fiscal year.

“(3) If funds in liquidating accounts are insufficient to satisfy obligations and commitments of such accounts, there is hereby provided permanent, indefinite authority to make any payments required to be made on such obligations and commitments.

“(d) REINSURANCE.—Nothing in this title shall be construed as authorizing or requiring the purchase of insurance or reinsurance on a direct loan or loan guarantee from private insurers. If any such reinsurance for a direct loan or loan guarantee is authorized, the cost of such insurance and any recoveries to the Government shall be included in the calculation of the cost.

“(e) ELIGIBILITY AND ASSISTANCE.—Nothing in this title shall be construed to change the authority or the responsibility of a Federal agency to determine the terms and conditions of eligibility for, or the amount of assistance provided by a direct loan or a loan guarantee.

**“SEC. 506. TREATMENT OF DEPOSIT INSURANCE AND AGENCIES AND OTHER INSURANCE PROGRAMS.**

“This title shall not apply to the credit or insurance activities of the Federal Deposit Insurance Corporation, National Credit Union Administration, Resolution Trust Corporation, Pension Benefit Guaranty Corporation, National Flood Insurance, National Insurance Development Fund, Crop Insurance, or Tennessee Valley Authority.

**“SEC. 507. EFFECT ON OTHER LAWS.**

“(a) EFFECT ON OTHER LAWS.—This title shall supersede, modify, or repeal any provision of law enacted prior to the date of enactment of this title to the extent such provision is inconsistent with this title. Nothing in this title shall be construed to establish a credit limitation on any Federal loan or loan guarantee program.

“(b) CREDITING OF COLLECTIONS.—Collections resulting from direct loans obligated or loan guarantees committed prior to October 1, 1991, shall be credited to the liquidating accounts of Federal agencies. Amounts so credited shall be available, to the same extent that they were available prior to the date of enactment of this title, to liquidate obligations arising from such direct loans obligated or loan guarantees committed prior to October 1, 1991, including repayment of any obligations held by the Secretary of the Treasury or the Federal Financing Bank. The unobligated balances of such accounts that are in excess of current needs shall be transferred to the general fund of the Treasury. Such transfers shall be made from time to time but, at least once each year.”.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to title V and inserting the following:

**“TITLE V—FAIR VALUE**

“Sec. 500. Short title.

“Sec. 501. Purposes.

“Sec. 502. Definitions.

“Sec. 503. OMB and CBO analysis, coordination, and review.

“Sec. 504. Budgetary treatment.

“Sec. 505. Authorizations.

“Sec. 506. Treatment of deposit insurance and agencies and other insurance programs.

“Sec. 507. Effect on other laws.”.

**SEC. 12. BUDGETARY ADJUSTMENT.**

(a) IN GENERAL.—Section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: “A change in discretionary spending solely as a result of the amendment to title V of the Congressional Budget Act of 1974 made by the Budget and Accounting Transparency Act of 2014 shall be treated as a change of concept under this paragraph.”.

(b) REPORT.—Before adjusting the discretionary caps pursuant to the authority provided in subsection (a), the Office of Management and Budget shall report to the Committees on the Budget of the House of Representatives and the Senate on the amount of that adjustment, the methodology used in determining the size of that adjustment, and a program-by-program itemization of the components of that adjustment.

(c) SCHEDULE.—The Office of Management and Budget shall not make an adjustment pursuant to the authority provided in subsection (a) sooner than 60 days after providing the report required in subsection (b).

**SEC. 13. EFFECTIVE DATE.**

The amendments made by section 11 shall take effect beginning with fiscal year 2017.

**Subtitle B—Budgetary Treatment****SEC. 21. CBO AND OMB STUDIES RESPECTING BUDGETING FOR COSTS OF FEDERAL INSURANCE PROGRAMS.**

Not later than 1 year after the date of enactment of this Act, the Directors of the Congressional Budget Office and of the Office of Management and Budget shall each prepare a study and make recommendations to the Committees on the Budget of the House of Representatives and the Senate as to the

feasibility of applying fair value concepts to budgeting for the costs of Federal insurance programs.

**SEC. 22. ON-BUDGET STATUS OF FANNIE MAE AND FREDDIE MAC.**

Notwithstanding any other provision of law, the receipts and disbursements, including the administrative expenses, of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President;

(2) the congressional budget; and

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 23. EFFECTIVE DATE.**

Section 22 shall not apply with respect to an enterprise (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) after the date that all of the following have occurred:

(1) The conservatorship for such enterprise under section 1367 of such Act (12 U.S.C. 4617) has been terminated.

(2) The Director of the Federal Housing Finance Agency has certified in writing that such enterprise has repaid to the Federal Government the maximum amount consistent with minimizing total cost to the Federal Government of the financial assistance provided to the enterprise by the Federal Government pursuant to the amendments made by section 1117 of the Housing and Economic Recovery Act of 2008 (Public Law 110-289; 122 Stat. 2683) or otherwise.

(3) The charter for the enterprise has been revoked, annulled, or terminated and the authorizing statute (as such term is defined in such section 1303) with respect to the enterprise has been repealed.

**Subtitle C—Budget Review and Analysis****SEC. 41. CBO AND OMB REVIEW AND RECOMMENDATIONS RESPECTING RECEIPTS AND COLLECTIONS.**

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall prepare a study of the history of offsetting collections against expenditures and the amount of receipts collected annually, the historical application of the budgetary terms “revenue”, “offsetting collections”, and “offsetting receipts”, and review the application of those terms and make recommendations to the Committees on the Budget of the House of Representatives and the Senate of whether such usage should be continued or modified. The Director of the Congressional Budget Office shall review the history and recommendations prepared by the Director of the Office of Management and Budget and shall submit comments and recommendations to such Committees.

**SEC. 42. AGENCY BUDGET JUSTIFICATIONS.**

Section 1108 of title 31, United States Code, is amended by inserting at the end the following new subsections:

“(h)(1) Whenever any agency prepares and submits written budget justification materials for any committee of the House of Representatives or the Senate, such agency shall post such budget justification on the same day of such submission on the ‘open’ page of the public website of the agency, and the Office of Management and Budget shall post such budget justification in a centralized location on its website, in the format developed under paragraph (2). Each agency shall include with its written budget justification the process and methodology the agency is using to comply with the Fair Value Accounting Act of 2014.

“(2) The Office of Management and Budget, in consultation with the Congressional Bud-

et Office and the Government Accountability Office, shall develop and notify each agency of the format in which to post a budget justification under paragraph (1). Such format shall be designed to ensure that posted budget justifications for all agencies—

“(A) are searchable, sortable, and downloadable by the public;

“(B) are consistent with generally accepted standards and practices for machine-discoverability;

“(C) are organized uniformly, in a logical manner that makes clear the contents of a budget justification and relationships between data elements within the budget justification and among similar documents; and

“(D) use uniform identifiers, including for agencies, bureaus, programs, and projects.

“(i)(1) Not later than the day that the Office of Management and Budget issues guidelines, regulations, or criteria to agencies on how to calculate the risk component under the Fair Value Accounting Act of 2014, it shall submit a written report to the Committees on the Budget of the House of Representatives and the Senate containing all such guidelines, regulations, or criteria.

“(2) For fiscal year 2017 and each of the next four fiscal years thereafter, the Comptroller General shall submit an annual report to the Committees on the Budget of the House of Representatives and the Senate reviewing and evaluating the progress of agencies in the implementation of the Fair Value Accounting Act of 2014.

“(3) Such guidelines, regulations, or criteria shall be deemed to be a rule for purposes of section 553 of title 5 and shall be issued after notice and opportunity for public comment in accordance with the procedures under such section.”.

**SA 3291.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, strike lines 8 through 12 and insert the following:

(e) None of the funds made available in this or any other appropriations Act may be used—

(1) for travel and conference activities that are not in compliance with the policies established in Office of Management and Budget Memorandum M-12-12, Promoting Efficient Spending to Support Agency Operations, issued May 11, 2012; or

(2) to establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination before, on, or after the date of enactment of this Act.

**SA 3292.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act or any other Act may be used for—

(1) any action by the Federal Deposit Insurance Corporation to classify the sale or manufacture of a firearm or ammunition as an activity involving risk; or

(2) any action by the Department of Justice to discourage the provision or continuation of credit or the processing of payments by any financial institution to a manufacturer, dealer, or importer of firearms or ammunition, based on the fact that the business is a manufacturer, dealer, or importer of firearms or ammunition.

**SA 3293.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division A, insert after section 110 the following:

SEC. 111. None of the funds appropriated or otherwise made available under this Act may be used to negotiate any trade agreement or treaty with the People's Republic of China unless the President first certifies to Congress that, in the one-year period preceding the certification, the Government of the People's Republic of China has not engaged in the intervention or manipulation of the exchange rate between the renminbi and the United States dollar for the purposes of—

- (1) preventing the effective balance of payments adjustments; or
- (2) gaining an unfair competitive advantage in international trade.

**SA 3294.** Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. MCCAIN, Ms. AYOTTE, Mr. WARNER, Ms. COLLINS, Mr. PORTMAN, Mr. COATS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds appropriated or otherwise made available by this division shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to make nonrecourse loans available to processors of sugarcane or sugar beets under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) and notwithstanding the provisions of that section, if the gross revenue from sugar of any such processor exceeded \$300,000,000 in the previous fiscal year.

**SA 3295.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) **SHORT TITLE.**—This section may be cited as the “Saving Kids From Dangerous Drugs Act of 2014”.

(b) **OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.**—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

“(i) **OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.**—

“(1) **UNLAWFUL ACT.**—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to—

“(A) knowingly or intentionally manufacture or create a controlled substance listed in schedule I or II that is—

“(i) combined with a beverage or candy product;

“(ii) marketed or packaged to appear similar to a beverage or candy product; or

“(iii) modified by flavoring or coloring; and

“(B) know, or have reasonable cause to believe, that the combined, marketed, packaged, or modified controlled substance will be distributed, dispensed, or sold to a person under 18 years of age.

“(2) **PENALTIES.**—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

“(A) an additional term of imprisonment of not more than 10 years for a first offense involving the same controlled substance and schedule; and

“(B) an additional term of imprisonment of not more than 20 years for a second or subsequent offense involving the same controlled substance and schedule.

“(3) **EXCEPTIONS.**—Paragraph (1) shall not apply to any controlled substance that—

“(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

“(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice.”.

(c) **SENTENCING GUIDELINES.**—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review its guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase to the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(i) of the Controlled Substances Act, as added by subsection (b).

**SA 3296.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. **EXTRATERRITORIAL DRUG TRAFFICKING ACTIVITY.**

(a) **POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.**—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking “It shall” and all that follows and inserting the following: “It shall be unlawful for any person to manufacture or distribute a controlled

substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

“(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

“(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

“(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.”.

(b) **TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.**—Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking “section 2320(e)” and insertion “section 2320(f)”; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug;”; and

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking “counterfeit drug” and inserting “drug that uses a counterfeit mark on or in connection with the drug”; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

“(6) the term ‘drug’ means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).”.

**SA 3297.** Mr. TOOMEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, line 20, strike “\$775,000,000” and insert “\$1,500,000,000”.

**SA 3298.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division A, insert the following:

SEC. \_\_\_\_\_. (a) Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading “JUVENILE JUSTICE PROGRAMS” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “DEPARTMENT OF JUSTICE” under title II of this division shall be \$259,250,000; and

(2) the amount made available for missing and exploited children programs under paragraph (6) under the heading “JUVENILE JUSTICE PROGRAMS” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “DEPARTMENT OF JUSTICE” under title II of this division shall be \$69,750,000: *Provided*, That not less than \$27,500,000 shall be used for grants to the National Center for Missing and Exploited Children and not less than \$30,000,000 shall be used for task force



grants, training, and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children Task Force program, of which not less than \$1,000,000 shall be used for Internet Crimes Against Children training and technical assistance programs.

(b) Notwithstanding any other provision of this Act, the amount made available under the heading "PERIODIC CENSUSES AND PROGRAMS" under the heading "BUREAU OF THE CENSUS" under the heading "DEPARTMENT OF COMMERCE" in title I of this division shall be \$893,244,000.

**SA 3299.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the date of enactment of this Act, each agency that is appropriated funds under this Act shall submit to the Committee on Appropriations and Committee on the Budget of the Senate and the Committee on Appropriations and Committee on the Budget of the House of Representatives a report on—

(1) the total amount of funds the agency spends on advertising on television, radio, Internet websites, blogs, social media, newspapers, magazines, billboards, posters, and brochures;

(2) the amount of funds the agency spends on each form of advertising described in paragraph (1); and

(3) of the amount described in paragraph (1), the amount spent on advertisements to attract job applicants and the amount spent for other advertisement purposes.

**SA 3300.** Mr. TOOMEY (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available under this Act may be used by the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or guarantee—

(1) any mortgage that refinances or otherwise replaces a mortgage that a State, municipality, or any other political subdivision of a State seized, took, or otherwise obtained by the exercise of the power of eminent domain; or

(2) any mortgage-backed security collateralized by a mortgage or pool of mortgages described under paragraph (1).

**SA 3301.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division C, add the following:

SEC. 7. Notwithstanding any other provision of this Act, in the matter under the heading "AGRICULTURAL PROGRAMS" of title I—

(1) the amount made available under the heading "OFFICE OF THE SECRETARY" shall be reduced by \$1,250,000, and not more than \$24,061,000 shall be available for Departmental Administration;

(2) the amount made available under the heading "OFFICE OF THE GENERAL COUNSEL" shall be reduced by \$3,182,500;

(3) the amount made available under the heading "ECONOMIC RESEARCH SERVICE" shall be reduced by \$3,657,500;

(4) the amount made available under the heading "NATIONAL AGRICULTURAL STATISTICS SERVICE" shall be reduced by \$8,474,000;

(5) the amount made available under the heading "SALARIES AND EXPENSES" under the heading "AGRICULTURAL RESEARCH SERVICE" shall be reduced by \$8,595,500; and

(6) the amount made available under the heading "RESEARCH AND EDUCATION ACTIVITIES" under the heading "NATIONAL INSTITUTE OF FOOD AND AGRICULTURE" shall be reduced by \$35,542,000, and no funds shall be used for—

(A) supplemental and alternative crops;

(B) aquaculture renters;

(C) sustainable agriculture research and education;

(D) the alfalfa forage and research program;

(E) special research grants for potato research;

(F) special research grants for aquaculture research; or

(G) the organic transition program.

**SA 3302.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. Notwithstanding any other provision of this division—

(1) the amount made available under the heading "FOOD FOR PEACE TITLE II GRANTS" under the heading "FOREIGN AGRICULTURAL SERVICE" under the heading "FOREIGN ASSISTANCE AND RELATED PROGRAMS" in title V shall be \$1,225,900,000;

(2) the amount made available under section 738 for the Emergency Watershed Protection Program shall be \$234,528,000; and

(3) the amount made available under section 738 for the Emergency Conservation Program shall be \$136,255,000.

**SA 3303.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds made available by this division may be used to pay the

salaries and expenses of any officers or employees of the Department of Agriculture to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any individual that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the Federal agency responsible for collecting the tax liability, if the officers or employees of the Department of Agriculture are aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the individual and has made a determination that suspension or debarment of the individual is not necessary to protect the interests of the United States.

**SA 3304.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds made available by this Act may be used to pay the salaries and expenses of any officers or employees of the Department of Agriculture to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any individual that was convicted of a felony criminal violation under any Federal law during the 2-year period ending on the date of enactment of this Act, if the officers or employees of the Department of Agriculture are aware of the conviction, unless the officers or employees of the Department of Agriculture have considered suspension or debarment of the individual and made a determination that the prohibition of funds under this section is not necessary to protect the interests of the United States.

**SA 3305.** Mr. LEE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to implement, administer, or enforce the proposed rule entitled "Affirmatively Furthering Fair Housing", published by the Department of Housing and Urban Development in the Federal Register on July 19, 2013 (78 Fed. Reg. 43710; Docket No. FR-5173-P-01).

**SA 3306.** Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes;

which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this division—

(1) the amount made available under the heading “OFFICE OF THE SECRETARY” under the heading “PRODUCTION, PROCESSING AND MARKETING” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$31,466,000, of which reduction—

(A) \$1,800,000 shall be derived from funds made available for the immediate Office of the Secretary;

(B) \$9,000,000 shall be derived from funds made available for Departmental Administration;

(C) \$1,400,000 shall be derived from funds made available for the Office of the Assistant Secretary for Congressional Relations; and

(D) \$2,800,000 shall be derived from funds made available for the Office of Communications;

(2) the amount made available under the heading “OFFICE OF THE GENERAL COUNSEL” under the heading “AGRICULTURAL PROGRAMS” in title I shall be \$32,567,000; and

(3) the amount made available under the heading “CHILD NUTRITION PROGRAMS” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV shall be \$20,527,000,000, of which \$30,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111-80; 123 Stat. 2132).

**SA 3307.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Sec. \_\_\_\_\_. Of the funds made available under title VI of division C the heading “SALARIES AND EXPENSES” under the heading “FOOD AND DRUG ADMINISTRATION” under the heading “DEPARTMENT OF HEALTH AND HUMAN SERVICES”, \$20,000,000 shall not be available for obligation until the Commissioner of Food and Drugs: (1) finalizes the draft guidance entitled “Guidance for Industry: Abuse-Deterrent Opioids—Evaluation and Labeling”, issued in January 2013; (2) provides to Congress a report detailing the methodology used by the Food and Drug Administration for postmarket tracking of Zohydro and findings as of the date of enactment of this Act; and (3) produces documents responsive to Senator Manchin’s letter to the Commissioner of Food and Drugs dated October 9, 2013, relating to conferences of the Initiative on Methods, Measurement, and Pain Assessment in Clinical Trials and Analgesic, Anesthetic, and Addiction Clinical Trial Translations, Innovations, Opportunities, and Networks: *Provided*, That if the Food and Drug Administration fails to meet such conditions by June 30, 2015, such funds shall be made available for obligation to the Food and Drug Administration’s Office of Criminal Investigation for the purpose of assisting Federal, State, and local agencies to combat the diversion and illegal sales of controlled substances.

**SA 3308.** Mr. MURPHY submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 220, line 18, strike “\$135,000,000, to remain available until September 30, 2018: *Provided*” and insert “\$160,000,000, to remain available until September 30, 2018: *Provided*, That of the amounts made available under this heading, all such amounts in excess of \$135,000,000 shall be used only for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act: *Provided further*”.

On page 230, line 24, strike “\$250,000,000” and insert “\$225,000,000”.

**SA 3309.** Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. 105. Not later than one year after the date of the enactment of this Act, the Secretary of Transportation shall promulgate a final rule for all air carriers subject to section 41705 of title 49, United States Code, that requires that, to the maximum extent possible and at the earliest possible date, any visually displayed entertainment programming and information available to passengers on a flight be accessible to individuals with disabilities, including by making available or providing open captioning, closed captioning, and video description, and that any devices delivering individual programming must be capable of being independently operated by individuals with disabilities.

**SA 3310.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 212, line 5, strike “\$950,000,000” and insert “\$700,000,000”.

**SA 3311.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, line 20, strike “\$550,000,000” and insert “\$100,000,000”.

**SA 3312.** Mr. FLAKE submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 109, line 14, strike “\$108,000,000” and insert “\$107,000,000”.

**SA 3313.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 161, line 5, strike “\$110,500,000” and insert “\$105,933,000”.

**SA 3314.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 232, strike line 9 and all that follows through page 233, line 23.

**SA 3315.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, line 24, strike “\$1,390,000,000” and insert “\$1,190,000,000”.

**SA 3316.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 160, after line 22, add the following:

SEC. 154. No Federal funds may be used by the National Railroad Passenger Corporation to subsidize food, beverage, or first class services.

**SA 3317.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related

Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 160, after line 22, add the following:

**SEC. 154. NO FEDERAL FUNDS MAY BE USED BY THE NATIONAL RAILROAD PASSENGER CORPORATION TO SUBSIDIZE AMTRAK ROUTES THAT OFFER FREE RIDERSHIP, INCLUDING THE AMTRAK RESIDENCY PROGRAM.**

**SA 3318.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, strike line 17 and all that follows through page 208, line 2.

**SA 3319.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 227, line 10, strike “\$46,000,000” and insert “\$40,000,000”.

**SA 3320.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 325, line 25, strike “\$900,000,000” and insert “\$360,000,000”.

On page 326, line 12, strike “\$66,420,000” and insert “\$9,792,000”.

**SA 3321.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 371, strike lines 14 through 16.

**SA 3322.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes;

which was ordered to lie on the table; as follows:

On page 336, beginning on line 19, strike “groups;” and all that follows through line 23, and insert “groups.”

**SA 3323.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the Quality Samples Program of the Foreign Agricultural Service of the Department of Agriculture.

**SA 3324.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division \_\_\_, add the following:

**SEC. \_\_\_\_.** None of the funds made available by this Act may be used to pay the salaries and expenses of any officers or employees of the Department of Agriculture or the Federal Crop Insurance Corporation to carry out section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)).

**SA 3325.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

“(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

“(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term ‘average adjusted gross income’ has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

“(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2015 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of \$750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy pro-

vided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.

“(C) APPLICATION.—

“(i) STUDY.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Government Accountability Office, shall carry out a study to determine the effects of the limitation described in subparagraph (B) on—

“(I) the overall operations of the Federal crop insurance program;

“(II) the number of producers participating in the Federal crop insurance program;

“(III) the level of coverage purchased by participating producers;

“(IV) the amount of premiums paid by participating producers and the Federal Government;

“(V) any potential liability for participating producers, approved insurance providers, and the Federal Government;

“(VI) different crops or growing regions;

“(VII) program rating structures;

“(VIII) creation of schemes or devices to evade the impact of the limitation; and

“(IX) administrative and operating expenses paid to approved insurance providers and underwriting gains and loss for the Federal government and approved insurance providers.

“(ii) EFFECTIVENESS.—The limitation described in subparagraph (B) shall not take effect unless the Secretary determines, through the study described in clause (i), that the limitation would not—

“(I) significantly increase the premium amount paid by producers with an average adjusted gross income of less than \$750,000;

“(II) result in a decline in the crop insurance coverage available to producers; and

“(III) increase the total cost of the Federal crop insurance program.”.

**SA 3326.** Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** None of the funds made available by this division may be used to carry out section 209 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a).

**SA 3327.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

**SEC. 7.** None of the funds made available by this Act may be used for the construction, funding, installation, or operation of ethanol blender pumps.

**SA 3328.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce

and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7. None of the funds made available by this Act may be used to carry out the revenue assurance harvest price option program administered by the Secretary of Agriculture.

**SA 3329.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 321, line 24, before the period at the end insert “: *Provided*, That the Federal Crop Insurance Corporation may only make premium payments on behalf of producers whose names are made publically available”.

**SA 3330.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, between lines 15 and 16, insert the following:

SEC. 221. (a) In this section, the term “Crime Victims Fund amounts” means the sums described in section 1402(d)(3) of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601(d)(3)) that are available for obligation under section 510 of title V of this division.

(b) The Crime Victims Fund amounts—

(1) shall be available for—

(A) the United States Attorneys Offices and the Federal Bureau of Investigation to provide and improve services for the benefit of crime victims in the Federal criminal justice system (as described in 3771 of title 18, United States Code, and section 503 of the Victims’ Rights and Restitution Act of 1990 (42 U.S.C. 10607)) through victim coordinators, victims’ specialists, and advocates, including for the administrative support of victim coordinators and advocates providing such services; and

(B) a Victim Notification System; and

(2) may not be used for any purpose that is not specific in subparagraph (A) or (B) of paragraph (1).

**SA 3331.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, beginning on line 13, strike “from” and all that follows through “That” on line 16.

On page 12, line 7, strike “not to exceed” and all that follows through “That” on line 9.

On page 26, line 1, strike “of the” and all that follows through “That” on line 4.

On page 27, line 24, strike “of the” and all that follows through “That” on page 28, line 2.

On page 30, line 18, strike “\$6,000” and all that follows through line 19 and insert “\$15,000,000 shall”.

On page 33, strike lines 7 through 9 and insert “until expended.”.

On page 34, line 6, strike “expended and not to” and all that follows through line 8 and insert “expended.”.

On page 34, line 20, strike “\$36,000” and all that follows through line 21 and insert “\$1,000,000 shall be”.

On page 36, line 6, strike “\$5,400” and all that follows through “exceed” on line 8.

On page 59, strike lines 19 through 24.

On page 108, between lines 12 and 13, insert the following:

SEC. 540. Notwithstanding any other provision of this Act, none of the funds made available under this division may be used for official reception or representation expenses.

**SA 3332.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, line 15, strike “\$5,000,000” and all that follows through “decision-making” on line 16.

**SA 3333.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, line 20, strike “\$12,972,000” and insert “\$12,000,000”.

**SA 3334.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, strike lines 15 and 16.

**SA 3335.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 8 and 9, insert the following:

SEC. 111. (a) No amount appropriated or otherwise made available by this title under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” may be used to develop or deploy laboratory-to-market strategies that accelerate collaboration and commercialization of Federal technologies.

(b) The amount appropriated or otherwise made available by this title under each heading under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” is reduced on a pro rata basis in a manner such that the aggregate amount of such reduction is \$6,000,000.

**SA 3336.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 8 and 9, insert the following:

SEC. 111. (a) None of the funds appropriated or otherwise made available by this title may be obligated or expended to carry out activities of the SelectUSA program of the International Trade Administration.

(b) The amount appropriated or otherwise made available by this title under the heading “OPERATIONS AND ADMINISTRATION” under the heading “INTERNATIONAL TRADE ADMINISTRATION” is hereby decreased by \$15,000,000.

**SA 3337.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 6 and all that follows through page 6, line 16.

**SA 3338.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act—

(1) no funds shall be made available under the heading “SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE” under the heading “LEGAL ACTIVITIES” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act; and

(2) of the amounts made available under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act—

(A) the total amount made available for grants, contracts, cooperative agreements,

and other assistance authorized under provisions of law described under such heading shall be \$1,162,472,000;

(B) the amount made available for the Edward Byrne Memorial Justice Assistance Grant program shall be \$388,972,000; and

(C) the amount made available for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR) shall be \$27,297,000.

**SA 3339.** Mr. HELLER (for himself, Mrs. McCASKILL, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. GRASSLEY, Mr. RUBIO, Ms. AYOTTE, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 15, insert “including to provide training for campus officials, victim advocates, or campus law enforcement officials who are the initial point of contact for victims of sexual assault,” after “campus.”

**SA 3340.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . SAFE COMMUNITIES.**

(a) **SHORT TITLE.**—This section may be cited as the “Keep Our Communities Safe Act of 2014”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) Constitutional rights should be upheld and protected;

(2) Congress intends to uphold the Constitutional principle of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

(c) **DETENTION OF DANGEROUS ALIENS DURING REMOVAL PROCEEDINGS.**—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) by striking “Attorney General” each place such term appears (except in the second place it appears in subsection (a)) and inserting “Secretary of Homeland Security”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “the Secretary of Homeland Security or” before “the Attorney General—”;

(B) in paragraph (2)(B), by striking “conditional parole” and inserting “recognizance”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “PAROLE” and inserting “RECOGNIZANCE”;

(B) by striking “parole” and inserting “recognizance”;

(4) in subsection (c)(1), by striking the undesignated matter following subparagraph (D) and inserting the following:

“any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien

may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.”;

(5) in subsection (e), by striking “Attorney General’s” and inserting “Secretary of Homeland Security’s”;

(6) by adding at the end the following:

“(g) **LENGTH OF DETENTION.**—

“(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (i), until the alien is subject to a final order of removal.

“(2) The length of detention under this section shall not affect a detention under section 241.

“(h) **ADMINISTRATIVE REVIEW.**—

“(1) **LIMITATION.**—The Attorney General’s review of the Secretary’s custody determinations under subsection (a) shall be limited to whether the alien may be detained, released on bond (of at least \$1,500 with security approved by the Secretary), or released with no bond. Any review involving an alien described in paragraph (2)(D) shall be limited to a determination of whether the alien is properly included in such category.

“(2) **CLASSES OF ALIENS.**—The Attorney General’s shall review the Secretary’s custody determinations for the following classes of aliens:

“(A) Aliens in exclusion proceedings.

“(B) Aliens described in sections 212(a)(3) and 237(a)(4).

“(C) Aliens described in subsection (c).

“(D) Aliens in deportation proceedings subject to section 242(a)(2) (as in effect between April 24, 1996 and April 1, 1997).

“(i) **RELEASE ON BOND.**—

“(1) **IN GENERAL.**—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

“(2) **CERTAIN ALIENS INELIGIBLE.**—No alien detained under subsection (c) may seek release on bond.”

(d) **ALIENS ORDERED REMOVED.**—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking “Attorney General” each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting “Secretary of Homeland Security”;

(2) in paragraph (1)—

(A) by amending subparagraphs (B) and (C) to read as follows:

“(B) **BEGINNING OF PERIOD.**—The removal period begins on the latest of—

“(i) the date on which the order of removal becomes administratively final;

“(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

“(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

“(C) **SUSPENSION OF PERIOD.**—

“(i) **EXTENSION.**—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary’s sole discretion, keep the alien in detention during such extended period, if—

“(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure or conspires or acts to prevent the alien’s removal that is subject to an order of removal;

“(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

“(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

“(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

“(ii) **RENEWAL.**—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

“(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary’s efforts to establish the alien’s identity and carry out the removal order;

“(II) the stay of removal is no longer in effect; or

“(III) the alien is returned to the custody of the Secretary.

“(iii) **MANDATORY DETENTION FOR CERTAIN ALIENS.**—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

“(iv) **SOLE FORM OF RELIEF.**—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting “or is not detained pursuant to paragraph (6)” after “the removal period”; and

(B) by amending subparagraph (D) to read as follows:

“(D) to obey reasonable restrictions on the alien’s conduct or activities that the Secretary prescribes for the alien—

“(i) to prevent the alien from absconding;

“(ii) for the protection of the community; or

“(iii) for other purposes related to the enforcement of Federal immigration laws.”;

(4) in paragraph (4)(A), by striking “paragraph (2)” and inserting “subparagraph (B)”;

and

(5) by amending paragraph (6) to read as follows:

“(6) **ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.**—

“(A) **DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.**—

“(i) **IN GENERAL.**—The Secretary shall establish an administrative review process to determine whether an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security’s efforts to establish the alien’s identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the

alien's departure, and who has not conspired or acted to prevent removal should be detained or released on conditions.

“(ii) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B), which—

“(I) shall include consideration of any evidence submitted by the alien; and

“(II) may include consideration of any other evidence, including—

“(aa) any information or assistance provided by the Secretary of State or other Federal official; and

“(bb) any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

“(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

“(i) IN GENERAL.—The Secretary of Homeland Security may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall not have the right to seek release on bond.

“(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security may continue to detain an alien beyond the 90 days authorized under clause (i)—

“(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

“(aa) will be removed in the reasonably foreseeable future; or

“(bb) would be removed in the reasonably foreseeable future; or

“(cc) would have been removed if the alien had not—

“(AA) failed or refused to make all reasonable efforts to comply with the removal order; or

“(BB) failed or refused to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

“(CC) conspired or acted to prevent removal; or

“(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

“(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety; or

“(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States; or

“(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

“(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or of any person; and

“(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

“(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of

title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

“(III) pending a certification under subclause (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

“(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall not have a right to seek release on bond, including by reason of a certification under clause (ii)(II).

“(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

“(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

“(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

“(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in subparagraph (B)(ii)(II)(dd)(BB).

“(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security may impose conditions on release as provided under paragraph (3).

“(E) REDETENTION.—

“(i) IN GENERAL.—The Secretary of Homeland Security, without any limitations other than those specified in this section, may detain any alien subject to a final removal order who is released from custody if—

“(I) removal becomes likely in the reasonably foreseeable future; or

“(II) the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (A); or

“(III) upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B).

“(ii) APPLICABILITY.—This section shall apply to any alien returned to custody pursuant to this subparagraph as if the removal period terminated on the day of the redetention.

“(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.”.

(e) SEVERABILITY.—If any of the provisions of this section, any amendment made by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section, the amendments made by this section, and the application of the provisions and amendments made by this section to any other person or circumstance shall not be affected by such holding.

(f) EFFECTIVE DATES.—

(1) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by sub-

section (c) shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by subsection (c), shall apply to any alien in detention under the provisions of such section on or after such date of enactment.

(2) ALIENS ORDERED REMOVED.—The amendments made by subsection (d) shall take effect on the date of the enactment of this Act. Section 241 of the Immigration and Nationality Act, as amended by subsection (d), shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date of enactment.

**SA 3341.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert before the period the following: “, and \$5,000,000 shall be used by the Attorney General to investigate the release of 36,007 criminal aliens by the Secretary of Homeland Security pending their removal and the 68,000 criminal aliens that United States Immigration and Customs Enforcement encountered, primarily in jails, and chose not to proceed against for removal in 2013”.

**SA 3342.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. No funds made available under this Act under the heading “COMMUNITY ORIENTED POLICING SERVICES” may be used by a government entity in violation of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

**SA 3343.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) Congress makes the followings findings:

(1) The text of the United States Constitution clearly confers upon an individual the right to bear arms.

(2) The United Nations Arms Trade Treaty establishes a separate category of small arms and light weapons to which all Treaty provisions must apply, which could subject firearms lawfully owned by law-abiding United States citizens to international regulation.



(3) The Treaty urges recordkeeping of weapons transferred or sold within the United States, which could result in the creation of a de-facto registry of law-abiding United States citizens who lawfully own firearms.

(b) None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 or any fiscal year thereafter for the Department of Justice may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has been signed by the President, received the advice and consent of the Senate, and has been the subject of implementing legislation by Congress.

**SA 3344.** Mrs. FISCHER (for herself and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ PREVENTING REGULATORY OVER-REACH TO ENHANCE CARE TECHNOLOGY.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds as follows:

(A) The mobile health and mobile application economy was created in the United States and is now being exported globally, with the market expected to exceed \$26,000,000,000 by 2017.

(B) The United States mobile application economy is responsible for nearly 500,000 new jobs in the United States.

(C) Consumer health information technologies, including smart phones and tablets, have the potential to transform health care delivery through reduced systemic costs, improved patient safety, and better clinical outcomes.

(D) Clinical and health software innovation cycles evolve and move faster than the existing regulatory approval processes.

(E) Consumers and innovators need a new risk-based framework for the oversight of clinical and health software that improves on the framework of the Food and Drug Administration.

(F) A working group convened jointly by the Food and Drug Administration, the Federal Communications Commission, and the Office of the National Coordinator for Health Information Technology identified in a report that there are several major barriers to the effective regulation of health information technology that cannot be alleviated without changes to existing law.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the President and Congress must intervene to facilitate interagency coordination across regulators that focuses agency efforts on fostering health information technology and mobile health innovation while better protecting patient safety, improving health care, and creating jobs in the United States;

(B) the President and the Congress should work together to develop and enact legislation that establishes a risk-based regulatory framework for such clinical software and health software that reduces regulatory burdens, fosters innovation, and, most importantly, improves patient safety;

(C) The National Institute of Standards and Technology should be the Federal agen-

cy that has oversight over technical standards used by clinical software; and

(D) The National Institute of Standards and Technology, in collaboration with the Federal Communications Commission, the National Patient Safety Foundation, and the Office of the National Coordinator for Health Information Technology, should work on next steps, beyond current oversight efforts, regarding health information technology, such as collaborating with nongovernmental entities to develop certification processes and to promote best practice standards.

(b) CLINICAL SOFTWARE AND HEALTH SOFTWARE.—

(1) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss)(1) The term ‘clinical software’ means clinical decision support software or other software (including any associated hardware and process dependencies) intended for human or animal use that—

“(A) captures, analyzes, changes, or presents patient or population clinical data or information and may recommend courses of clinical action, but does not directly change the structure or any function of the body of man or other animals; and

“(B) is intended to be marketed for use only by a health care provider in a health care setting.

“(2) The term ‘health software’ means software (including any associated hardware and process dependencies) that is not clinical software and—

“(A) that captures, analyzes, changes, or presents patient or population clinical data or information;

“(B) that supports administrative or operational aspects of health care and is not used in the direct delivery of patient care; or

“(C) whose primary purpose is to act as a platform for a secondary software, to run or act as a mechanism for connectivity, or to store data.

“(3) The terms ‘clinical software’ and ‘health software’ do not include software—

“(A) that is intended to interpret patient-specific device data and directly diagnose a patient or user without the intervention of a health care provider;

“(B) that conducts analysis of radiological or imaging data in order to provide patient-specific diagnostic and treatment advice to a health care provider;

“(C) whose primary purpose is integral to the function of a drug or device; or

“(D) that is a component of a device.”.

(2) PROHIBITION.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

**“SEC. 524B. CLINICAL SOFTWARE AND HEALTH SOFTWARE.**

“Clinical software and health software shall not be subject to regulation under this Act.”.

(c) EXCLUSION FROM DEFINITION OF DEVICE.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended by adding at the end “The term ‘device’ does not include clinical software or health software.”.

**SA 3345.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**INTERNET GOVERNANCE AND DOMAIN NAME SYSTEM OVERSIGHT**

SEC. \_\_\_\_\_. None of the amounts made available under this Act may be used by the National Telecommunications and Information Administration to plan for or implement any change to—

(1) the contract between the United States Government and the Internet Corporation for Assigned Names and Numbers to carry out the Internet Assigned Numbers Authority functions; or

(2) the Cooperative Agreement between the United States Government and VeriSign to perform root zone management functions.

**SA 3346.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. \_\_\_\_\_. The Department of Justice may not use any funds to bring suit based on disparate impact against a State or local school choice program, including a charter school program, or a school voucher, tax credit, or scholarship program that involves students who attend a private elementary school or secondary school.

**SA 3347.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. IRS SPECIAL PROSECUTOR.**

(a) APPROPRIATION FOR SPECIAL PROSECUTOR.—There are appropriated to the Attorney General out of any money in the Treasury not otherwise appropriated, \$800,000 for the appointment of a special prosecutor, who shall be a United States attorney, to investigate (and prosecute if warranted) actions by the Internal Revenue Service, its officers and employees, and other individuals involved in the targeting of groups that applied for tax exempt status, including the targeting of groups the names of which include the terms “Tea Party” or “Patriot”. Amounts appropriated under this subsection may be used to pay salaries and expenses for employees and consultants, including forensic experts to obtain electronic evidence, including recovery of allegedly lost e-mails.

(b) OFFSET.—Notwithstanding any other provision of this Act, the amount appropriated for necessary expenses for information sharing technology, including planning, development, deployment and departmental direction under the heading “JUSTICE INFORMATION SHARING TECHNOLOGY” under the heading “GENERAL ADMINISTRATION” under the heading “DEPARTMENT OF JUSTICE” under title II of division A of this Act shall be \$25,042,000.

**SA 3348.** Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other

purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division C, add the following:

SEC. 7 \_\_\_\_\_. Notwithstanding any other provision of this Act, the amount made available for fiscal year 2015 to carry out section 4213 of the Agricultural Act of 2014 (42 U.S.C. 1755b) shall be \$2,000,000, and the amount made available under the heading "AGRICULTURE BUILDINGS AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)" of title I shall be \$62,844,000.

**SA 3349.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 298, line 17, after "Secretary:", insert the following: "not to exceed \$3,000,000 may be available for the cost of loans under the rural energy savings program authorized by section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a) and, if the Secretary of Agriculture elects to so use the funds, the Secretary shall promulgate a proposed rule to implement the program not later than 90 days after the date of enactment of this Act;"

**SA 3350.** Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 324, line 17, before the period at the end insert ": *Provided further*, That of the amounts made available for the Natural Resources Conservation Service, the Risk Management Agency, and the Farm Service Agency, the Secretary of Agriculture shall use such amounts as are necessary to continue the Interagency Task Force to Harmonize Policies on Cover Crops during fiscal year 2015 to maintain reasonable and effective guidance regarding cover crops and crop insurance that align with evolving cover crop practices".

**SA 3351.** Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 307, line 20, before the period at the end, insert ": *Provided further*, That the Secretary of Agriculture, acting through the Director of the National Institute of Food and Agriculture, shall use such sums as are necessary of funds made available for the National Institute of Food and Agriculture to coordinate research efforts to collect information regarding cover crop practices, adoption rates, and effects on soil health and crop

yields, and to provide effective and widespread dissemination of the results of the research to agricultural producers through extension and outreach activities".

**SA 3352.** Mr. FLAKE (for himself, Mr. RISCH, Mr. MORAN, Mr. ROBERTS, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) The Senate finds the following:

(1) On May 14, 2013, the Treasury Inspector General for Tax Administration released the audit report, "Inappropriate Criteria Were Used to Identify Tax-Exempt Applications for Review," detailing the inappropriate targeting of social welfare organizations by the Internal Revenue Service (referred to in this section as the "IRS").

(2) There are on-going Congressional investigations of the inappropriate targeting by the IRS of social welfare organizations that necessitate the prompt sharing of all requested documents.

(3) On June 13, 2014, the IRS disclosed that a computer failure reportedly resulted in a loss of emails sent or received by former IRS Exempt Organizations Director Lois Lerner for the period between January 1, 2009, and April 2011.

(4) On June 16, 2014, it was exposed that the emails of 6 other IRS employees involved in the inappropriate targeting were also reportedly unrecoverable.

(5) A thorough investigation of the inappropriate targeting of social welfare organizations by the IRS is essential to ensure future confidence in the integrity of the United States tax administration.

(b) It is the sense of the Senate that—

(1) the Commissioner of the IRS and other Administration officials involved in the investigation of the inappropriate targeting by the IRS of social welfare organizations should provide full cooperation to the investigation; and

(2) the on-going bipartisan Senate Finance Committee investigation should be encouraged to include efforts to uncover details related to the loss of emails and the subsequent discovery and reporting of such loss.

**SA 3353.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 387, after line 23, add the following:

SEC. 7 \_\_\_\_\_. None of the funds made available under this division for the Agricultural Research Service may be used to continue to carry out extramural research projects, or to operate research laboratories, that have been identified for termination by the Secretary of Agriculture.

**SA 3354.** Mr. MCCAIN submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 357, strike line 16 and all that follows through page 359, line 12, and insert the following:

SEC. 702. Notwithstanding any other provision of this division, the Secretary of Agriculture shall transfer unobligated balances of discretionary funds appropriated under this division or any other available unobligated discretionary balances of the Department of Agriculture to the general fund of the Treasury for the purpose of debt reduction.

**SA 3355.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, between lines 19 and 20, insert the following:

SEC. 1 \_\_\_\_\_. None of the funds made available by this division shall be used to administer the National Roadside Survey of the National Highway Traffic Safety Administration.

**SA 3356.** Mr. COBURN (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

After section 110 of title I of division A, insert the following:

SEC. 111. No amount appropriated or otherwise made available by this Act may be used to purchase or pay for any good or service offered by the National Technical Information Service that is otherwise available for free or at a lower cost from a different source.

**SA 3357.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 301. (a) None of the funds made available by this Act may be used to carry out the functions of the Political Science Program in the Division of Social and Economic Sciences of the Directorate for Social, Behavioral, and Economic Sciences of the National Science Foundation, except for research projects that the Director of the National Science Foundation certifies as promoting national security or the economic interests of the United States.

(b) The Director of the National Science Foundation shall publish a statement of the reason for each certification made pursuant to subsection (a) on the public website of the National Science Foundation.

(c) Any unobligated balances for the Political Science Program described in subsection (a) may be provided for other scientific research and studies that do not duplicate those being funded by other Federal agencies.

**SA 3358.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds made available for specialty crop block grants under section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465), the provision of value-added agricultural product market development grants to producers under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)), and the market access program established under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) may be used—

(1) to sponsor field days at, or attend, amusement parks or festivals;

(2) to support pageants or tours by pageant winners;

(3) for the production of television shows;

(4) for animal spa products;

(5) for cat or dog food or other pet food;

(6) for wine tastings, beer festivals or beer award contests, beer tasting or beer school seminars, and tastings or seminars for alcohol of any kind (including whiskeys and distilled spirits); and

(7) for award shows and contests.

**SA 3359.** Mr. PAUL (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Before applying the provisions for awarding discretionary grants for capital investments in surface transportation infrastructure set forth under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS", the Secretary of Transportation, shall prioritize the distribution of such funding by ranking the projects for which such grants are sought, in descending order, based upon the following criteria:

(1) The extent of the positive impact the project will have on 1 or more interstate highways.

(2) The project will repair or replace a road or bridge that—

(A) has been determined to be structurally or functionally obsolete; and

(B) poses a risk to public safety.

(3) The extent of the positive impact of the project on interstate commerce, as evidenced by an examination of economic indicators, including—

(A) the impact of the project on shipping and trucking commerce;

(B) the project's nexus to other States; and

(C) the availability of alternative routes.

(4) The difference between—

(A) the estimated volume of traffic that will utilize the road or bridge after the project is completed; and

(B) the volume of traffic that the existing road or bridge was designed to accommodate.

(5) The national significance of the project, rather than the regional significance of the project.

(6) The ability of the State or local government to provide additional funding for the project.

**SA 3360.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 317, line 22, strike “: Provided further,” and all that follows through “on Appropriations” on page 318, line 3.

**SA 3361.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert “: Provided, That \$38,333,333 of the amount appropriated under this heading may not be expended until after the Attorney General produces and disseminates, through appropriate channels in the United States, El Salvador, Guatemala, and Honduras, a public service announcement video that features the President of the United States explaining that current and recent illicit border crossers, including unaccompanied alien children, are not covered by, and will not receive consideration of, deferred action for childhood arrivals, and any legislative remedy Congress approves to deal with aliens who entered the United States illegally as children will likely require the alien to have resided in the United States for an extended period” before the period at the end.

**SA 3362.** Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 346, line 4, insert before the period at the end the following: “Provided further, That of the funds made available under this heading, \$1,000,000 may be used to provide necessary expenses of the Administrator of the Food and Nutrition Service to allow a veteran to be considered disabled for purposes of benefits under the supplemental nutrition assistance program during any period in which the veteran has filed a claim for

disability compensation with the Secretary of Veterans Affairs and the claim has not yet been adjudicated by the Secretary”.

**SA 3363.** Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. UNUSED EARMARKS.

(a) SHORT TITLE.—This section may be cited as the “Orphan Earmarks Act”.

(b) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given the term “Executive agency” under section 105 of title 5, United States Code;

(2) the term “earmark” means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term “unused DOT earmark” means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) RESCISSIONS.—

(1) FEDERAL RAILROAD ADMINISTRATION.—

(A) SAFETY AND OPERATIONS ACCOUNT.—Of the unobligated balances available in the Federal Railroad Administration's Safety and Operations Account, \$6,000,000 is hereby rescinded.

(B) RAILROAD RESEARCH AND DEVELOPMENT ACCOUNT.—Of the unobligated balances available in the Federal Railroad Administration's Railroad Research and Development Account, \$7,765,000 is hereby rescinded.

(2) RESCISSIONS OF UNUSED DOT EARMARKS.—Except as provided in paragraph (3), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded.

(3) EXCEPTION.—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(d) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Transportation is authorized to award grants, on a competitive basis, to local governments for the purpose of establishing quiet zones in accordance with appendix C to part 222 of title 49, Code of Federal Regulations.

(2) FUNDING.—Of the funds made available as a result of the rescissions under subsection (c), \$38,765,000 shall be made available to carry out the grant program authorized under paragraph (1).

(e) DEFICIT REDUCTION.—Other than the amount set aside for the grant program under subsection (d), all of the amounts made available as a result of the rescissions under subsection (c) shall be dedicated for the sole purpose of deficit reduction.

(f) AGENCY-WIDE IDENTIFICATION AND REPORT.—

(1) AGENCY IDENTIFICATION.—Each agency shall identify and submit to the Director of

the Office of Management and Budget an annual report regarding every project of the agency for which—

(A) amounts are made available under an earmark; and

(B) as of the end of a fiscal year, unobligated balances remain available.

(2) **ANNUAL REPORT.**—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c)(2) at the end of the fiscal year during which the report is submitted.

**SA 3364.** Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 278, line 17, strike “\$103,981,000” and insert “\$108,000,000”.

**SA 3365.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

**SEC. \_\_\_\_\_. PILOT PROGRAM ON PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.**

(a) **PILOT PROGRAM REQUIRED.**—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of providing the information described in subsection (b) on members of the Armed Forces who are separating from the Armed Forces to State veterans agencies as a means of facilitating the transition of members of the Armed Forces from military service to civilian life.

(b) **COVERED INFORMATION.**—The information described in this subsection with respect to a member is as follows:

(1) Department of Defense Form DD 214.

(2) A personal email address.

(3) A personal telephone number.

(4) A mailing address.

(c) **VOLUNTARY PARTICIPATION.**—The participation of a member in the pilot program shall be at the election of the member.

(d) **FORM OF PROVISION OF INFORMATION.**—Information shall be provided to State veterans agencies under the pilot program in digitized electronic form.

(e) **USE OF INFORMATION.**—Information provided to State veterans agencies under the pilot program may be shared by such agencies with appropriate county veterans service offices in such manner and for such purposes as the Secretary shall specify for purposes of the pilot program.

(f) **REPORT.**—Not later than 450 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the pilot program. The report shall include a description of the pilot program and such recommendations, including recommendations for continuing or expanding the pilot program, as the Secretary considers appropriate in light of the pilot program.

**SA 3366.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

**SEC. 1087. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO CLAIMING AND INTERRING UNCLAIMED REMAINS OF VETERANS.**

(a) **STUDY AND REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the identification, claiming, and interring of unclaimed remains of veterans; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) **MATTERS STUDIED.**—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans on the day before the date of the enactment of this Act.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for claiming and interring unclaimed remains of veterans.

(3) Identifying and assessing State and local laws that affect the ability of the Secretary to identify, claim, and inter unclaimed remains of veterans.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate

**SA 3367.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1213. CONTINGENT LIMITATION ON AVAILABILITY OF FUNDS FOR UNITED STATES PARTICIPATION IN JOINT MILITARY EXERCISES WITH EGYPT.**

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act may be made used for United States participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Egypt-Israel peace treaty signed at Washington, D.C., on March 26, 1979.

**SA 3368.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

**SEC. 1213. SENSE OF CONGRESS ON SUPPORT TO ISRAEL TO ADDRESS IRANIAN THREAT.**

It is the sense of Congress that the United States should ensure that Israel, as a critical United States ally, is able to adequately address an existential Iranian nuclear threat, and the Secretary of Defense should seek related opportunities for defense cooperation and partnership on military capabilities where appropriate.

**SA 3369.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

**SEC. 1087. CORPORAL MICHAEL J. CRESCENZ DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.**

(a) **DESIGNATION.**—The medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the “Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center”.

(b) **REFERENCES.**—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center.

**SA 3370.** Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, line 24, insert "Indian tribe," after "local government,".

**SA 3371.** Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 114, line 7, before the period insert the following: "Provided further, That of the funds made available under this heading, not less than 3 percent shall be for grants awarded to Indian tribes (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for projects located on or providing access to Indian lands (as that term is defined in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302))."

**SA 3372.** Mr. DURBIN (for himself, Mrs. BOXER, Mr. HARKIN, Mr. REED, Mr. BLUMENTHAL, Mr. MARKEY, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. 105. Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to the notice of proposed rulemaking relating to the use of electronic cigarettes on aircraft published in the Federal Register on September 15, 2011 (76 Fed. Reg. 57,008).

**SA 3373.** Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 19, insert "Provided, That \$38,333,333 of the amount appropriated under this heading may not be expended until after a public service announcement video is produced by the Federal Government, is disseminated through appropriate channels in the United States, El Salvador, Guatemala, and Honduras, and features the President of the United States explaining that current and recent illicit border crossers, including unaccompanied alien children, are not covered by, and will not receive consideration of, deferred action for childhood arrivals, and any legislation Congress may adopt to provide immigration benefits to aliens who entered the United States illegally as children will likely require the alien to have resided in the United States for an extended period" before the period at the end.

**SA 3374.** Mr. RUBIO submitted an amendment intended to be proposed to

amendment SA 3244 submitted by Ms. MIKULSKI and intended to be proposed to the bill H.R. 4660, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

On page 118, between lines 19 and 20, insert the following:

SEC. \_\_\_\_\_. (a)(1) Beginning in fiscal year 2015 and for each subsequent fiscal year, not later than 30 days after the date on which the Secretary of Transportation (referred to in this section as the "Secretary") selects a project for funding under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS", the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the reasons for selecting the project, based on the criteria set forth in the document entitled "Notice of Funding Availability for the Department of Transportation's National Infrastructure Investments Under the Consolidated and Further Continuing Appropriations Act, 2013" and published at 78 Fed. Reg. 24786 (April 26, 2013).

(2) The report submitted under paragraph (1) shall specify each criteria established by the Secretary under subsection (a) that the project meets.

(3) The Secretary shall make available on the website of the Department of Transportation the report submitted under paragraph (1).

(4) This subsection applies to all projects funded under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS" that the Secretary selects after January 1, 2014.

(b) Beginning in fiscal year 2015 and for each subsequent fiscal year, not later than 1 year after the date on which the Secretary selects projects for funding under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS", the Inspector General of the Department of Transportation shall—

(1) conduct an assessment of the establishment, solicitation, selection, and justification process with respect to the funding of projects under the heading "NATIONAL INFRASTRUCTURE INVESTMENTS"; and

(2) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report that describes the findings of the Inspector General of the Department of Transportation with respect to the assessment conducted under paragraph (1).

## NOTICES OF HEARINGS

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

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, June 25, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to mark-up S. 2449, Autism Collaboration, Accountability, Research, Education and Support Act, Autism CARES Act, of 2014; S. \_\_\_\_\_, a bill to amend the Employee Retirement Income Security Act of 1974; the nomination of William D. Adams, of Maine, to serve as Chairperson of the National Endowment for the Human-

ities; and the nomination of Robert M.

Gordon, of the District of Columbia, to serve as Assistant Secretary for the Office of Planning, Evaluation, and Policy Development, Department of Education; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

### SUBCOMMITTEE ON WATER AND POWER

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Wednesday, June 25, 2014, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing will be to hear testimony on the following measure:

S. 1971, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to John\_Assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

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

Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on June 26, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled "Sexual Assault on Campus: Working to Ensure Student Safety."

For further information regarding this meeting, please contact Aissa Canchola of the committee staff on (202) 224-2009.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 19, 2014, at 9:30 a.m.

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

### COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 19, 2014, at 2:30 p.m.

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

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 19, 2014, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 19, 2014, at 11 a.m., to hold a hearing entitled "Treaties."

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 19, 2014, at 2 p.m., to hold a hearing entitled "CLOSED/TS: Iraq Update."

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

## COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 19, 2014, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

## SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 19, 2014, at 2:30 p.m.

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

UNANIMOUS CONSENT AGREE-  
MENT—EXECUTIVE NOMINA-  
TIONS

Mr. REID. I ask unanimous consent that on Monday, June 23, 2014, at 5:30 p.m., the Senate proceed to executive session and vote on cloture on Executive Calendar Nos. 779, 780, 781, and 836; further, that if cloture is invoked on any of these nominations, on the next day, Tuesday, June 24, 2014, at 11 a.m., all postcloture time be expired, and the Senate proceed to vote on confirmation of the nominations in the order upon which cloture was invoked; further, that following Senate action on these nominations on Tuesday, the Senate proceed to vote on cloture on Calendar No. 742; further, that there be 2 minutes for debate prior to each vote and all rollcall votes after the first vote in each sequence be 10 minutes in length; further, with respect to the nominations in this agreement, that if any nomination is confirmed, the motions to reconsider be considered made and

laid upon the table and the President be immediately notified of the Senate's action.

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

UNANIMOUS CONSENT  
AGREEMENT—H.R. 803

Mr. REID. I ask unanimous consent that at a time to be determined by me after consultation with Senator McConnell, the HELP Committee be discharged from further consideration of H.R. 803 and the Senate proceed to its consideration; that a Murray-Isakson-Harkin-Alexander substitute amendment, which is at the desk, be considered; that the only other amendments in order be the following amendments to the substitute: Flake, making the appointment and certification of a new local board permissible instead of required; Lee, evaluation report requirement; and managers' technical amendment—that is three amendments; that there be 10 minutes of debate equally divided between the two leaders or their designees on each amendment; that upon the use or yielding back of that time, the Senate proceed to vote in relation to the amendments in the order listed; that no second-degree amendments be in order prior to the votes; that upon disposition, the managers' technical amendment, the substitute amendment, as amended, if amended, be agreed to; the bill, as amended, be read a third time; that there be 10 minutes of debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on passage of the bill, as amended; that if the bill is passed, the Murray-Isakson-Harkin-Alexander amendment to the title, which is at the desk, be agreed to; and the motions to consider be considered made and laid upon the table, with no intervening action or debate.

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

GUN LAKE TRUST LAND  
REAFFIRMATION ACT

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 432, S. 1603.

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

The legislative clerk read as follows:

A bill (S. 1603) to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

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

Mr. REID. I further ask unanimous consent that the bill be read the third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (S. 1603) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1603

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Gun Lake Trust Land Reaffirmation Act".

## SEC. 2. REAFFIRMATION OF INDIAN TRUST LAND.

(a) IN GENERAL.—The land taken into trust by the United States for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians and described in the final Notice of Determination of the Department of the Interior (70 Fed. Reg. 25596 (May 13, 2005)) is reaffirmed as trust land, and the actions of the Secretary of the Interior in taking that land into trust are ratified and confirmed.

(b) NO CLAIMS.—Notwithstanding any other provision of law, an action (including an action pending in a Federal court as of the date of enactment of this Act) relating to the land described in subsection (a) shall not be filed or maintained in a Federal court and shall be promptly dismissed.

(c) RETENTION OF FUTURE RIGHTS.—Nothing in this Act alters or diminishes the right of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians from seeking to have any additional land taken into trust by the United States for the benefit of the Band.

MEASURE PLACED ON THE  
CALENDAR—S. 2491

Mr. REID. Madam President, I understand that S. 2491 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (S. 2491) to protect the Medicare program under title XVIII of the Social Security Act with respect to reconciliation involving changes to the Medicare program.

Mr. REID. I object to any further proceedings with respect to this bill.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

COMMITTEE DISCHARGE AND  
RETURN—H.R. 4412

Mr. REID. Madam President, I ask unanimous consent that the commerce committee be discharged from further consideration of H.R. 4412 and the Senate agree to the request of the House for the return of the papers with respect to H.R. 4412.

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

## SIGNING AUTHORITY

Mr. REID. Madam President, I ask unanimous consent that during the adjournment or recess of the Senate from Thursday, June 19, through Monday, June 23, the majority leader and Senators Rockefeller and Feinstein be authorized to sign duly enrolled bills or joint resolutions.

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



ORDERS FOR MONDAY, JUNE 23,  
2014

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:00 p.m. on Monday, June 23, 2014; that following the prayer and the 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 any leader remarks, the Senate be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate proceed to executive session under the previous order.

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

#### PROGRAM

Mr. REID. Madam President, there will be four rollcall votes on Monday at 5:30 p.m.

ADJOURNMENT UNTIL MONDAY,  
JUNE 23, 2014, AT 2 P.M.

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Monday, June 23, 2014, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF JUSTICE

ARTHUR LEE BENTLEY III, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE ROBERT E. O'NEILL, RESIGNED.

##### THE JUDICIARY

DAVID J. HALE, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY, VICE CHARLES R. SIMPSON III, RETIRED.

##### DEPARTMENT OF JUSTICE

DAVID RIVERA, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE JERRY E. MARTIN, RESIGNED.

##### THE JUDICIARY

GREGORY N. STIVERS, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY, VICE THOMAS B. RUSSELL, RETIRED.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 19, 2014:

##### DEPARTMENT OF STATE

Brian A. Nichols, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru.

##### DEPARTMENT OF DEFENSE

Christine E. Wormuth, of Virginia, to be Under Secretary of Defense for Policy.

##### NATIONAL CREDIT UNION ADMINISTRATION

J. Mark McWatters, of Texas, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2019.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Gustavo Velasquez Aguilar, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.