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Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, let the moments and hours of this day reverberate with the sounds of Your unfolding providence. May our Senators hear You working throughout their deliberations, transforming the discordant into the harmonious. May Your unseen presence enable them to discern the direction that they should take, as they seek to heed Your instructions and follow Your commands. As they fellowship with You, give them discomfort with easy answers, half truths, and superficial relationships. Lord, inspire them to believe that they can make a difference in this world.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Benjamin Netanyahu into the House Chamber for the joint meeting at 11 a.m., on Tuesday, March 3, 2015.

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

THE ISRAELI PRIME MINISTER'S ADDRESS TO CONGRESS

Mr. MCCONNELL. Mr. President, later this morning, the Israeli Prime Minister Benjamin Netanyahu will deliver an important address to Congress. Members of both parties extend a warm welcome to him.

This leader is a great friend of our country, and his visit comes at a critical moment in the relations between our countries.

The Prime Minister's address coincides with an increasingly aggressive Iranian campaign to expand its sphere of influence across the Middle East. It represents a threat to both of our countries, it represents a threat to moderate Sunni allies, and it represents a threat to the international community at large.

That is why Prime Minister Netanyahu is here today. He is ideally suited to explain the multitude of challenges this presents—including the threat of an Iran with nuclear weapons capability—and how our countries can address them jointly.

So we are glad the Prime Minister is here with us today. We will be listening closely to what he has to say.

I hope the Obama administration will be listening, too, because this visit isn't about personalities, it is about doing what is best for both of our countries, and here some context is important.

As it has been since its founding, Israel is in a constant state of existential crisis. It is continuously threatened by terrorists, such as Hezbollah and the Palestinian Islamic Jihad, who work every day to see a democratic Israel destroyed. Israel's leaders wake every morning knowing that with just one wrong decision, it could be their last in an open and tolerant democracy. That is the frame through which the Israelis approach their national security policy.

Here is the frame the Obama administration uses: It formulates policy with two objectives in mind—fulfilling political campaign promises made back in 2008 and pursuing politically expedient solutions to whatever stands in the way of the first objective. We can see the basis for tension right there.

For me, there are two bookends that define President Obama's foreign policy.

The Executive orders that attempted to close Guantanamo without a credible plan for what to do with its detainees, and to essentially end our ability to capture, detain, and interrogate terrorists, regardless of the threats that remain for our country, represent one bookend.

The President's push to withdraw all combat forces from Iraq and Afghanistan by the end of his term, regardless of the threats posed by the Taliban or the senior leadership of Al Qaeda, represents the other bookend.

The politics-above-policy approach mystifies allies such as Israel. You can see it in many other decisions too—for instance, the President's failure to negotiate an agreement with Iraq for a residual military force that may have prevented the assault by ISIL. Instead, as threats from Al Qaeda and affiliated groups metastasized, the President focused on unwinding or reversing past policies through Executive order. Uprisings in North Africa and the broader Middle East resulted in additional ungoverned space in Syria, Libya, and Yemen. The capital of Yemen is now occupied by the Houthi militia, and the Yemenis are no more ready to detain the terrorists at Guantanamo today than they were in 2009.

What has the President's response to all this been? To draw down our conventional forces and capabilities.

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

Even as China and Russia have grown more belligerent, the President sees no need to reverse the harmful damage of the defense cuts he has insisted upon. He sees no need to rebuild our conventional and nuclear forces.

He sees no need to accept that leaving behind residual forces in Iraq and Afghanistan represents an effective means by which to preserve the strategic gains we have made over the years, through tremendous sacrifice.

The President has always assumed the role of Commander in Chief with great reluctance. That is particularly true of his dealings with Iran. For years, Iran has continued to enrich uranium. For years, Iran has refused to come clean to the IAEA. But ending Iran's nuclear weapons program has never fit neatly between the administration's policy bookends.

The President believed he could extend a hand of friendship and bring the Supreme Leader to the table. Even though that approach failed, the President now seems determined to conclude an agreement with Iran that would leave it with a threshold nuclear capability. It is an agreement that could allow Iran to retain thousands of centrifuges, master the nuclear fuel cycle, advance ballistic missile research and testing, and keep secret any possible military dimensions of nuclear development that have already occurred.

The administration has pursued these negotiations not as part of an overall strategy to end Iran's nuclear program, but as a stand-alone matter of litigation where a settlement must be reached. This negotiation should not be about getting the best deal that the Iranians will agree to, it should be about the strategic objective of ending Iran's nuclear weapons program. To do this, the administration must be committed to using force if negotiations fail.

The strategic ambiguity of leaving ''all options on the table'' has never been convincing, and the administration refused to work with Congress on developing a sanctions and declaratory military response should negotiations fail. It is unlikely that this Congress could be convinced to lift sanctions absent a complete disclosure on the part of the Iranians of all previous research conducted in pursuit of a nuclear device.

And this gets back to the differences between the perspective of the Israeli government concerning Iran's nuclear capability and those of the Obama administration.

Iran is pursuing full spectrum warfighting capabilities to wage war against Israel, the United States, and our Sunni allies in the region.

Iran is developing cyber capabilities to harass and harm its adversaries, ballistic missile capabilities, and conventional capabilities to deny United States warships access to the Persian Gulf.

Iran remains a state sponsor of terror.

Tehran also continues to push ever deeper into Iraq.

In its fight within Iraq, Iran's proxy Shia militias have gained valuable combat experience on the ground to add to the terrorist tactics of employing IEDs that were perfected against United States forces. The withdrawal of U.S. forces from Iraq not only led to the abandonment of the Sunni tribes which had allied with us in Anbar Province, it led to a greater reliance upon the Iranians by the Baghdad government.

The Iranian Revolutionary Guard Corps and the Qods Force are expanding their command and control and combat capabilities in Iraq and Syria and gaining valuable warfighting lessons.

The Qods force and Hezbollah are mastering an expeditionary fighting capability that should concern Israel, the United States, and our Sunni allies. The Iranians are natural allies of the Houthi militias in Yemen.

Setting aside the nuclear program, from a perspective of strategy, the Iranians are advancing across the region in all other aspects of warfighting. All of this has occurred while sanctions have been in place and the price of oil has declined.

From the perspective of any Israeli Prime Minister, Iran's advances have occurred while the terrorist presence in the Sinai has grown, the Nusrah front and ISIL are present in Syria, and Libya has become a terrorist training ground.

Because the administration has all but conceded the Iranian nuclear enrichment capability, Israel has grown more isolated. It has come to understand that it may have to act alone. Yet rather than ending Iran's nuclear weapons program, President Obama's objective seems to be to defer any decision about the use of force to one of his successors. That may be politically expedient, but it is inconsistent with the national security requirements of Israel.

I say all this to underline the importance of the Prime Minister's address this morning.

We have seen the results of a politics-above-all foreign policy now for several years: It leaves our Nation strategically weaker, and will make challenges faced by the President's successor all the more difficult.

Israel has seen this too. Israel knows it may well be the first to suffer if the Obama White House makes another flawed political decision, but Americans should understand it is not just Israel that needs to worry. We should be concerned by a nuclear Iran. The whole world should be concerned by a nuclear Iran, and the Prime Minister is going to help explain why that is. For Israel's sake and ours, I for one am very glad he is.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Senator from Nevada is recognized.

LYNCH NOMINATION

Mr. REID. Mr. President, today marks the 115th day since President Obama announced he was nominating Loretta Lynch to be Attorney General of the United States. That makes her the longest pending Attorney General nominee in more than four decades.

The Senate Judiciary Committee reported her nomination favorably last week. So what is the wait? Why can't we get this woman approved? It appears we are not going to this week.

She has a spotless record and credentials that are above reproach. There is absolutely no reason she should have to wait any longer for confirmation. Our Nation needs an Attorney General. Each day that passes without Ms. Lynch's nomination being confirmed is yet another testimony to Republicans' inability to govern.

NATIONAL LABOR RELATIONS BOARD

Mr. REID. Mr. President, last December, rightfully, the National Labor Relations Board voted to make important changes to union election procedures. Their rule changes are good for workers and businesses. They modernize the election process and help prevent delays and frivolous litigation.

I am sure there are some businesses that oppose this, but I haven't found them. This is simply a problem that has been engendered by the Republicans in the Senate. They are trying to roll back these reforms instead of supporting the rights of workers. The reforms they made are so basic, such as using email and using other processes such as a fax machine and using the employers' records, not the unions' records.

Later this afternoon the Senate will consider a Republican-introduced resolution of disapproval which seeks to undo the NLRB's rules changes. This is yet another sad reminder of how little regard Republicans have for the American worker.

Last year we saw Republicans vote against an increase in the minimum wage, as well as legislation that would ensure American women get the same pay for doing the same work as men. Republicans in Congress I don't think get it.

We are in this building, in this Chamber, to help the American people and want to work to make sure businesses are prosperous, but we also can't lose sight of the fact that workers are what makes the businesses profitable.

So if you are for American workers and the families they support, then prove it with your vote on this resolution.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided, and the majority controlling the first half.

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to engage in a colloquy for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I understand the time is equally divided between now and 10:30. Is there sufficient time for the Republican Senator to use 20 minutes?

The PRESIDING OFFICER. The time would be 18 minutes on each side.

Mr. DURBIN. Then I have no objection to how the Senators choose to use that time.

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

WELCOMING PRIME MINISTER NETANYAHU

Mr. HOEVEN. Mr. President, I am here this morning to engage in a colloquy with the good Senator from South Carolina. We will be joined by the Senators from New Hampshire and Kentucky and perhaps the Senator from Arizona.

The purpose of the colloquy is to welcome Prime Minister Netanyahu this morning—who will be speaking in front of Congress—and to talk about why it is so important he is joining us today.

In a few moments we will hear remarks from Israeli Prime Minister Benjamin Netanyahu in the House Chamber and welcome him to Congress to affirm the friendship between the people of the United States and the people of Israel and to assess the threats facing our two democracies.

Actually, today's speech is not unusual. This is the 115th time that a foreign leader has addressed a joint session of Congress. This is the seventh time an Israeli Prime Minister will address a joint session of Congress. It is Prime Minister Netanyahu's third address to Congress.

It is not surprising we are hearing from the leader of our ally, Israel. Israel is a democracy in a neighborhood of authoritarian governments. Prime Minister Netanyahu speaks the language of freedom with us today. There can be no doubt of his passion on behalf of the people he represents and that makes us take his message very seriously.

So this joint session is not unusual nor surprising, but that does not mean that it is unimportant. In fact, today's speech is profoundly important. The partnership between the United States and Israel is critical for the security of the Middle East and the world. We need a strong U.S.-Israeli partnership to stop Iran from developing a nuclear weapon. We need a strong U.S.-Israeli partnership to stand against the extremism that is ripping apart nations across the Middle East. We need a strong U.S.-Israeli partnership to demonstrate the value of democracy, human rights, and the rule of law for societies that are no longer satisfied with dictatorships.

For all of these reasons it is good to have Prime Minister Netanyahu here today. It is good to reaffirm the bond between Israelis and Americans, and it is good to join hands again with an ally to stand against tyranny and extremism. I look forward to hearing from the Prime Minister because views directly from Israel are extremely important.

Since its birth in 1948, Israel has faced one security threat after another. Israel's strength and vitality in the face of these threats are a testament to the ability of its people and its leaders to head off threats to security before they become impossible to overcome. There is no substitute for the Israeli view of security in the Middle East and the Iranian threat in particular.

So today represents an important moment to learn how Israel sees its own security and understand the next steps for the U.S.-Israeli partnership.

I now turn to my colleague from South Carolina and ask for his comments about this important speech from the Prime Minister of Israel today.

Mr. GRAHAM. Mr. President, I appreciate being on the floor with the Senator from North Dakota who has been very involved in trying to secure America against a variety of threats.

I will get to the heart of the matter. Some people feel the Prime Minister should not be here at this time because in a couple weeks there will be an election in Israel. They have a parliamentary system. They do things differently—they vote for parties, not people—and they are having a real contest over there about who should be in charge and what coalitions will lead Israel.

I have a very simple comment: That is for Israelis to decide. They decide who they want to run their country. They can vote for the party or groups of people who they think best represent their view of Israel. That is their business, not mine. My business is to try to find out what is best for America when it comes to defending our Nation. That is why all of us are on the floor today.

I don't think I can adequately do my job if I don't hear from the Prime Minister of Israel, if he is willing to talk to me. Some people may be able to do that. God bless you.

If someone feels as though now is the time to boycott this speech, if they want to send a message about politics in Israel, be my guest. I am going to be at this speech to try to learn what to do regarding America and Israel concerning the nuclear threat.

Why do I think it is important for me to be there? I can't think of a better voice to tell me what would happen in the region if we get a bad deal with the Iranians.

Israel is in the crosshairs of the Iranian ayatollahs—has been for decades—threatening to destroy the State of Israel. I want to hear from the people on the ground, Israel in particular, as to what a good deal would look like and what a bad deal would look like. I want to hear from the Prime Minister of Israel the consequences of a bad deal.

As to me, I do not trust this administration to negotiate a good deal, but maybe I am wrong; and the best way to find out is for Congress to look at the deal. If it is a good deal, I will vote for it, because the Arabs and Israelis will tell us if this is something we can live with. At the end of the day a good deal is a blessing for the world, and a bad deal is a nightmare.

(Mr. COTTON assumed the Chair.)

So to the good Senator from North Dakota, I not only welcome the Prime Minister of Israel to speak to Congress, I am looking forward to it, because I hope to learn something that would make me a better Senator regarding our own national security. The only thing I can tell the American people without any hesitation—ISIL is a threat to us, a threat to the region. They are the most barbaric terrorist organization roaming the globe today. They represent a direct threat to our homeland. But the threat they represent is a distant second to Iran having a nuclear weapon. That ought to tell you a lot about how I feel. If I can watch TV, as you do every night, and see what ISIL is doing to Christians and others throughout the region and say that is secondary to Iran, I hope that means something. It means a lot to me. Because if Iranians get a nuclear weapon, then every Arab in the region who can afford one is going to get a nuclear weapon, and we are on our way to Armageddon.

North Korea in the making is what I worry about. The same people who are negotiating this deal were negotiating the North Korean deal. Congress was absent. Now it is time for Congress to be involved and say whether this is a good deal. I have legislation with Senator CORKER and six Democrats and six Republicans asking that Congress review any deal, and I would be curious to see what the Prime Minister thinks about that.

So in summary, this would be the most important decision we make as a body, how to deal with the Iranian nuclear threat. This will be the most important issue I will deal with as a U.S. Senator, and I have been here almost 20 years. The consequence of a bad deal is an absolute nightmare.

If you were to relieve the sanctions tomorrow and gave the Iranians the money they were due under sanction relief, do you think they would build schools and hospitals or would they continue to pour money into their

military to disrupt the region and continue to build ICBMs? As I speak, without a nuclear weapon Iran is leading an offensive today in Iraq. And I know the Presiding Officer of the Senate was a ranger, an infantryman in Iraq. Could you ever imagine in your wildest dreams that the Iraqi security forces are marrying up with Shia militia and Suleimani, the head of the Revolutionary Guard is on the ground in Iraq leading the efforts, and we are sitting on the sidelines? You talk about a screwed-up foreign policy.

Are we going to let eight guys negotiate with Iran—the people who brought you Iraq and Syria and the mess you see in the region? You feel good enough about them doing a deal with the Iranians that you don't even look at the deal yourself? This is beyond screwed up, and the worst is yet to come. A bad deal. But, maybe the best is yet to come, a good deal. I don't know. But I want to hear what Israel believes a good deal would look like. And if you don't want to hear that, then, boy, we are on different planets as to the consequences of what is going on in the world today.

With that, I would ask a question to the Senator from New Hampshire, who has been watching the Iranian behavior on the ground throughout the Middle East and the missile program in particular, and ask her what are her concerns about Iran with extra money coming into the coffers in sanction relief?

Ms. AYOTTE. I thank the Senator from North Dakota and the Senator from South Carolina.

As I look at where we are right now—first of all, our support for Israel and our friendship with Israel—this has been a very strong bipartisan issue, and it is an issue that rightly crosses party lines because we share the same values, the relationship is very important, we share technology, we share intelligence, and we share the concern that we do not want the world's worst regime to obtain the world's most destructive weapon, and that is the Iranian regime.

So I want to welcome Prime Minister Netanyahu to the Congress and very much listen to what he has to say, because he comes to us in a very important time where the administration is negotiating a potential agreement with Iran. What we want most of all is that that agreement will end Iran's nuclear program and be a real, verifiable, transparent agreement, because a good agreement is a blessing, a bad agreement is a nightmare. We have to hear from the Prime Minister of Israel, and I look forward to hearing what he has to say today about what a good agreement looks like.

But make no mistake about why we must stop the Iranian regime from having a nuclear weapon. Because what they are doing around the world right now—they are the largest State sponsor of terrorism in the world. They have essentially destabilized the Government of Yemen through their support of the Houthis there. They have been supporting Hezbollah, a terrorist organization. They have been helping the Assad regime murder its own people. They have been participating in cyber attacks against our interests. This is a regime that has said they want to wipe Israel off the map. I can understand—and I want to hear from the Prime Minister of Israel—why the people of Israel would say ''never again'' when they hear those words.

But make no mistake, this is not just about the security of Israel; this is about our security in the United States of America. They have called us ''the great Satan,'' and this is an issue that represents a threat to our core national security interests, to allow state-sponsored terrorism to obtain the most destructive weapon in the world. That is a danger we cannot afford in our country. It is one of concern. It is important that we share with our strong ally, Israel. We need to do everything we can in this Congress on a bipartisan basis to ensure that never happens. That is why I am honored to be a sponsor of bipartisan legislation that would give the Congress a say on this very important issue, because we worked together to put together some of the toughest sanctions that actually brought the Iranians to the negotiating table. We should not lift the sanctions that have been put together on a bipartisan basis without ensuring that this is a good agreement that will end their nuclear program. When I say end it, I don't mean end it for a decade, I mean end it permanently, because Iran has been engaged in terrorist activity for longer than a decade. So this is something we have to make sure is a transparent, verifiable agreement.

I would also add we cannot have a situation where we have a splitup. There has been a discussion about a year breakout period in this agreement. I would like to hear what the Prime Minister thinks about that, because my concern about that is this will lead to the situation my colleague from South Carolina talked about, where we have a Sunni-Shia nuclear arms race in the Middle East, where everyone seeks to enrich uranium and to have a breakout period. That results in more proliferation of nuclear weapons in a way that makes the world less safe and endangers the United States of America.

So today we welcome Prime Minister Netanyahu. I very much look forward to listening carefully to what he has to say. This is a bipartisan issue. This is about the security of the United States of America. This is obviously about our strong friendship with Israel. We are aligned in ensuring that Iran does not have a nuclear weapon and ensuring that we work together to stop their support of terrorism around the world, that we work together to end their ICBM program, which the estimates are they could hit the east coast of the United States of America by 2015 if they continue on this path. This is about us, this is about our relationship with Israel, and I very much look forward to hearing the Prime Minister today.

Mr. HOEVEN. Mr. President, I wish to thank our colleague from New Hampshire and I would like to return to the Senator from South Carolina and pose a question.

I have been a supporter of the strong sanctions the Senator put in place with the Kirk-Menendez legislation the Senator from South Carolina was very involved with. During these negotiations those sanctions have been relaxed by the administration, which I think is of great concern. I think the biggest deterrent to Iran pursuing a nuclear weapon is the sanctions we put in place with our allies.

So now as the administration negotiates this agreement, my colleague from South Carolina and others on a bipartisan basis have put forward legislation requiring that that agreement would come to this body for an up-or-down vote. I would like him to describe that effort and why it is so important and why the speech today with the Prime Minister goes to the heart of that very important matter.

Mr. GRAHAM. I think the legislation the Senator from North Dakota described is the most important thing we will do this year. The sanctions against Iran, congressionally created, were 100 to 0. Every Member of the Senate believed the Iranians needed to be sanctioned for the mischief they have created and for their nuclear ambitions to stop their march toward a nuclear weapon.

The administration objected, but 100 Members of this body voted for those sanctions. If there is a deal with the Iranians, and I hope there is a good deal, the diplomatic solution to this problem is preferred by everyone. It is a simple concept. Before the sanctions Congress created can be lifted, Congress has to look at the deal and have a say. Under the 1, 2, 3 sections of the Atomic Energy Act there is a provision that allows for Congress to approve commercial nuclear deals between the United States and another country when nuclear technology is shared. We have done that 24 times, but Congress had to approve nuclear deals between the United States and other nations, including Russia, China, Argentina, and that rogue country called Canada. I can't imagine wanting to look at a deal with Canada but not wanting to take a look at a deal with Iran.

This bipartisan legislation is very simple. Any deal negotiated with the P5+1 will come to the Senate and the House to be disapproved—not approved. Now I did that to accommodate my Democratic colleagues. There is concern that with 54 Republicans that we hate Obama so much we would just reject the deal because we don't like him. Well, I am not in that camp. I don't like President Obama's foreign policy, but I hope I am smart enough to understand that a good deal is a blessing. I

would like to think I have some track record of doing what I think is best for the country. So if it is a good deal, Israel and the Arabs will tell us, and I will gladly vote to approve it. But the construct, I say to Senator HOEVEN, is that to disapprove the deal, you have to get 60 votes. That means some Democratic colleagues have to join with Republicans to say this is not good enough, go back and try again. It is not that we want to end negotiations; we don't want to legitimize an industrial-strength nuclear program that is on the verge of a breakout such as North Korea in the making. We are not going to sit on the sidelines where a deal is negotiated where they have thousands of centrifuges and the only thing between them and a nuclear breakout is the United Nations. That did not work well in North Korea. We are not going to do that again.

So we are going to look at the deal. I think every Senator should want to look at the deal, and it allows your constituents to have a say. Not one person is having any input regarding the P5+1 talks. But if it comes back to the Congress, you have a person you can call. You can pick up the phone and call your Member of the House and Senate. You can say something about the deal because you are affected. It is not just Israel that is in the crosshairs of these people, it is us, the United States.

I worry they would share the technology with a terrorist organization and it would work its way here. Name one weapon they developed that they haven't shared with terrorists. This bipartisan approach is sound. It is consistent with what we have done 24 different times with other nations, and I hope we can have an overwhelming vote here soon.

Do your best job. Let us look at it. If it is a good deal, we will vote yes, and if it is a bad deal we will vote no, and try harder to get another deal.

The PRESIDING OFFICER. The majority's time has expired.

Mr. HOEVEN. Mr. President, I ask unanimous consent for 30 seconds to wrap up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HOEVEN. I wish to thank my colleagues from South Carolina and New Hampshire. This is a bipartisan effort to join with the administration, and on a matter of this importance I believe Congress must be involved. So, again, we appeal to our colleagues on the other side of the aisle to join with us on this effort.

I will conclude by saying we look forward very much to having the Prime Minister speak to us this morning.

Thank you, Mr. President.

APPOINTMENT

The PRESIDING OFFICER. For the information of the Senate, the Chair makes the following announcement:

The President pro tempore of the Senate and the Speaker of the House of Representatives, pursuant to the provisions of section 201(a)(2) of the Congressional Budget Act of 1974, have appointed Dr. Homer Keith Hall as Director of the Congressional Budget Office, effective April 1, 2015, for the term expiring January 3, 2019.

The PRESIDING OFFICER. The assistant Democratic leader.

THE ISRAELI PRIME MINISTER'S SPEECH TO CONGRESS

Mr. DURBIN. Mr. President, at 11 a.m. this morning there will be a historic joint session of Congress. Usually a leader from some other country speaking at a joint session of Congress doesn't make history. It has happened over 100 times. I have attended many of those during the time I have served in the House and the Senate. What is historic about this session is that it was called unilaterally by the Republican Speaker of the House, JOHN BOEHNER. Usually and consistently, joint sessions of Congress have been called on a bipartisan basis and in most cases involve the administration and executive branch. In this case Speaker BOEHNER made history his own way by saying he would announce a joint session of Congress welcoming the Prime Minister of Israel.

I also checked with the Senate Historian, and it turns out there is another piece of history being made today. He can find no precedent where Members of Congress came forward from both the House and the Senate and announced publicly they would not attend a joint session of Congress, and that has happened today.

That is a personal and private decision by each Member of Congress as to whether they wish to attend the joint session this morning. I am going to attend it primarily because of my respect for the State of Israel and the fact that throughout my public career in the House and Senate, I have valued the bipartisan support of Israel which I found in both the House and the Senate.

I am proud that it was President Harry Truman—a Democrat—who was the first Executive in the world to recognize the nation of Israel. I am proud that throughout history Democratic and Republican Presidents alike have supported the State of Israel, and I have tried to do the same as a Member of the U.S. House and Senate.

This meeting with Prime Minister Netanyahu comes at an awkward moment. He is 2 weeks away from a national election in Israel. Some have questioned the timing of this. I will not raise that question because I don't know the political scene in Israel. I don't know if this visit helps him or hurts him, but it is, in fact, 2 weeks away from this important election.

What we all agree on, I hope, both Democrats and Republicans, is one starting point: A nuclear Iran is unacceptable. We have to do everything we can to stop that possibility because it would invite an arms race in the Middle East—many other countries would race to become nuclear powers, and that would be destabilizing—and also because we know the agenda of Iran. It has been engaged in terrorist activities throughout the Middle East and around the world. Putting a nuclear weapon in the hands of a country that is dedicated to terrorism is the kind of concern that I hope all of us share when we look to the future.

As Democrats and Republicans gather for the joint session, we are in common purpose: to stop the development of a nuclear Iran. What troubles me greatly is the criticisms I have heard on this floor and in the past week or two about the Obama administration and this issue. President Obama has made it clear from the start that he is opposed to having a nuclearized Iran. In fact, it was President Obama, using his power as President, who has really brought together the sanctions regime that is working to bring Iran to the negotiating table. He didn't do it alone, as one of my colleagues from South Carolina noted. There were times when Congress wanted to push harder than the President. But we have to concede the obvious: Were it not for the President's dogged determination, we would not have this alliance, this coalition imposing sanctions on Iran today that have made a difference and brought Iran to the negotiating table. Give President Obama credit for that. Whether it is Prime Minister Netanyahu or the Republicans, who are generally critical of the President, at least acknowledge the obvious. The President made his position clear that he opposes a nuclear Iran, and he made it clear that he would put his resources and energy into building a coalition to stop that possibility.

Secondly, it is this President's leadership which has created the Iron Dome defense—the missile defense—which has protected Israel. That has been a very effective defense mechanism. I know that as chairman of the Defense Appropriations Subcommittee, we appropriated hundreds of millions of dollars for that protection. President Obama initiated—if not initiated, was an early supporter of this effort and has funded it throughout his Presidency, and now it has kept Israel safe. I hope the Republicans and Prime Minister Netanyahu will give the administration credit for that effort to keep their nation safe.

I will also say about negotiations that here is the reality: We have countries around the world joining us in a regime to impose sanctions on Iran in order to bring Iran to the negotiating table, and they are there. The negotiations are at a delicate moment—literally weeks away from seeing whether we can move forward. I hope they are successful. The President has said at best there is a 50/50 chance of success. It is just that challenging. But let's consider what the alternative will be if negotiations fail.

First, if we can reach an agreement, we have to verify it. We can't take the word of Iran. We need to make certain that when they promise they will destroy certain equipment, they will not go forward in developing a nuclear weapon, we can verify that. Without verification, the agreement is worthless, and the President has said as much.

Let's assume the worst case: Either the negotiations break down or the verification proves Iran did not negotiate in good faith. What then is the alternative? Well, if the coalition that imposed the sanctions believes we made good-faith efforts to bring Iran to a peaceful place and they failed, then we can continue the sanctions regime and put more pressure on them to move forward to a good solution. But if there is a feeling among our coalition that we have not negotiated in good faith, that we didn't make an honest effort to find common ground with Iran that avoids nuclearizing, we could lose the sanctions regime, and then it would become next to impossible to put the pressure on Iran to make them change.

What the President is trying to do is to achieve through negotiations a peaceful end to this global challenge and secondly to make sure the sanctions regime—the countries that have joined us, P5+1 and others—will continue to believe we are operating in good faith and continue to support us. The alternative is to allow Iran to develop a nuclear weapon. That is unthinkable. If it starts to occur, there will be a military response, and it will be deadly. I don't know the scope or nature of it. There is no way to guess. But we understand what it would mean if military action is taken against Iran because of the development of these nuclear weapons.

Let me also say that I am considering and reviewing the so-called Corker-Menendez proposal that the Congress will review any agreement that is reached with the Iranians. I have not reached a decision yet because I think it raises a serious and important question of policy and the Constitution. We know that if we are dealing with a treaty, it is up to the Senate to step forward and approve such a treaty. But this is not a treaty; this is in the nature of an agreement. We have had nuclear arms agreements in the past that were not subject to congressional approval. We have had agreements on the environment and other issues that were not subject to congressional approval. I need to look and review carefully whether the Corker-Menendez legislation that has been proposed is a reasonable assertion of congressional authority.

I will also add that it is obvious—and I wish to state it because it was raised as a question in the earlier comments—any congressionally imposed sanctions will require congressional action to suspend them. Ultimately, Congress has the last word on sanctions we have put into law. I don't think there is any question about that. Those sanctions imposed by the executive branch the President may remove or change by Executive order should he choose, but the congressional authority to continue sanctions or even propose new ones is not diminished by any agreement which is reached by the President.

Earlier I listened to the majority leader as he came to the floor and spoke about a number of issues. I would like to address one of the issues he raised in criticism of the President. He criticized the President for proposing the closure of Guantanamo as a prison for those who we suspect are engaged in terrorism. The President's position on this has been very clear, and I have supported it for two reasons. First, we know Guantanamo has become a symbol around the world—a symbol which has been used against the United States when they want to recruit terrorists to attack our country. I think Guantanamo has outlived its usefulness and should be closed.

The second point is one that is very obvious. We have over 300 convicted terrorists currently serving their time in the existing Federal prison system. In Federal prisons across this Nation, including my State of Illinois, we have convicted terrorists who are reporting to their cells every day and are no threat to the community at large. They are being handled in a professional, thoughtful way by the men and women who work for the Bureau of Prisons, and there has never been any question as to whether the terrorists in this system are somehow a threat to this country. In fact, they are well contained and have been for a long time.

The alternative at Guantanamo is one that even fiscal conservatives ought to think about twice. We are currently spending up to $3 million per Guantanamo prisoner each year to incarcerate them—almost $3 million a prisoner. What does it cost to keep the most dangerous prisoners in the Federal prison system in the maximum security prisons? No more than $60,000 a year—$60,000 to keep them in the Federal prison system and $3 million to keep them in Guantanamo. It is 50 times the cost, if my calculations are correct. That suggests to me a horrible waste of money—money that could be better spent to keep America safe rather than maintain this symbol of Guantanamo.

Secondly, an argument was made by the majority leader earlier that we made the mistake of bringing our troops home from Iraq and Afghanistan. I disagree. This notion of a permanent army of occupation by the United States in the Middle East is certainly not one that I welcome. We need to encourage those countries—Iraq and Afghanistan—to develop their own capacity to protect their own countries. The United States can be helpful. We can provide support. But ultimately we have to call on these countries to step forward and to defend themselves with our support so long as they are fighting the forces of terrorism.

I see my colleague Senator MENENDEZ is on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I appreciate my distinguished colleague yielding some time to me.

I rise in anticipation of the speech of our ally and our partner, Prime Minister Benjamin Netanyahu of Israel, to the soon-to-be joint meeting of Congress.

I agree with many of my colleagues that the political timing of the Prime Minister's speech to the Congress is a challenging one and one that didn't derive itself under the best of circumstances. But I also think very clearly that it is important to listen to what the elected leader of the people of Israel—the one true democracy in the Middle East, a major trading partner of the United States, a major security ally of the United States, and the one country most likely to be voting with us in common cause in international forums—has to say.

There is a history here that I think drives the leader of the Jewish people to the circumstances in which he feels so passionately about the security of his country. If you traveled to Israel, as I have, and I think many Members here have as well, here is a country in which you can go from Tel Aviv to Jerusalem on a good day in 45 minutes. It is a country which—if you fly its width, it would take just a couple of minutes. It is a country which has its back to the sea and which is surrounded by neighbors who, generally speaking, are hostile. It is a country whose people have a history in which there are those who have sought to annihilate them. Maybe we cannot fathom those challenges, but those are the challenges of the people of Israel. So when you have an issue such as Iran's march toward nuclear weapons, you have an understanding of why the people of Israel have a concern for the existential threat that Iran, if it achieves nuclear weapons, is ultimately capable of creating.

I have worked as hard as anyone else. As a matter of fact, I started my focus on Iran when I was in the House of Representatives and found out that the United States was sending voluntary contributions to the International Atomic Energy Administration beyond our membership dues to do what? To create operational capacity of the Bushehr nuclear facility—not in the national interest and security of the United States, not in the interest of our ally, the State of Israel, and I led a drive to stop those voluntary contributions.

Since then—it has been almost 20 years now—I have been following Iran's march toward nuclear power, not for peaceful purposes—because, let's be honest, a country that has one of the

world's largest oil and other reserves doesn't need nuclear power for domestic consumption, and because of what we clearly believe was the militarization of its efforts at Parchin that, in fact, there were purposes that were not benign.

We all hope for a deal. Although today when Foreign Minister Zarif said in response to President Obama's comments that 10 years should be the minimum timeframe for a deal, he—Foreign Minister Zarif—said that is unacceptable, illogical, and excessive, that is a problem.

So I look forward to listening to what the Prime Minister has to say about the challenge to all of us—our national security and to Israel's national security—and to understand all of the dimensions, historical and otherwise, so we can conclude and make our own judgments. If Prime Minister Cameron can come here and lobby the Congress on sanctions, which is fine with me, then I think it is also fair to listen to what the Prime Minister of Israel has to say, and I look forward to hearing what he has to say.

With that, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRIME MINISTER OF ISRAEL

RECESS

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

Thereupon, the Senate, at 10:30 a.m., took a recess, and the Senate, preceded by the Secretary of the Senate, Julie E. Adams; the Deputy Sergeant at Arms, James Morhard; and the President pro tempore (ORRIN G. HATCH), proceeded to the Hall of the House of Representatives to hear an address delivered by His Excellency Benjamin Netanyahu, Prime Minister of Israel.

(The address delivered by the Prime Minister of Israel to the joint meeting of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

At 2:15 p.m., the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The majority leader.

MEASURE READ THE FIRST TIME—S. 625

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 625) to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. MCCONNELL. Mr. President, this morning Prime Minister Netanyahu laid out the threat posed by a nuclear Iran in very clear terms—not just to Israel, not just to the United States, but to the entire world. He reminded us that no deal with Iran is better than a bad deal with Iran.

That seems to run counter to the Obama administration's thinking on the issue, which is worrying enough. What is also worrying is its seeming determination to pursue a deal on its own, without the input of the people's elected representatives. Remember, it was Congress that helped bring Iran to the table by putting sanctions in place, actually against—against—the wishes of the administration.

Congress was right then. And Congress and the American people need to be a part of this discussion too. That is why I am acting to place this bipartisan bill on the legislative calendar. It is legislation crafted by Members of both parties that would ensure the American people have a say in any deal. Senators CORKER, GRAHAM, and others worked on similar legislation, and they will mark that bill up in committee.

Congress must be involved in reviewing and voting on an agreement reached between this White House and Iran, and this bill would ensure that happens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD—MOTION TO PROCEED

Mr. ALEXANDER. Mr. President, pursuant to the provisions of the Congressional Review Act, I move to proceed to S.J. Res. 8, a joint resolution providing for congressional disapproval of the rule submitted by the National Labor Relations Board relating to representation case procedures, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

This motion is not debatable.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk (Sara Schwartzman) called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Missouri (Mr. BLUNT).

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

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

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

[Rollcall Vote No. 66 Leg.]

YEAS—53

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

NAYS—45

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

NOT VOTING—2

Blunt	McCaskill

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will now report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 8) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to representation case procedures.

The PRESIDING OFFICER. Pursuant to the Congressional Review Act, there will now be up to 10 hours for debate, equally divided between those favoring and those opposing the joint resolution.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I have come to the floor today to discuss the Congressional Review Act resolution that Senator MCCONNELL, the Republican leader, Senator ENZI, the Senator from Wyoming, and I have filed to stop a new National Labor Relations Board rule. Last December, the National Labor Relations Board issued a

final rule that shortened the time between when pro-union organizers ask an employer for a secret ballot election and when that election actually takes place.

I refer to this as the ''ambush election rule,'' because it forces a union election before an employer has the chance to figure out what is going on. Even worse, it jeopardizes employees' privacy by requiring employers to turn over employees' personal information, including email addresses, phone numbers, shift hours, and locations to union organizers.

This action by the National Labor Relations Board, which increasingly has become a union advocate instead of umpiring disputes between employees and employers, has attracted enormous attention across this country. I have letters from the U.S. Chamber of Commerce, the Coalition for a Democratic Workplace, the National Council of Chain Restaurants, the National Retail Federation, the Retail Industry Leaders Association, Associated Builders and Contractors, the American Lodging and Hotel Association, HR Policy Association, the National Association of Manufacturers, the Society for Human Resource Management, the Associated General Contractors of America—173 total organizations that have registered their deep concern about this ambush election rule.

Senator ENZI is already on the floor. He has for many years fought this battle. We want the American people to understand why the ambush election rule is such a bad idea, why it is so unfair to employers, forcing them to have a union election before they can figure out what is going on. For the same reason, it is unfair to employees. Employees have to vote in a union election before they have a chance to hear both sides.

Here is how the procedure will work. If a majority of the Senate approves this resolution, it will then go to the House for a vote. If it passes both chambers, the President can veto the resolution. It will take two-thirds of the Senate to override that veto.

If the NLRB's new rule is disapproved, the Board cannot issue a substantially similar rule without congressional approval. The question I would ask is: What is the rush? What is the problem here? Today, more than 95 percent of union elections occur within 56 days of the petition filing. But under this new rule, elections could take place in as few as 11 days. This rule will harm employers and employees alike. If you are an employer that is ambushed by that 11-day election, here is how it works. On day 1, you get a faxed copy of an election petition that has been filed at your local NLRB regional office stating that 30 percent of your employees support a union.

The union may have already been quietly trying to organize for months without your knowledge. Your employees have only been able to hear the union's point of view. By day 2 or 3, you must publicly post an election notice in your workplace. If you communicate to your employees electronically, you have to publish the notice online as well. By noon on day 7 you must file with the NLRB what is called a statement of position. This is a comprehensive document in which an employer sets out legal positions and claims in writing. Under the NLRB's new rule, you waive your rights to use any legal arguments not raised in this document. So it should be pretty obvious that by day 7 you will have to have a lawyer on hand. You probably need that lawyer on hand on day 2, and hopefully on day 1, because if you make any mistakes in the lead-up to the election, the NLRB might set aside the result and order a rerun election. Worse, if a bigger mistake is made, it could require an employer to automatically bargain with the union.

Now think about the real world. At our hearing before the Health, Education, Labor, and Pensions Committee, a representative of the National Federation of Independent Businesses testified. She said there are 350,000 independent business owners in the NFIB, with an average of 10 employees. So you have small businesses all over America. They do not sit around with labor lawyers; they do not have money to hire labor lawyers. They are expected to know in a day or two exactly what to do about a complicated petition before the NLRB because of this ambush election rule that could cause the election to happen within 11 days.

On day 7, you must also present the union and the NLRB with a list of prospective voters as well as their job classifications, shifts, and work locations.

Now if you are a business with five, six, seven, eight employees, you are going to be spending your time working on this union matter. Your customers might want your services. They might want on-time deliveries. All of a sudden, you are running around trying to find a labor lawyer, trying to avoid making mistakes, so you can deal with this ambush election.

On day 8, a pre-election hearing is held at the NLRB regional office and an election day is set. By day 10, the employer must present the union with a list of employee names, personal email addresses, personal cell phone numbers, and home addresses. You have to hand this information over, even if the employees object.

Day 11 is the earliest day on which the NLRB can conduct the election under the new rule. The union has the power to postpone an election by an additional 10 days, but the employer has no corresponding power. The union has ambushed the employer and has the power to postpone the election, but the employer has no similar right.

Under this new NLRB rule, before the hearing on day 8, an employer will have less than 1 week to do the following things:

Figure out what an election petition is. For most of those hundreds of thousands of small businesses with five, six, eight employees, they might have no idea what it is.

Find legal representation. Finding a lawyer is not just a matter of looking in a phone book, it is a matter of finding a lawyer with whom you are comfortable, whom you trust, and whom you know has some ability. That may take a while, particularly if you are not a large company and you are not accustomed to labor relations litigation.

Determine legal positions on the relevant issues—learning what statements and actions the law permits and prohibits.

Communicate with employees about the decision they are making.

Correct any misstatements and falsehoods that employees may be hearing from union organizers.

As I mentioned earlier, making even the slightest mistake in the lead-up to an election can result in the NLRB setting aside the results and ordering a rerun election, or worse, when a bigger mistake is made, the Board could require an employer to automatically bargain with the union.

But it is the employees who stand to lose the most under the new rule. First, some of the employees may know what is going on before the union files its notice of an election. But all of the employees do not have a chance to hear both sides of the issue in an ambush election.

Second, because of the ambush, employees may have only heard half the story. Only 4.3 percent of union elections occur more than 56 days after the petition is filed. The current median number of days between the filing of an election is 38 days. These figures are well within the NLRB's own goals for timely elections.

The unions won 64 percent of elections in 2013. In recent years the union win rate has actually been going up. What is the rush? Why is 38 days too long? It is well within the NLRB's own goals and unions are winning more elections than they lose.

Let's turn to 1959, when a former Member of this body, Senator John F. Kennedy, warned against rushing employees into elections in a debate over amendments to the National Labor Relations Act. This is what he said:

> There should be at least a 30-day interval between the request for an election and the holding of the election in which both parties can present their viewpoints.

Senator John F. Kennedy, April 21, 1959.

If Senator Kennedy thought 30 days was approximately right, if 38 days is the mean today, and if that is within the NLRB's own goals, why the rush? Why the push for an ambush election? Why have an election that can be set in 11 days before employers and employees know what is going on?

When a workplace is unionized, especially in a State that has no right-to-

work law, employees have dues money taken out of every paycheck whether they like it or not. They lose the ability to deal directly with their employers to address concerns or ask for a promotion or a raise. Instead, employees have to work through the union. Important considerations, such as which of their fellow employees will be included in a bargaining unit, will no longer be determined before the election. As the two dissenting members of the NLRB put it when this rule was decided: Employees will be asked to ''vote now, understand later.''

I wish to emphasize what the employees are losing, in addition to the opportunity to fully understand the election before them. Employees are losing their privacy, because the rule requires employers to hand over employees' personal email addresses, cell phone numbers, shift hours and locations, job classifications, even if the employees have made clear they do not want to be contacted by union organizers.

Some on the other side say: It is the modern age. But I would say that in the modern age our privacy is assaulted from every side. We should be even more careful about rushing an election and releasing personal information. Employers should not have to hand over employees' personal email address, cell phone numbers, shift locations, and job classifications just because a petition is filed by 30 percent of the employees. Many employees may have no interest in creating a union.

This rule appears to be a solution in search of a problem. It is clear to see it is wrong, and that is why Senators ENZI, MCCONNELL, and I are asking the Senate to disapprove it today and prohibit the NLRB from issuing any similar rule.

I will come back to the floor during our debate time to talk about how this rule is part of the National Labor Relations Board's attempt to become more advocate than umpire. That is the reason Senator MCCONNELL and I have introduced legislation that would change the National Labor Relations Board back from an advocate to an umpire by doing three things. First, it would end partisan advocacy by creating a six-member board of three Republicans and three Democrats where a majority would require both sides to find middle ground. Second, the legislation would rein in the general counsel. Businesses and unions would be able to challenge complaints filed by the general counsel in Federal district court. Third, it would encourage timely decisions. Either party in a case before the Board may appeal to the Federal court of appeals if the Board fails to reach a decision within 1 year.

When I come back to the floor I will also talk about the joint employer standard and the NLRB's decision to destroy more than 700,000 American franchise businesses. These men and women operate health clubs, barbershops, auto parts shops, childcare centers, neighborhood restaurants, music stores, cleaning services, and much more.

Combine the attack on franchises with the ambush election rule and an NLRB decision allowing micro-unions—where unions target small units in a large company—and we see there is a consistent trend by unions and their friends in the NLRB to tip the balance in ways never intended by the creators of the National Labor Relations Act.

The National Labor Relations Board is supposed to be an umpire, not an advocate. If there ever was an example of unfairness and tipping the balance in a single direction, it would be the ambush election rule. The rule allows union organizers to ambush an unsuspecting company and force an election in 11 days—before the employer and its employees have time to figure out what is going on.

In conclusion, I think Senator Kennedy's advice is good advice to follow. Much has changed since 1959, but fairness, balance, and giving everyone a chance to have an opportunity to know what is going on have not. Senator Kennedy thought 30 days was about right, and 38 days is the mean today. This ambush election rule would reduce it to 11.

That is the wrong thing to do, and I hope the majority in the Senate agrees with me on that. I hope the House agrees with us on that. I hope the President will agree with us on that. If he vetoes it, as he has said today he will, then I hope a majority of both parties will speak up for employers and employees in the United States and say no ambush elections for us.

Mr. President, I yield the floor.

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

Mrs. MURRAY. Mr. President, I believe that real long-term economic growth is built from the middle out, not from the top down, and our government has a role to play in investing in working families, making sure they have the opportunity to work hard and succeed and offering a hand up to those who want to climb the economic ladder and provide a better life for themselves and their families. Our government and our economy should be working for all families, not just the wealthiest few.

Thankfully, we have had the opportunity to put some policies into place over the past few years that have pulled our economy back from the brink and have started moving us in the right direction. We are not there yet, but across the country businesses have now added almost 12 million new jobs over 59 straight months of job growth, including almost 1 million manufacturing jobs. The unemployment rate is now under 6 percent. Health care costs are growing at their lowest rate in almost 50 years, while millions more families have access to affordable coverage. The Federal budget deficit has been reduced by more than two-thirds since President Obama took office. Although some Republicans are now threatening to bring this back, we have been able to move away from the constant tea party-driven crisis and uncertainty that was destroying jobs and holding our economy back.

We are headed in a good direction, and I am proud of the policies we fought for that helped us get here, but we have a whole lot more to do. Over the past few decades, working families have seen their incomes stagnate while the cost of living and health care and education has continued to go up. For most workers, wages have stayed flat or have fallen over the past five decades. According to the National Employment Law Project, from 2009 to 2013 hourly wages declined by 3.4 percent. During that time low- and mid-wage workers experienced greater declines than higher wage workers. That means that across our country today too many families are struggling to make ends meet on rock-bottom wages and poor working conditions on the job.

While the middle class's share of America's prosperity is at an alltime low, the biggest corporations have posted record profits. Congress should be working on ways to build an economy that works for all of our families, not just those at the top. Unfortunately, once again, instead of standing up for workers, my Republican colleagues are rushing to the defense of the biggest corporations that have an interest in keeping wages low and denying workers a voice to improve their workplace.

Workers have a right to decide whether they want union representation. To ensure they are able to exercise that right, the National Labor Relations Board—or the NLRB—helps to make sure workers have a fair up-or-down vote.

Unfortunately, too often big corporations take advantage of loopholes in the current election process to delay a vote on union representation. Unnecessary litigation and excessive delays threaten the rights of workers who want to have a free and fair election. In too many cases big corporations take advantage of every possible opportunity and wasteful legal hurdle—sometimes on small technicalities—just to delay a vote.

Sometimes the confrontation and hostility during the election process can be extreme. A study from the Center for Economic and Policy Research found that among workers who openly advocate for a union during an election campaign one in five is fired. Bureaucratic delays make the problem worse. Another study—this one from UC Berkeley—found the longer the delay before an election, the more likely the NLRB will charge employers with attempts to tamper with the vote.

What is clear from that research is that delays only create more barriers that deny workers their right to organize a union. The NLRB was absolutely

right to carry out its mission to review and streamline its election process and to bring down those barriers for workers to get a fair vote because it is clear the current system is outdated and vulnerable to abuse.

As I have mentioned, the current election process is overburdened by unnecessary and wasteful litigation which drags out elections and puts workers' rights on hold. Not only that, the election process for one region of the country can be substantially different from another region, and that adds to inefficiencies and a lot of confusion.

Workers have the right to vote on union representation in elections that are efficient and free from unnecessary delays and wasteful stall tactics. So after a very rigorous review process, in December of last year, the NLRB made reforms to their election procedures. These updates will make modest but important changes to modernize and streamline the process. They will reduce unnecessary litigation on issues that will not affect the outcome of the election. The new reforms will bring the election process into the 21st century by letting employers and unions file forms electronically. They will allow the use of more modern forms of communication to employees through their cell phones and their emails.

It is important to note that in many regions the NLRB has already adopted some of these much needed reforms to the election process, so we know this can work. These reforms will simply standardized the best practices for the election process across regions, which will help all sides—all sides—know what to expect during the process to promote uniformity and predictability.

These changes aren't just good for the workers, but they are good for employers by streamlining the process when workers file a petition to have an election on whether to join a union, and the reforms will make sure all sides have the information they need.

I have laid out the improvements the new reforms will make, but let's talk about what these guidelines will not do. The new process does not require elections to be held within any specific timeframe. I want to repeat that because it is important. Contrary to what some of our colleagues on the other side of the aisle are arguing, these new guidelines do not require elections to be held within any specific timeframe. Not only that, but this rule does not in any way prevent companies from communicating their views about unionization. Employers are able to communicate extensively with their employees about union issues, and these reforms do nothing to stop that. Employers would still be able to talk with their workers about what a union would mean for their company.

The reforms simply make some commonsense updates to create a fair opportunity for workers to decide if they want union representation, but some of my colleagues on the other side of the aisle take great offense to these modest changes. Instead of standing up for workers across the country who are struggling with stagnant wages and poor working conditions, Republicans have chosen to challenge these commonsense reforms with a resolution of disapproval, and that is why we are here today.

Instead of talking about how to create jobs and help working families who are struggling, Republicans would rather roll back workers' rights to gain a voice at the bargaining table. The Republicans' attempt to stop this rule through a resolution would have major consequences for businesses, for unions, and workers who want a fair election process.

Passing the resolution would not only prevent the NLRB from implementing these commonsense reforms, but this resolution would take the drastic step of also preventing the NLRB from adopting any similar election rules in the future. So the outdated election process that leads today to frivolous litigation and delays would remain frozen in time without further congressional action.

Let us be clear. This rule is simply about reducing unnecessary litigation and allowing the use of cell phones and email. I have heard some of my colleagues call this frontier justice. Everyone else calls it the 21st century.

By law workers have the right to join a union so they can have a voice in the workplace. That is not an ambush, it is their right. It is guaranteed by the National Labor Relations Act and by the First Amendment of our Constitution. So when workers want to vote on whether to form a union, they aren't looking for special treatment, they are simply trying to exercise their basic right. We, as a nation, should not turn our back on empowering workers through collective bargaining, especially because that is the very thing that has helped so many workers climb into the middle class. Workers having a seat at the bargaining table is very critical to America's middle class. When more workers can stand up for their rights or wage increases or making sure their workplaces are safer or they have access to health care, those things get better for them.

In short, Americans are better able to share in the economic prosperity they have earned through their hard work. It is no coincidence that when union membership was at its peak in the middle of the last century, America's middle class grew strong. Collective bargaining is what gave workers the power to increase their wages. Unions helped workers get the training they needed to build their skills so they could advance on the job. They helped to make sure men and women had safe work places, and through collective bargaining access to health care rose. Workers shared in our country's prosperity. All of those benefits strengthen economic security for the middle class and for those working hard to get there.

In Congress, we need to continue to work to expand economic security for more families. That should be our mission, to help move our country forward. This resolution would simply be a step backward. So instead of attacking workers who just want a voice in the workplace, I hope my colleagues will reject this resolution. Instead, I really hope Republicans will join with Democrats and work with us to protect workers rights and increase wages and grow our Nation's middle class. I truly hope we can break through the gridlock and work together on policies that create jobs, expand our economic security, and generate a very broad-based economic growth for our workers and our families, not just for the wealthiest few.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise today to object to another administrative overreach. As I travel the country and Wyoming, that is what I hear about—the way this administration keeps overreaching. Fortunately, there is a mechanism for us to object to the overreach; it is the Congressional Review Act. Very seldom can it be used. This is one of those instances where it can. When it is published as a final rule, we have an opportunity to circulate a petition. If we get enough signatures on it, we can have what we are having today, which is 10 hours of debate, with a vote up or down on whether that rule is what Congress intended—not what the administration intended but what Congress intended.

Unfortunately, when this rule was written, there was a provision that it went to the President. The President doesn't assign rules. Congress assigns rules, so Congress ought to have the final voice on whether a rule is appropriate. We don't. But we have a chance to voice it because we are going to get 10 hours of debate to talk about this proposed rule by the National Labor Relations Board—a totally appointed board, not an elected board, three Democrats, two Republicans. If this were as modest a change as we just heard, there would have been some common ground that would have brought one or both of the Republicans along. That has been a thing of the National Labor Relations Board in the past but not anymore. Now the Republican members of this National Labor Relations Board are ambushed as well, and we come up with what we call the ambush elections rule.

So I rise to encourage my colleagues to support the Congressional Review Act resolution of disapproval of the National Labor Relations Board ambush elections rule. I again thank my friend Senator ALEXANDER, the chairman of the Health, Education, Labor and Pensions Committee, for leading this resolution. Oversight of Federal agencies is one of the most important duties of a committee chair, and I appreciate his work and the way he goes about it.

The National Labor Relations Board has proposed a rule that would drastically alter the way union elections are held.

A union election is one of the most significant decisions employees will have to decide at their workplace. It fundamentally alters their relationship with their employer, with the men and women they work with every day, and with the community. A union election means that small business employers have to meet unfamiliar and complicated legal obligations, with serious consequences for failing to meet deadlines, file specific documents, or assert their rights in the process.

The current process for holding union elections is both fair and timely. It ensures that businesses and employers have the necessary time to fully meet their legal requirements. It gives employees time to educate themselves about what unionization will mean for them and their families and to investigate the union that would be representing them to ensure that it is consistent with their values and priorities.

Under the current process, the average time between when an election petition is filed and ballots are cast is only 38 days. That is under 6 weeks. And more than 95 percent of union elections are held within 2 months of an election petition.

The rule the National Labor Relations Board is pushing would squeeze union elections into as few as 11 days. No, it doesn't require 11 days; it can shorten the time to as few as 11 days. That is just 11 days for employees to learn about the union that would have overwhelming influence on the future of their work conditions and to learn about what unionization would mean in their workplace and what dues they would have to pay. That is 11 days for employers to learn about their rights and requirements during the election, to collect information about employees that must be submitted, to draw up the final documents, to ensure that they haven't missed anything, and to make their position clear to their employees—all that while running their business. It is not enough time. The smaller the business, the more critical it is.

It is important to point out that a union that wants to organize in the workplace isn't subjected to that timeline at all. A union can start its campaign months in advance, maybe even years. Professional union organizers can start making their pitch long before they intend to petition for an election. Organizers have plenty of time to figure out which employees are union supporters and which employees might be on the fence but could be convinced. A union can take its time to create a narrative and build its case to workers, and it can do so without the business ever knowing. And then when the union decides the time is right, it can petition for the election when it is most advantageous for the union.

This is why we call it the ambush election rule—because if this rule goes into effect, after a union has had months to build its case in its favor, a business will only have a few days to respond. That is only a few days to figure out what union officials have told employees; to determine if there are any misstatements, falsehoods, or misconceptions that need to be addressed in what employees have been told; to make the employer's position clear and answer any questions employees might have; and to meet all their legal obligations under the union election process. But it is not so simple because under the rules, employers must follow specific guidelines about what they can and cannot say and even who can say it.

I don't know any entrepreneurs who started a business because they were excited about understanding the ins and outs of the National Labor Relations Act. That is why it is important to maintain the current system, which includes sufficient time for employers to study election procedures, understand their legal requirements, and ensure they are meeting their obligations to their employees. The National Labor Relations Board's rule will deny employers the necessary time to do their due diligence.

This would be especially true for small businesses that don't have in-house lawyers or human resources departments. Small businesses are the backbone of our economy, and staying competitive means that small business owners have to take on a whole range of responsibilities. They have to be accountants. They have to be janitors. They have to play dozens of different roles every day to keep their business going. The rule we are debating today would mean they would suddenly have to become labor lawyers too.

Most small business owners are not familiar with the complex business laws that determine what they can and cannot do during a union election. They might not know that if they make certain statements or take certain actions, the National Labor Relations Board can impose a bargaining obligation on them even without a secret ballot election. Let me repeat that. They might not know that if they make certain statements or take certain actions, the National Labor Relations Board can impose a bargaining obligation on them without a secret ballot election. They might not know that they have certain rights but that they have to exercise those rights at a certain point in the process or they forfeit them.

Under the current system, they have time to learn. More importantly, they have time to work with their employees and even with the union organizers. One of the ways the current system succeeds is that it allows businesses, employees, and unions that would want to hold an election to work together through the election process. Many of the union elections that happen in less than the 38-day average are able to move forward so quickly because all sides can come to an agreement on the issues, efficiently resolve any disagreements, and hold an election without any holdup. Businesses have enough time to understand the process, and that allows them to work cooperatively. If a business can be confident that it doesn't need to file unnecessary paperwork or hold unnecessary meetings, it can move forward without unnecessary delays. That won't be the case under the new rule where businesses—especially small businesses—don't have the time to get comfortable enough with the process. And I predict that the number of elections where unions and businesses can work cooperatively to hold elections more efficiently will fall significantly.

Under the new rule, a small business is going to have two options—either go into an election blind and hope they don't make any mistakes and hope everything comes out OK or take every precaution, hold every hearing, and fully exercise every right to make sure they don't miss anything important.

I believe small business owners want to work in good faith with unions through this process, but the ambush election rule is going to make it harder for them to do that. Efficient elections are better for everyone. Businesses can get back to work faster, unions can hold an election sooner, and employees get a fair and timely vote. But this rule is going to make it harder for that to be the case.

The National Labor Relations Board says it is making this rule because the process needs to be streamlined and updated. But what the Board is doing in a very partisan way simply doesn't make sense in light of the fact that the average time for a union election is 38 days—which means many elections happen sooner than that—and that nearly all elections are completed in less than 2 months.

The Board says these rules are meant to address problems with some elections that have been held up for months or years. That would really affect these mean numbers, so that can't be much of the case. If that is the case, why did they write a rule that is going to undermine a system that already provides for timely elections and gives businesses the time they need to work cooperatively with unions? When an agency makes a rule, it is supposed to be solving a specific problem, and that rule is supposed to be targeted at fixing this problem. In this case, NLRB's rule has not targeted the problem they want to fix. What is worse, this rule is going to undermine a system that meets the needs of businesses, unions, and employees in all but a handful of cases.

This rule doesn't make sense, and the way the Board is pushing this rule doesn't fit with how labor laws should be updated and improved. The National Labor Relations Act is a carefully balanced law that hasn't been changed very often. When changes have been made, it has been the result of careful

negotiation, input from stakeholders, and thoughtful debate. Unfortunately, it looks as though the only stakeholders in the room when the Board wrote this ambush elections rule were the unions.

The Board also says that its rule is intended to update the elections process to account for new technology, such as email and cell phones. Unfortunately, the rule fails to take into account the key concerns about data privacy and security that we face today. It undermines employees' privacy at a time when identity theft, computer crimes, and cyber security are serious issues.

Under current law, an employer is required to turn over employees' names and addresses within 7 days once an election is set. The proposed rule would not only expand the type of personal information that must be turned over, but would require that information be handed over to the union within 2 days. The expanded information the Board wants employers to give to the unions includes all personal home phone numbers, all cell phone numbers, and all email addresses that the employer has on file. It would also require work location, shift information, and employment classification. All of that can be used to harass the employee whether they want to be contacted or not, whether they want information or not.

Now keep in mind that under the new rule, the question about which workers are eligible to unionize or to participate in the vote isn't determined until after the election. What? They are not going to know which workers are eligible to unionize or to participate in the vote until after the election. That is a strange rule. The ambush election rule would require employees to hand over personal information on their employees to unions without confirming which employees should or should not be on that list. That is part of the process that gets left out.

The purpose of requiring the information, of course, is so the union organizers can come to your home, call you whenever they want, email you, find you after work and intercept you before or after your shift. There is no time limit to how many times union organizers can contact you or at what time. There is no opt-out for employees who simply don't want to be contacted. That could turn into a serious invasion of privacy for any employee, but for an employee who isn't eligible to participate in the election but has his or her information turned over to the union anyway, that is a serious breach of privacy.

I think it is important to point out how this rule undermines employee privacy, particularly when we frequently hear about news of data breaches, stolen credit card numbers, and identity theft. Protecting personal information is not something that can be taken lightly. Union elections can be very intense, an emotional experience for employees, employers, and union organizers alike. The last thing this rule should do is create a situation where an employee's personal information is used as a tool for harassment or intimidation.

The National Labor Relations Board is supposed to be an impartial body that hears cases, weighs the facts, and makes fair, unbiased decisions according to the law. Although the Board's decisions set precedents that determine how labor laws are applied going forward, it has not traditionally been a rulemaking agency. It has issued only a small number of rules, especially compared to other departments and agencies. Unfortunately, the Board has gone too far with the ambush elections rule. It has taken upon itself to impose new regulations that would hurt businesses, undermine a sensitive process that has already provided fair and timely elections, give up employee privacy, and bend carefully balanced labor laws in favor of the unions. Congress needs to tell the National Labor Relations Board this rule is out of bounds.

The Congressional Review Act gives Congress a tool to rein in agencies that use the Federal rulemaking process in ways Congress never intended. When an agency goes beyond what Congress has authorized or tries to issue regulations that would be harmful, the Congressional Review Act ensures that Congress can intervene and hopefully prevent that rule from going into effect. Congressional Review Act resolutions can't be held up by the usual procedural delay tactics, although today we saw a historic event. For the first time the Congressional Review Act had to have a cloture motion for it. That is privileged, so the cloture motion only required 51, but I have done several of these, and that is the first time I ever remember having to do a cloture motion. That is a filibuster. That is a delay on an inevitable discussion of the actions taken by a board.

So at the end of the day the Senate has to vote. That is important because it means Congress's oversight responsibilities over executive branch overreach has a real and immediate effect when we use the Congressional Review Act. But it goes further than that, because the Congressional Review Act also says once Congress has disapproved a rule, it cannot be reissued by the agency. That is important in this case, because this isn't the first time the National Labor Relations Board has issued this rule. The rule we are debating today is nearly identical to the rule the Board proposed in 2012, which was overturned by the courts because the Board failed to follow its own procedures when it issued the rule.

We need to pass this Congressional Review Act resolution, not just to roll back the National Labor Relations Board's unnecessary and harmful rule, but to make it clear to the Board that Congress has the final word on this rule and any other rule, and that the issue is closed.

It will also be a lesson to other boards and agencies proposing rules without finding common ground, without looking at some of the common sense, and without looking out for the hard-working taxpayers.

The Board has already issued this rule twice, and we should make sure this is the last time. Congress should make it clear that unnecessary regulations that hurt small business and undermine the fair and timely elections process are nonstarters.

I urge all my colleagues to support this resolution of disapproval. We need to remind the National Labor Relations Board and other boards and agencies that their duty is to consider the facts of specific cases, to treat parties in those cases fairly, and to make impartial decisions according to the law. The Board's role is not to try to stack the system against one side or tip the scales in favor of the other, which is what this rule does. This rule makes it harder for businesses to meet their obligations in good faith. It denies employees the time they need to be able to make informed decisions, and it undermines the fair and timely process for union elections that is currently in place.

As you heard a number of times, John F. Kennedy, when he was a Member of the Senate, said 30 days was a pretty good time. Moving it down to 11 days—I don't think he would approve of that.

This is one of the most important votes on labor issues we will have this year, and I urge my colleagues to put a stop to this burdensome rule.

I yield the floor.

I suggest the absence of a quorum, and I ask unanimous consent that the time be equally allocated to the two sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. 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. FLAKE pertaining to the introduction of S. 638 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FLAKE. Mr. President, on a separate topic, I would like to urge my colleagues to support S.J. Res. 8, the joint resolution of disapproval under the Congressional Review Act of the National Labor Relations Board's final rule regarding union representation election procedures.

As we heard today, it is often called the ambush election rule. It gained its namesake because it shortens the time between when a union files a petition for an election and the holding of that election.

As a cosponsor of this resolution and a signer of the discharge petition to bring it before us for consideration, I believe this rule needs to be stopped before it takes effect on April 14.

According to NLRB data for the last 10 years, the median time before the union election was 38 days. This proposed rule could shorten that timeframe to as few as 11 days. The rule gives employers only 7 days to find legal counsel and appear before an NLRB regional office at a preelection hearing. Prior to that hearing, the employer must file a Statement of Position, which raises any and all legal challenges they may use later on. This is particularly burdensome for small businesses that typically don't have inhouse legal counsel. They have little time to get advice on what is permitted during this process.

There are also privacy issues with this rule's requirement that employers must hand over employees' personal information—including cellphone numbers, personal email addresses, shift times, and locations—to unions. With more than 95 percent of these elections occurring in less than 2 months, it is hard to understand why this onerous ambush election rule is even necessary.

Instead of burdening small businesses with complicated legal work and increased regulations, this administration and the NLRB should be focusing their efforts on increasing job growth and improving the economy.

I encourage my colleagues to support this resolution of disapproval.

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. FLAKE. 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. FLAKE. Mr. President, I ask unanimous consent that the Democrats control the time between 4 p.m. and 5 p.m. and the majority control the time between 5 p.m. and 6 p.m.

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

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

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

AFFORDABLE CARE ACT

Mr. WYDEN. Mr. President, tomorrow morning the Supreme Court is going to hear oral arguments in King v. Burwell. The Supreme Court's ruling could have sweeping consequences for the well-being of millions of Americans and for our Nation's entire health care system.

The issue at hand is whether Americans who receive the opportunity to buy quality health insurance, thanks to the Affordable Care Act, can get assistance in paying for that care. The law gives our States a choice. Our States can design and manage an insurance exchange on their own or they can allow their citizens to shop on a federally run exchange. Furthermore, the law created tax credits to help Americans afford the cost of health insurance.

Thirty-six States took the Federal option. Eighty-seven percent of the people who signed up in those States get some measure of assistance so as to better afford coverage. However, the petitioners in King v. Burwell argue that those Americans should be denied any assistance.

In my view, the answer is simple. Let's help those who are in need. Let's not go back to that time in America when health care was for the healthy and for the wealthy.

If one flips on C–SPAN and listens to the Congress debate and question the administration, one might hear something wildly different. Some Members of Congress seem to be rooting for Americans to lose their subsidies and consequently their access to affordable health coverage. In fact, Members of Congress have filed briefs with the Supreme Court making essentially that argument. At the same time, they have asked how the Obama administration would clean up the aftermath. To me, that is like pouring gasoline on a fire and then indignantly demanding that somebody else go put it out.

There is no question the law's implementation has at times been a challenge. That is true of all major legislation. It is clear there ought to be bipartisan interest in continuing to improve the law. But the reality has been what we have had is a wornout, 6-year-old fight over the Affordable Care Act. The act's core purpose, which has been clear from the outset, is to help as many of our people get affordable, high-quality health insurance as possible, and the tax credits are absolutely key to making that work. In this case, those tax credits are in question.

To make their argument, the King petitioners scoured the text of the law and plucked out one obscure phrase buried in the text. That phrase is ''established by the State,'' relating to how the tax credits are calculated. According to the petitioners, those four words—that one small phrase—is enough to put millions of Americans in danger of losing their health insurance. The petitioners are arguing, against common sense and the actual text and intent of the Affordable Care Act, that the intent was supposed to deprive millions of struggling families and individuals of affordable health care coverage.

In my view, this should not be a difficult case for our Supreme Court to decide. Looking at the law itself, the text is clear. To cite some examples, when a State declines to establish an exchange, the Federal Government is directed to fill in and establish ''such exchange.'' This makes sure insurance coverage and tax credits become available to any ''applicable taxpayer,'' regardless of where that taxpayer might live. Furthermore, the information used to calculate the subsidies is gathered from everybody who buys an insurance plan. That would be unnecessary if Americans in only some States were eligible for the tax credits.

On top of that, it is a firmly established principle of statutory construction that when interpreting a provision of a law, a court should read the provision in context, not in isolation. It should consider how the part fits into the whole. As the Supreme Court has said, it is a ''fundamental canon of statutory construction that the words of a statute must be read in their context and with a view to their place in the overall statutory scheme.''

Here, looking at the overall statutory scheme, in my view there is only one plausible explanation. States have the option of establishing exchanges. If they decline, the Federal Government will establish an exchange for them. It was written that way so everyone who needs assistance and meets the relevant qualifications can receive that assistance. In my view, we just can't reach any other conclusion. Without the broadest possible access to health insurance—and financial assistance for those who need it—the system would simply be at risk.

The interpretation made by the petitioners makes absolutely no sense in the context of the overall statutory approach. It would contradict the fundamental purpose of the Affordable Care Act which, as stated in the title, is to provide ''quality, affordable health care for all Americans.''

Finally, a statute should be interpreted under the assumption that as the Court has said: ''Congress . . . does not . . . hide elephants in mouseholes.'' Congress does not slip major rules, which have huge ramifications, into obscure corners of the law. In this case, Congress would not slip a major rule denying tax credits to millions—what would in effect be a poison pill—the Congress would not slip that deep into a line that simply defines the term ''coverage month.''

Furthermore, there is no evidence in the legislative history to support what I consider to be a warped reading of the law by the petitioners. If the Congress intended for the tax credits to help only some Americans, the Congress would have said that. The issue would have come up in committee hearings and markups and press conferences or in debates in the Senate or in the other body. It would have been reflected in fact sheets and in press releases that were made available to the public. It would have come up in committee reports that accompanied the bill's long journey through the Congress. It never did, not even once. The only way to get to the petitioners' view is by cherry-picking and contorting a four-word phrase.

Look at the long record of analysis provided by the trusted nonpartisan

staffs of the Congressional Budget Office and the Joint Committee on Taxation. We rely on them. They are bipartisan. They are nonpartisan. It was their job to do the math, to score the bills and figure out exactly what the economic impacts would be. In every analysis and in every communication the Congressional Budget Office and the Joint Committee on Taxation had with the Congress, they correctly presumed that tax credits would be available to all who qualified. The tables and reports prepared by the Congressional Budget Office and the Joint Committee on Taxation are all online. So what I have said can be backed up, and anyone can read those materials.

In my view, the petitioner's argument in this case is weak and the text of the law and congressional intent is clear. But, still, the wrong decision could make quality health insurance suddenly unaffordable for millions of Americans from one end of the country to the other. The negative effects of that ruling would radiate throughout our health care system. Recent studies of this case have suggested that the cost of insurance could soar upward for more than 7 million Americans. Only those most in danger of needing serious medical assistance would remain insured. The cost of insurance premiums, particularly in the individual market, would skyrocket for all. As a result, a crisis that would begin with 7 million people could grow to affect 8, 9 or 10 million and perhaps even more. In my view, it would send our country back to those dark days when health care in America was for the healthy and the wealthy. That is what the Affordable Care Act is intended to prevent. That is not what the American people want.

The Federal Government, independent health care organizations, and those whose insurance is at stake all agree—the tax credits are meant for all. Even America's Health Insurance Plans, the trade association representing the Nation's largest insurers, takes that view. It wrote in a brief filed with the Court that eliminating the subsidies ''would leave consumers in those states with a more unstable market and far higher costs than if the ACA had not been enacted. . . . ''

The only groups that argue otherwise are essentially political partisans that want to see the Affordable Care Act brought down at any cost. These arguments, in my view, are baseless, and they pose a serious danger to the health of millions of Americans—those in our country who went far too long without access to quality, affordable health care and who have it now with the Affordable Care Act.

I strongly hope the Supreme Court will take a conservative approach in its ruling—a conservative approach—and reject the challenge to the law. Then Congress can get on with the important business of bringing both sides together to improve the law where it needs to be improved and address the other important needs of America's health care system.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRANKEN. 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. FRANKEN. Mr. President, I rise today to oppose this resolution which would overturn modest but vitally important updates to the process that enables workers to exercise their rights to join a labor union. Today's attack on the NLRB's rule to modernize its election process is misplaced and misguided.

Today middle-class families are struggling with wages that aren't keeping up with expenses, while large corporations make record profits, and those at the top are doing better and better. But our economy doesn't grow from the top down; it grows from the middle out. Our economy is strongest when we have a thriving middle class with a strong voice in the workplace.

That is why we should be talking about how to restore basic workplace fairness to middle-class Americans and to those aspiring to be in the middle class. To me, that means if you work full time, you shouldn't have to live in poverty. It means making sure that moms and dads don't have to choose between keeping their jobs and taking a few hours to take their sick child to the doctor. Those are the things we should be focusing on. In fact, if we want to accomplish those things, we need to strengthen the voices of regular Americans in the workplace. The NLRB representation rule takes a small but important step toward strengthening those voices. That is why the resolution before us today is not only misplaced, it is also misguided. This resolution would do the opposite of empowering workers.

The purpose of this resolution is to block rules that will modernize a broken election process. Because that election process is broken, it is preventing workers from exercising a basic right they are supposed to have in the workplace—the right to have a seat at the bargaining table.

Too often, loopholes are being exploited to prevent workers from having the freedom to decide whether they want to form a union. Today, 35 percent of the time that workers file a petition for a union election, they never even get to have an election. The 10 percent of litigated cases that this rule targets for reform take over 6 months on average to get to an election, and some elections can be delayed for years. That is why workers need this rule to ensure a fair, effective process that is free of excessive delays.

Some of the updates in the rule simply standardize best practices that are already used in some parts of the country. For example, in some regions of the country hearings are regularly scheduled to be held 7 days after the petition is filed and petitions are accepted by fax. Also, under the representation rule workers and companies can file documents electronically, bringing the process up to date with 21st-century technologies. It also increases transparency in the election process. Everyone involved—from workers petitioning for an election, to companies, to the NLRB itself—has to provide information to the other parties earlier in the process and in more complete form.

Nothing in this rule will change an employer's right to express its support for or opposition to a union. Nothing in the rule will change an employer's ability to communicate with workers from their very first day on the job. If the employer opposes collective bargaining in the workplace for better wages and working conditions, the company has the right to do that from the very beginning.

Modernizing and streamlining the process by which workers exercise their rights to join a union should not be controversial. Under the National Labor Relations Act, our laws explicitly recognize the rights of employees to engage in collective bargaining through representatives of their own choosing. That is the law.

As a member of three unions myself, I have seen firsthand how important it is for workers to have a voice in their workplace. The evidence shows that being a member of a union can have a tremendous impact on the lives of real people and their families. Workers covered by a collective bargaining agreement are paid more on average than those not covered. Unionized workers are more likely to have health care, retirement benefits, and paid leave benefits than other workers.

So, again, the changes made by the election rule are just commonsense updates that will support these important objectives. I urge my colleagues to oppose this resolution so that these commonsense reforms will be able to ensure a fairer election process for everyone.

I yield to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Minnesota for his outstanding remarks.

I want to rise to make one thing clear in this debate. My friends on the other side of the aisle once again have taken up the cause of special interests at the expense of hard-working Americans. Once again they are using their new majority in the Senate to find ways to keep the rules rigged against American workers.

Let's look at this. The bottom line is very simple. Middle-class incomes are declining. One of the main reasons middle-class incomes are declining is the decline of unions. That is what just about everybody who studies it says.

We are now 11 percent unionized. We were 30 percent, private sector only 6 percent. The bottom line is we had a lot of poor Americans in the 1920s.

Laws that were enacted by this Congress allowed unions to organize and workers, through collective bargaining, were able to gain some of the wealth from their labor. We had broad prosperity as America was unionized in the 1950s and 1960s and 1970s and 1980s. What happened was that corporate America learned how to both prevent new unions from occurring in new industries and breaking old unions.

As a result now, middle-class incomes are declining. Our colleagues on the other side of the aisle, once again, they talk they want to help the middle class, but in all the obvious ways to help the middle class—and unions do, whether the management likes it or not, they manage to give the workers more money—they do not walk the walk.

These NLRB changes are simple. There have not been substantial updates to the NLRB election process since the 1970s. The new changes pull the process into the 21st century, letting unions and employers file electronically and using modern forms of communications such as cell phones. Our colleagues are opposed to this. They want to undo it. My God, the changes will modernize union elections, prevent delays, reduce frivolous litigation, something even the Republican Board members on the NLRB supported in principle in their dissent.

Right now big corporations can use delays in labor elections to try and take advantage to postpone and even deny workers' rights to vote. This is what my friends on the other side of the aisle are rising up against: workers whose incomes are declining trying to get a little more money when corporate profits are at a record. The other side says, nope, side with the corporate profits over middle-class wages. That is what they are saying. That has been the theme in this Congress. It is going to continue to be the theme.

We will make it clear to the American people who is on their side. The congressional review process on these changes allowing employers and unions to file forms electronically, and we have to invoke this unique process, streamlining the process so workers are not kicked around with an army of lawyers?

It is disappointing that my friends across the aisle have made such a mountain out of a molehill with these rules. At the beginning of this Congress, I was hopeful my colleagues were ready to join us and go to work for working families who have experienced a lost decade of economic advancement, whose real wages have declined.

In an op-ed in the Wall Street Journal this year Leaders MCCONNELL and BOEHNER said one of the their primary goals was helping struggling middle-class Americans who are clearly frustrated by a lack of opportunity and a stagnation of wages. If their only answer is to reduce regulations on corporations, lower corporate taxes, lower the taxes of the wealthy, and that is going to help the middle class, I have news for them, that is not going to fly.

I feel in my heart deeply that the decline of middle-class wages is a decline of America. I feel we have to do something about it, but we certainly should not regress. My colleagues, with this motion, it will make it harder for the middle class to grow wages, make it easier to say even a larger share of productivity goes to capital and a smaller share to labor, despite their rhetoric and despite the problems we face.

I see my dear friend from Tennessee. I hate to oppose him in such strong language because I think he is a fine gentleman, but on this issue we disagree.

I yield the floor.

Ms. MIKULSKI. Madam President, I wish to talk about protecting the middle class.

I am on the side of an economy that works for everyone and building a stronger middle class to bring opportunities to families across the Nation.

What is an economy that works for everyone? It means that if you work hard and play by the rules, you deserve a fair shot at the American dream.

An economy that works for everyone also means giving workers the right to organize, negotiate, and exercise their rights under the law in a timely way. I believe this can be done in a way that also enables businesses to prosper and to create jobs.

Unions raise wages, improve working conditions, and ensure fair treatment on the job. In many jobs they make the difference between living in poverty and making ends meet or the difference between just getting by and making enough to make a better life for a family. The right to unionize and collectively bargain helped grow the middle class.

When workers are choosing whether to unionize or not, they need a process that is fair, predictable, and efficient. But unfair rules, lax enforcement, and insincere negotiating has crippled union organizing and threatened the middle-class lifestyle that was once the economic pride of our country.

The main role of the National Labor Relations Board is to manage the relations between unions, employees, and employers in the private sector. The primary functions of the Board are to prevent or resolve unfair labor practices and to supervise union elections so that they are done accurately and fairly.

Now, the NLRB has put out rules that make modest updates to the election process that make sense in the 21st century. The rules would eliminate needless delays that slow the election process to a halt and modernize the process for sharing contact information to allow the use of email to communicate about the election.

But this and other commonsense updates are under attack in Congress. Under this Congressional Review Act resolution, the whole rule would get tossed out. There is limited debate and there is no chance for offering amendments. Middle-class workers deserve better than this.

Currently, workers organize themselves by signing a document saying they want to join a union. Once a majority of workers sign up, they can ask their employers to be recognized as a union and collectively bargain for a contract.

However, some employers delay, delay, delay—refusing to recognize the union and requiring workers to go through an intimidating antiunion campaign that ends in an unfair election. Workers should be protected from these kinds of stall tactics and intimidation.

It is common sense that communication should be allowed to take place over email. These rules would allow for that. Documents should be allowed to be submitted electronically. These rules would allow for that, too. This creates a more efficient process that benefits workers.

I want workers to make more money. When families have more money in their paychecks, it is good news for the middle class and it is good news for our Nation's economy. When workers have a seat at the table, it means they have a better chance at getting the wages and the protections at the workplace they deserve. I want to grow our middle class by giving more workers this critical seat at the table. But they won't get it if Congress pulls the chair out from underneath them by throwing out this rule.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I know we are in Democratic time right now. So if a Member of the other side shows up, I will sit down. I appreciate the courtesy of my colleagues on the other side allowing me to continue my remarks. I will not take more than 7 or 8 minutes.

My good friend from New York just spoke. We have worked together on a number of things. He talked about the middle class. I think he is right to talk about the middle class and the effect of the National Labor Relations Board on the middle class.

Let me give a little bit different perspective on it. My problem with this NLRB is that it is not acting like an umpire between employers and employees, it is acting like an advocate for the unions. It did so in 2011 with the micro-union decision. It is doing so with the ambush elections rule, going against the advice of Senator John F. Kennedy in 1959, who said 30 days seemed like a fair time to give employees to consider whether to have a union.

They are ambushing employers—it's like riding through a canyon and suddenly people start shooting at you. In just 11 days—we have hundreds of thousands of small businesses across the

country that are trying to work, sell their goods, make a living, improve their status. That is the middle class we talked about.

Say you have five employees, say you are down in Maryville, TN, or Wichita, KS, the last thing on your mind is a labor lawyer. Here comes an election in 11 days. Suddenly small businesses have to find and pay a labor lawyer. They need legal advice at every step because in as few as 11 days they might have an election. There is no need to rush into an election that rapidly other than to give union organizers an opportunity to force a union election before the employer and its employees know what is going on.

Let me give one more example of the assault on the middle class that I see from this NLRB and our friends on the other side. In every community in America, there are lots of franchisees. These are the men and women who operate health clubs, barber shops, auto parts shops, childcare centers, neighborhood restaurants, music stores, cleaning services, and much more.

We had some franchisees testify before the labor committee the other day. These franchisees could have worked for a big corporation, but they said: I would like to run my own business. Franchisees can own a Ruby Tuesday's, a Rainbow Station, or an auto parts franchise. They own that business. They run that business.

They use that brand name to help it succeed. They use brand names like Planet Fitness, Merry Maids, or Panera Bread. They might work 12 hours a day serving customers, meeting a payroll, or cleaning. This is hard work, but 700,000 Americans do it because it is their way up the economic ladder. It is their way to say: I have my own business. I do not work for the big guys. I am a little guy working my way up.

Successful franchisees are one of the most important ways to climb the economic ladder of success. Yet this NLRB, the same one that wants to have ambush elections, has a pending decision that would threaten franchisees' very way of life. It is called the joint employer standard, which since 1984 has required a business to hold direct control over the terms and conditions of a worker's employment.

Through broad language, the NLRB is saying to McDonald's or Ruby Tuesday's that they are part of the parent company, and anything they do at their store has to be accepted by the parent company.

What are the consequences if that happens? The parent companies are going to say: We are not going to take that risk. We are going to own all of our stores. So we will own all of the Rainbow Stations. The parent company will own all of the McDonald's stores, or all of the Ruby Tuesday's.

What will that do? That might protect the parent company because it can hire a team of labor lawyers. It can instruct its employees what to do and what not to do to avoid problems. But it takes away the middle-class opportunity of moving up the economic ladder from these 700,000 franchisees. That is what this NLRB is doing. The ambush election rule is nothing more than speeding up the time that it takes between when pro-union organizers ask an employer for a secret ballot election, and when that election actually takes place.

Every step you take has to be perfect according or else you might have to have a rerun election or be ordered to negotiate with the union. That jeopardizes the fairness in our system. The National Labor Relations Act was intended to create an environment of balance and fairness among employers and employees. Senator Kennedy said in 1959 that 30 days would be a reasonable amount of time between when a union organizer files a petition and when an election is held.

Senator MCCONNELL and I have another bill to restore the balance in the National Labor Relations Board. It is absolutely fair. The Board would be three Democrats, three Republicans. If the general counsel's complaint is outside the law, the aggrieved party can take it to Federal court. If the NLRB takes longer than 1 year to decide a case, either party can take it to Federal court. That is fair. That is the kind of umpire we need in labor relations today. So this is about the middle class. This is about moving up the economic ladder. This is about the kind of actions that give 700,000 Americans their franchise business. This is about the hundreds of thousands of Americans, with 4, 5, 6, 10, 15 employees, who do not need to be ambushed as they try to earn a living, pay their bills, sweep the floor, make a profit, pay employees, and create the American dream.

The stakes are high. We are right to say let's return the National Labor Relations Board to an umpire.

Let us hope the House agrees. Let us hope the President agrees. It's time to return fairness and balance to labor-management relations in this country.

I yield the floor.

Mr. ISAKSON. Madam President, are we in a quorum call?

The PRESIDING OFFICER. We are not.

Mr. ISAKSON. Madam President, I rise to speak and to commend the chairman of the Health, Education, Labor and Pensions Committee, Senator ALEXANDER, for this resolution that is on the floor to rescind and overturn the ambush election rule the NLRB has asked to go in effect on April 14. It is just dadgum wrong. It is a solution in search of a problem.

We don't have a problem in terms of labor relations. Ninety-five percent of all the elections for unionization take place within 56 days. The median term is 38 days. That is 1½ months to 2 months. That is all it takes. This would compress that period of time from the average now of 38 days to 11 days.

Is 11 days enough time for a worker to get all the information they need to find out whether they want to become unionized? No, it is not. Is it fair to an employer to give him only 11 days to defend himself against a union organization trying to take him to a union shop? No, it is not. Does it do anything for the middle class? No, it does not. This is a solution for an issue, as I said, that doesn't exist, a problem that doesn't exist. It is time we stood up for American business and American workers.

I ran a sub S corporation, which is a small business in Georgia. Most everybody thinks this is a big business issue. It is not; it is a small business issue. It is a repeat effort by the NLRB to continue to meddle and tilt the playing field between labor and management.

Everybody knows that during the Industrial Revolution this country overlooked the worker. We had child labor, we had workers working too long, and we didn't have good safety rules. We all know labor unions came about because businesses failed to address their needs. But that was 100 years ago. Today we have good labor law, we have fair labor law, and we have opportunities for people to be unionized if they want.

Of all the elections called in the last 2 years, 64.2 percent have gone to a unionized shop—64.2 percent. In other words, the law we have now today works. It works for the worker and it works for the union. But it doesn't work to compress that time period to 11 days. That would cause confusion, it would cause discord, it would cause a terrible burden on the employer and terrible pressure on the employee.

Included in the rule are, in my opinion, privacy violations by the organizers. It will require the company to turn over cell phone numbers, private information and all of that, so the unions can harass them to try to get them to sign a petition for a clarification and certification. It is just downright wrong.

The chairman of the Health, Education, Labor and Pensions Committee is exactly right: This is an unfair rule. It has no place being passed and adopted. We have every right to rescind it, which I hope this Senate will do.

Let's remember who the middle class really is. Let's remember who small business really is. Let's remember why we have unions and why we have a National Labor Relations Board. We have it for fair and equitable treatment of labor law. We don't have it to tilt the playing field in favor of labor or in favor of management. We have it to be fair, so everybody gets a fair shake and a fair notice and a fair time to have their say.

So I rise to commend the chairman for his efforts and what he has done. I support his effort and what he has done, and I hope the Members of the Senate will vote in favor of rescinding this rule before it goes into effect. It would be a terrible one-two punch to have this rule go into effect on April 14

and the IRS's tax day be April 15. That is too much punishment for one period of time. It is just not the right thing to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Madam President, my Democratic colleagues and I come to the floor all the time talking about how we grow a middle class, how we help middle-class families, and how we make sure we have a strong economy because we have a strong middle class. Yet what we are seeing on the floor right now is an effort by our Republican colleagues to fight to keep a system which is rigged against American workers being able to get a livable wage, to have a voice in the workplace.

We know what we ought to be doing is looking for every possible way to support those who are working hard every day, to have a wage that allows them to care for their family, to send their children to college and achieve the American dream. They should have a voice in the workplace around safety issues, around other issues that are important for working men and women. We have in front of us a National Labor Relations Board rule change that was made to basically modernize the system around employee elections so that people have a fair shot to have their voice heard in the workplace.

It is pretty interesting to me that we are talking about simple changes that allow the use of email communications or fax communications—not exactly radical things in the world we live in. Without this modernization by the NLRB, we actually have a situation where people are denied the ability to communicate through email; to be able to talk about forming a union and communicate with each other through email, which is pretty crazy when you think about it. This particular vote would stop folks from using email or faxes.

The NLRB rule change was to modernize the election process, to eliminate certain paperwork hurdles that didn't make any sense, so an employer could not delay the ability for folks to vote as to whether they want to be part of a union. That is what is in front of us now.

What I wish was in front of us is the agenda we have been pushing, which is to actually strengthen the middle class. Instead, what we have in front of us is a vote about keeping the system rigged against American workers. There is no mistake about it. A ''yes'' vote, which eliminates this modernization process, is a vote to keep the system rigged against men and women who are working hard every day in the workplace and who just want a fair shot to make it.

Interestingly, this only affects about 10 percent of union elections, because 90 percent of elections are done through agreement with employers and employees. That is a testament to the fact that the majority of folks can work together, if 90 percent of them are working out agreements.

What we really ought to be talking about on the floor is equal pay for equal work and how we enforce that. I am stunned that we have the Republican majority fighting to keep the system rigged against American workers and then turning around and saying, well, we are not going to pass laws that enforce equal pay for equal work, or we are not going to pass laws that create a livable wage so people who are working are out of poverty, so that we reward work by having a livable wage. That is not what is on the floor. What is on the floor is an effort to roll back the modernization of a process that would make sure the system is not rigged against workers.

Why are we not talking about equal pay or raising the minimum wage or talking about the cost of going to college? The majority of people today, who are playing by the rules, trying to do the right thing, trying to get the skills they need to be responsible citizens and work in the workplace, come out of college buried in debt—buried in debt—but we are not talking about that. We are not spending our time on that.

We are not talking about protecting pensions earned by workers over a lifetime, who are counting on those to be protected. We are not talking about how we strengthen and expand and guarantee Social Security for the future, or any number of things we could be talking about. If we just made sure that equal pay for equal work wasn't a slogan but actually a reality of this country, we would jump-start the middle class. We would jump-start the economy if women were earning dollar for dollar what men are earning. That alone, along with any number of other things, affects middle-class families.

It is not about creating an economy by giving to those at the top and having it trickle down and hoping someday, somehow, it will affect the majority of Americans. We believe you start with the middle, you grow the economy from the middle out. It is a middle-class economy that lifts everyone up and addresses the strength of our country.

So I am very concerned that when we look at precious floor time and what the priorities are, we are debating a rollback on the modernization of rules with the National Labor Relations Board that will basically keep in place a rigged system. Without that modernization it is just one more mark against workers who are trying to have a voice and are trying to lift themselves up and improve their wages and ability to be successful and be rewarded for their work.

There is a lot more we could and should be doing. We are going to continue to raise the issues that middle-class families care about. We are going to continue to fight for middle-class families every single day, and we are going to continue to oppose those who want to keep a rigged system against the middle class.

So I urge a ''no'' vote on this particular resolution, and hopefully we can stand together and actually create jobs and a better standard of living by doing those things that are going to help middle-class families across America.

I yield the floor.

Mr. DURBIN. Madam President, would you advise me what the time allotment now is for debate?

The PRESIDING OFFICER. The majority controls the time from 5 until 6.

Mr. DURBIN. I ask unanimous consent to speak for 10 minutes.

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

Mr. DURBIN. Madam President, it is interesting, when we get on the topic of unions, how we all come to this with such a different point of view. I come to it as a person who grew up in a household where every member of my family was a member of a union. My father and mother, who each had eighth grade educations, belonged to railroad unions in East St. Louis, IL. Because of that, there was bargaining for their wages and benefits—which I didn't understand as a kid, but I do now—that resulted in the quality of life we enjoy in our family. We weren't wealthy, but we were comfortable. I never went hungry, and I thought we lived a pretty good life. Mom and dad were hard workers. If you were a hard worker in those days and had the benefit of union representation, you could make a decent living. And we did.

If we study history, we will find that is what has gone on in America. Primarily after World War II, we saw two things happening: a rise in unionism—people who belonged to organized unions—and a rise in the middle class. In other words, employees who were able to bargain for their wages and benefits and retirement ended up with enough money to raise their families and to build the middle class in America.

In that period from post-World War II until the 1960s, the United States really took its place on the map in terms of our position in the economy. Exactly the opposite has been true since. Unionism—those who belong to organized unions—has been going down in most sectors except for government employment, and we have also seen a decline in the middle class. I don't think that is a coincidence; I think that is an indication that when workers do not have a voice in the workplace, they lose that bargaining ability to get a just wage, a good wage, a living wage, and the benefits that should come with it.

The irony is that American workers are still the best in the world. If we

just look at the issue of productivity of American workers, there is no reason for us to apologize. Our workers know how to create profit for the people they work for. Sadly, though, when it comes to this, we don't find that the companies that employ them reward their productivity with more wages and benefits. They don't. As a result, workers are working harder, making more profits for their company than ever, and yet they aren't seeing any real growth in their wages.

So there comes a time when workers should have the power to make a choice in their lives, and that is when they decide whether they want representation—an election to form a union where they work. That is what this bill is all about.

The National Labor Relations Board came up with a process that said: If you are going to have an election in the workplace so that workers can decide whether they want to belong to a union, let's at least make it fair, make sure that employers and employees and the unions have enough information. They can tell the workers their point of view, and the workers can decide.

I come to the floor today in support of the National Labor Relations Board's rule for modernizing and streamlining the election process for the workers. There is a wide divergence of opinions on both sides of the aisle here in terms of the value of unions. I value them. Some do not. But I think the ability of workers to organize and bargain collectively is about the only way to level the playing field and to create a growing middle class, which we need in America.

Last December the National Labor Relations Board came up with a rule, after a long process, to modernize the election process—the first time in almost 50 years. Fifty years ago they wrote the rules, and they said: You know, there are a few things that have changed in 50 years.

Here is what they said: The rule moves preelection problems, such as the 25-day waiting period and review, and consolidates options for delay and appeal into a single appeals process. In a nod to modern communications, the rule says employers and unions can file election petitions electronically rather than by fax or mail. This does not strike me as radical thinking. Think of all the things we do electronically today, from paying our bills each month, to communicating with one another, to gathering information. Bringing this to the labor situation, the choice of a union, is certainly not radical. And it requires employers to provide unions with the employees' personal email and phone numbers in addition to the existing requirement for names and addresses—personal email and phone numbers. When is the last time you filled out an application on the Internet when they didn't ask you for your email address or your phone number? It is routine, and we want to make this routine part of the process for unions and employers to get in contact with employees.

Republicans have called this an ''ambush rule.'' They say it deprives employers of the time they need to explain why the worker should vote against a union. They also claim the rule limits an employer's ability to pursue adequate representation. But that is not a fair claim. Union elections are only triggered when 30 percent of the workers sign a petition favoring an election. Almost one out of three needs to sign it saying: We want an election. Employers talk to their employees all the time when the employees are being asked whether they want to sign up to be part of the 30 percent, so the employers have constant access in the workplace. And employers can still require workers to meet one-on-one with supervisors, and about two-thirds of the employers actually do that. Nine out of 10 employers require workers to watch anti-union videos before an election. The new rule doesn't change that at all.

Under the new rule employers have time to talk to their workers; they just have fewer options to delay the actual election. It looks to me as if it is an advantage to employers going in, and the changes by the NLRB are really not that substantial.

Last year at this time workers at the Rock River Academy and Residential Center in Rockford, IL, wanted to form a union. Rock River provides mental health and educational services for young girls with emotional disabilities. The workers didn't like the working conditions in the workplace, the short staffing and stagnant wages. They wanted to work together to address these problems and to do a better job. They quickly signed up a majority of their coworkers and filed a petition with the NLRB office in Peoria. From the outset, the workers felt the employers at the facility were trying to do everything they could to stop this election. The delay in finalizing a union gave the residential center time to wage an aggressive anti-union campaign.

There was a hearing eventually at the NLRB, but it was nearly 3 weeks after the petition was filed. On the first day the employer's attorneys claimed that all the workers at the residential center were nonprofessional, even though they included registered nurses, licensed special education teachers, and licensed therapists and social workers. The following day they reversed their position and argued that all the employees at the facility should be considered professional—this was the next day—even though many employees lacked a college degree. That stretched the hearing out for 4 days. When it comes to these elections, delay is really the tool that is used to stop a final decision.

The regional director at the NLRB ruled in favor of the union's position and ordered an election held 82 days after the petition was filed in which more than a majority of the workers said they wanted an election. Eighty-two days later they actually got an election. During that time the employer hired two anti-union consultants to wage an anti-union campaign that included threats and interrogation and even the installation of a video surveillance system to monitor employees at all times throughout the workplace. Pro-union workers saw their hours cut, while non-union workers were given all the overtime they wanted. Worst of all, the employer terminated or laid off six employees in what they believe was retaliation.

Despite the delays and discomfort the employers created, a slim majority of employees still voted to form the union. But the employer continues to raise objections and intimidate the workers. Is that really what we want to see—the majority of the workers want the election, it takes 82 days to have the election, and then the recriminations and problems that follow? It doesn't seem as if this is workplace democracy, the way it was designed.

So I support this NLRB rule, and I am going to vote no on the efforts on the other side of the aisle to overturn it. This brings the election process into the 21st century and lets employers and unions communicate with employees. It doesn't encourage or discourage unionization; that is still up to the workers.

Some Republicans take offense to these changes and call it an ambush. Instead of standing up for workers, they have chosen to challenge these commonsense reforms. This rule is about reducing unnecessary delay and litigation and giving the workers the last word. That is what we are supposed to do.

This case in Illinois isn't unique. In some extreme cases, workers have been forced to wait 13 years for the simple right to organize. In many others, the delays have eventually led do a situation in which there was never a vote. Fifty-eight percent of workers want representation in their workplace, but the delays and challenges to the election process through NLRB discourage organizing.

These proposed changes by themselves neither encourage nor discourage unions. The proposed rule will apply the same way to workers attempting to decertify a union as it does to workers trying to form a union. The only real impact of the rule changes is, after 50 years, to recognize the existence of email and telephones, for goodness' sake. That is considered radical business by some on the other side of the aisle, but for most it is just common sense.

So oppose this effort to overturn this NLRB rule. Give the workers a chance to vote one way or the other on whether they want a union.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Madam President, we are here today because the NLRB has once

again overstepped the line. I am not sure it is a red line, but I do know this—that the Board has become a hyperpartisan, pro-union entity, and that does not benefit the American people.

We saw it in my home State of South Carolina, in my hometown of North Charleston, when the NLRB and the IAM attempted to destroy what was at the time 1,100 jobs at Boeing. Boeing represents more than 8,000 jobs in North Charleston because of the success of South Carolina's pro-business, pro-employee—I want to emphasize ''pro-employee''—environment. But the NLRB and the President simply decided that didn't fit their tastes. So after more than a year, when we saw the NLRB's general counsel joke about destroying the American economy and call Members of Congress names, they finally relented when they realized South Carolina and the American people would not stand for it.

But since then, the NLRB has continued to push policies loved by union bosses, even though it was created to be an unbiased arbiter. So today we are taking a very rare step—invoking the Congressional Review Act—because the NLRB decided to do union bosses one more favor.

The ambush elections rule, which the Board has now finalized, will allow as few as 10 days to pass between employees filing a petition to unionize and a vote occurring. This rule is perhaps the most pro-Big Labor action taken by the current administration, which is quite a fete for this administration. Ambush elections hurt the ability of employees to make a well-informed choice on joining a union as it gives limited time to hear both sides of the debate. The rule also requires unprecedented amounts of employees' personal information to be given to union representatives, such as personal cell phone numbers and email addresses. The NLRB is also now placing burdensome requirements on employers that unions do not have to follow themselves, providing an unfair advantage to union organizers.

In South Carolina we have seen the potential ramifications that come as a result of a widely partisan NLRB, and this rule simply reinforces the fact that the Board must return to acting as the neutral arbiter it was intended to be. But since that does not seem likely anytime soon, as my friends on the left resist efforts that Senator ALEXANDER and I and others have introduced to reform the Board, we find ourselves here today.

I will leave you with just a few quotes. One is from Brian Hayes:

> The principal purpose for this radical manipulation of our election process is to minimize, or rather, to effectively eviscerate an employer's legitimate opportunity to express its views about collective bargaining.

I urge my colleagues to vote to disapprove of the ambush elections rule and return workplace decisions to employees—not to Big Labor and a partisan administration.

Just a few weeks ago we had a hearing in the HELP Committee. Sometimes when we have this conversation about what is good for employees versus what is good for employers, we find a way of taking these two groups of folks and trying to put them in competing categories. I asked a very simple question at one of the hearings, and I wish to take a few minutes to walk through what we are expecting of employers as we engage in this new process of ambush elections. I think we will see very clearly why we call them ambush elections.

For the last 13 or 14 years, before entering Congress, I was a small business owner, an entrepreneur. I thought I had found the American dream. We were making a profit. We were moving forward. We were hiring people. And now, as I think it through, if I were still in business today, what are we asking employers to do in as short a window as 10 days?

With less than two dozen employees and no in-house legal counsel, I am expected in as few as 10 days to understand what an election position is; to find a labor attorney in Charleston with NLRB experience, and hopefully, NLRB expertise; to learn what can and cannot be said to employees; to figure out which employees are eligible to vote; to submit to the union names of eligible employees, their addresses, personal emails, their cell phone numbers, their work location, shift information, employee classifications; and to ensure all legal arguments are raised at this point in time so that I do not waive my right to use those arguments in the future. All of this must be done with amazing haste and great precision.

Meanwhile, the clock is ticking. The clock is ticking on my right to talk with my employees before an election. My business is being neglected. Bear in mind that employers and entrepreneurs start businesses so that we can actually accomplish a task, not necessarily to defend ourselves in this process. So while we are neglecting our business and incurring substantial legal costs, I have to ask myself one very simple question—and I think many people are going to ask themselves the same exact question—and it is simply this: How does this lead to a fair election for any employee or any employer? It seems to me that it simply cannot and it will not.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

THE ISRAELI PRIME MINISTER'S ADDRESS TO CONGRESS

Mr. THUNE. Mr. President, this morning we were fortunate enough to hear Israeli Prime Minister Benjamin Netanyahu address a joint meeting of Congress. I was disappointed the Vice President and a number of Democratic Members of Congress chose not to attend this event. They missed a powerful speech, and they missed an opportunity to demonstrate America's commitment to our strongest ally, Israel.

In his speech before the American-Israeli Public Affairs Committee yesterday, Prime Minister Netanyahu spoke about Israel's alliance with the United States to, as he put it, ''defend our common civilization against common threats.'' He spoke of ''values that unite us . . . values like liberty, equality, justice, tolerance, and compassion.'' These are the values that unite us. They are the values both our Nations are committed to defend. It is an area of the world where respect for liberty and equality is often nonexistent. Israel stands up for these most essential principles. America is proud to be her ally.

The Prime Minister spoke this morning about the dangers of a nuclear-armed Iran. I scarcely need to enumerate the reasons why Iran possessing a nuclear weapon is such a dangerous prospect.

First and foremost, Iran is a state sponsor of terrorism. That rather bureaucratic phrase obscures the full horror of what it signifies—that Iran's Government helps advance the activities of those who have made violence their mission and have kept millions of ordinary men, women, and children in the Middle East from living in stability and peace.

Iran has fomented hostility toward the State of Israel, and its leaders have publicly stated the desire to wipe the entire Nation of Israel off the map. As Iran spreads violence and oppression abroad, it also uses the same tactics against its people at home. Iran's Government is hostile to freedom of any kind, whether it be freedom of speech or freedom of religion, and thousands of its own citizens have been tortured and imprisoned and executed for daring to stand up for their human rights. Keeping such a regime from developing a nuclear weapon must be a priority.

Unfortunately, since November of 2013, when the Obama administration first reached an interim nuclear agreement with Iran, all we have seen from these negotiations are delays and extensions while Iran has received an easing of sanctions. We hear it repeated that ''no deal is better than a bad deal.'' Yet while Israel has made it clear that an agreement which recognizes Iran's right to enrich uranium is unacceptable, our own administration has yet to clearly state what a good deal would look like.

When the Senate made efforts to set out the parameters for an acceptable final agreement by introducing the bipartisan Nuclear Weapon Free Iran Act of 2015, which I cosponsored, the President announced that he would veto such a bill without even waiting to see

what it would look like after being fully debated and amended.

Last week two of my colleagues introduced the Iran Nuclear Agreement Review Act of 2015, which would give Congress 60 days to approve or disapprove any final agreement. It will be telling if the President threatens to veto this bill as well. It is essential that any final agreement on Iran's nuclear capability be acceptable to the American people, and congressional review is therefore indispensable.

I am eager to work with the White House and my colleagues across the aisle to provide the American people and our allies abroad with the assurance that Iran will not be allowed to arm itself with a nuclear weapon. However, I am concerned that if the President continues his go-it-alone approach, Americans may not like the deal that emerges.

KING V. BURWELL

Mr. President, I wish to pivot to an issue that is being considered over in the Supreme Court this week. Tomorrow the Supreme Court is going to hear oral arguments in the case of King v. Burwell, which challenges the extension of ObamaCare subsidies to States with Federal exchanges.

The President's health care law states that individuals who enroll through ''an exchange established by the State'' are entitled to receive subsidies to help with their premium payments.

ObamaCare architect Jonathan Gruber made it clear this was intended to give States an incentive to create their own exchanges. At an event in 2012, he told the audience:

> [W]hat's important to remember politically about this is if you're a state and you don't set up an exchange, that means your citizens don't get their tax credits—but your citizens still pay the taxes that support this bill.

That is from ObamaCare architect Jonathan Gruber back in 2012.

In the wake of the health care law's passage, however, States made it clear they were reluctant to take on the costs and burdens associated with ObamaCare. More than two-thirds of the States declined to set up their own exchanges, and the Obama administration provided the subsidies to those enrolled on Federal exchanges despite there being no authority in the law for it to do so, and despite the concerns expressed by members of the President's own administration who were doubtful about the legality of such a move.

The administration's decision to push forward with the subsidies despite the lack of legal authority could have serious consequences for millions of Americans. If the Supreme Court finds the Obama administration overstepped its authority, 5 million Americans could lose their ObamaCare subsidies.

I recently joined several of my colleagues in sending a letter to the head of the Department of Health and Human Services and the Treasury Secretary to ask what the administration's plan is for dealing with the aftermath of an unfavorable Supreme Court ruling. The administration's answer: Nothing. That is right. Health and Human Services Secretary Sylvia Mathews Burwell told us the administration has no administrative plans for what it would do in the event of an unfavorable decision by the Supreme Court.

In fact, the administration declined to even warn Americans enrolling this year of what could happen if the Supreme Court found the administration was illegally providing subsidies.

Clearly the millions of Americans who could lose their health care premium subsidy, thanks to the administration's abuse of its authority, need a solution, and Republicans have been working on solutions. The junior Senator from Nebraska has put forward a plan to use the 1985 COBRA law to extend temporary health care assistance to these Americans for 18 months.

Other Republicans—Senator HATCH from Utah, Senator ALEXANDER from Tennessee, Senator BARRASSO from Wyoming—have offered their own plan which would also provide temporary financial assistance to affected Americans while they recover from the loss of the subsidies.

The chairmen of the House Ways and Means, Energy and Commerce, and Education and the Workforce Committees have released a roadmap for replacing ObamaCare with market-based solutions. Their plan allows States to opt out of many ObamaCare mandates while maintaining protections for Americans. It would also make refundable tax credits available to Americans who lost their subsidies.

All of these plans seek to replace the broken ObamaCare system with real health care reform that would lower costs, expand access to care, and to put patients, not the government, in charge of their health care decisions.

We don't need this court case to demonstrate that ObamaCare has been a massive failure. We already had the unexpected tax bills, the higher premiums, the loss of doctors and hospitals, the health care plans Americans were not allowed to keep, the law's negative effect on employment, and I could go on and on.

This court case underscores what all the other law's problems have demonstrated: ObamaCare is not fixing the health care challenges facing our country. If anything, it is making them worse. ObamaCare has been tried, and it has been found wanting. It is time to repeal this law and to replace it with health care reforms that will actually fix the problems in our health care system and improve affordability and access for all Americans. Five years of ObamaCare is long enough.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. 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. HATCH. Mr. President, I rise today to discuss the National Labor Relations Board representation case procedures rule, which is set to go into effect April 14.

This rule unfairly expedites union elections and squelches individual self-determination, democratic decision-making, and freedom of expression. It is also a blatant attempt to circumvent Congress's legitimate constitutional role in how—if at all—to reform the National Labor Relations Act. It is a clear case of regulatory overreach, and it is an abuse of power.

The National Labor Relations Act seeks to create equity—or a ''level playing field,'' so to speak—in labor relations. Now, I believe the NLRA is far from perfect. In fact, I have introduced multiple pieces of legislation over the years to amend the NLRA. Nevertheless, any reform must be openly debated and enacted by Congress, not decided unilaterally by an unaccountable bureaucracy.

I am concerned because this National Labor Relations Board case representation rule clearly favors the unions. I am not anti-union. I oppose this rule because I am a champion for both workers and businesses, for employee groups and the employer community. This rule hurts both. I oppose this rule not because I am against a worker's right to join a union but because this rule is detrimental to both employers and employees.

The NLRA guarantees the right to engage in union activities. It also ensures the right to refrain from such activities. This rule dramatically shortens the period of time that exists between a union filing an election petition and the actual election. Shortening this time period undermines an employer's ability to hold a lawful exchange with its employees on whether to select union representation. It also deprives workers of their right to receive key information from all sides, as the NLRB currently provides—a system that allows for a full and robust debate between unions, employees, and employers.

Moreover, there is simply no need for the rule.

Both businesses and workers deserve a process that is free of unnecessary delays. Nearly 95 percent of all elections take place within 2 months after a petition has been filed, and the unions have won more than two-thirds of these elections during that time. No one can claim that this process is fraught with unnecessary delays.

Unions favor this rule because it rigs the system by allowing them to campaign without the employer's knowledge. While some argue that employers are free to talk to their employees about unionization at any time, employers are unable to rebut a union's

argument if they are unaware the arguments are even being made. This rule leaves employers with insufficient time to respond to a union's arguments—and they know that. That is what is wrong with this legislation. Once again, this hurts both the worker and the employer.

While my main objection to this rule is that it precludes workers and employers from necessary and protected information sharing, I also oppose the rule because it is likely to throw many elections into chaos and confusion.

Under this rule, voter eligibility would be deferred to postelection procedures. Employees would be asked to vote on joining a union without knowing which employees will ultimately make up the bargaining unit. Simply put, unions are trying to win representation elections without defining whom they are representing.

Furthermore, there are serious due process concerns surrounding the initial hearing and Statement of Position requirements. It is particularly burdensome to small employers to collect the required information following the filing of the petition in this drastically shortened timeframe.

Lastly, we cannot ignore that with this rule the NLRB is invading employees' privacy and exposing them to potential identity theft by mandating that employers turn over employees' personal telephone numbers and email addresses to the unions. That is outrageous. The rule tramples on workers' individual liberties by allowing unions to unfairly obtain an employee's private information.

The NLRB should be a neutral arbiter—an impartial overseer of the process—working to enforce the law, and to stop violations, and to intervene in attempts to sway benefit from one side or the other. It should not be an advocate for organized labor. Rather than approaching the situation from the neutral perspective, this rule makes a value judgment that favors unions based on false assumptions.

The NLRB should properly be safeguarding labor relations processes. I urge us all to support workers' personal liberties by providing them ample opportunity to make up their own minds. I urge all of my colleagues to support employers in preserving due process while cultivating constructive dialogue between businesses and workers.

I thank Senators ALEXANDER and ENZI for leading this action under the Congressional Review Act. I am proud to stand with the majority of my Senate colleagues today in preventing the NLRB's abuse of regulatory power by supporting this resolution of disapproval.

I am well aware of these types of tactics by the union movement. I am one of the few people in this body who was really raised in the union movement, who actually learned a skilled trade, who actually worked as a union member for 10 years in the building and construction trade unions as a metal lather.

I have to tell my colleagues that some of these people in the NLRB and others have been trying to get quickie elections through for a long time, and of course, the purpose of it is to slant everything in their favor, when they win a majority of the NLRB votes anyway. No, they just want to win all of them without giving the employees the necessary information to be able to make wise decisions as to whether to join a union, and then they cloud it up by making it almost impossible to know which part of the union or which methodology they are going to go into.

We have stopped quickie elections for years. We have had good Democrats and good Republicans vote against quickie elections. It is not fair to slant the system totally against employers, which is what this bill will do.

Frankly, it is time we quit pulling these dirty tricks. It really never ceases to amaze me. When Republicans appoint—and they are in the majority—people to the NLRB, as a general rule, they try to make things more fair. They try to look at both sides and be fair. When Democrats do it—when Democratic Presidents do it—they try to pull tricks such as this that really are unworthy of the type of considerations that really are involved in these union elections. I don't mind unions winning, but they ought to win fair and square. They shouldn't win because they stacked the deck against the businesses. There are enough rules to give unions advantages in union elections as it is. But to have quickie elections so that the owner of the business or the owners of the business don't have a chance to answer the questions that come up or even speak to their employees is just wrong. I am opposed to it, and I hope everybody in this Senate is opposed to it as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

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

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

KEYSTONE XL PIPELINE

Mr. DAINES. Mr. President, the Keystone XL Pipeline means opportunity for the American people. The President is standing in the way of jobs. He is standing in the way of affordable energy. He is standing in the way of our Nation's energy security. His recent veto threat and now carrying through with the veto sent a clear message that he is more concerned with political games than increasing opportunity for the American people.

We are here today to send a strong message that this fight is far from over.

The Keystone XL Pipeline is a lifeline for many Montana communities. In fact, the Keystone Pipeline enters the United States through Montana, and that is why I will keep fighting to get this project moving forward.

In fact, in our State of Montana alone, the Keystone Pipeline means $80 million to Montana counties and schools per year. Now, $16 million per year of that goes directly to our Montana university systems. This is how we continue to fund our infrastructure, our schools, and our teachers.

A couple of weeks ago I got a call from Rion Miles. He is the business manager for the Operating Engineers Local 400 in Montana. He told me the Keystone XL Pipeline will create 300 good-paying jobs for his union members in Montana alone. Like most Montanans, Ryan is scratching his head. He doesn't understand why the President is standing in the way of these good-paying union jobs.

A while back, I was in my pickup traveling in eastern Montana in the town of Glasgow. I stopped by the NorVal Co-Op. This co-op supplies electricity to a few thousand Montana families in northeast Montana. They told me over a cup of coffee that morning that they will keep electric rates flat for the next 10 years if the Keystone Pipeline is approved. Why is that? That is because the NorVal Co-Op is supplying the electricity to a couple of the pump stations on the Keystone Pipeline. That extra volume of electricity will help keep costs down for everybody.

I asked: What happens if the Keystone Pipeline is not approved? They said electric rates would go up about 40 percent over the next 10 years. That is nearly $500 a year of increase per family. These are hardworking Montana families living month to month. These are senior citizens living on fixed incomes, where we can hold their utility rates, electric rates flat for the next 10 years by passing the Keystone Pipeline bill.

What about North American energy independence? Up to 830,000 barrels a day of oil will be transported through this pipeline. Contrary to what the President has said, 100,000 barrels a day from the Bakken, which is shared between North Dakota and Montana, will be put into that pipeline close to Baker, Montana.

The President was just given four Pinocchios by the Washington Post yesterday for claiming that the Keystone Pipeline bypassed the United States.

I would like to have the President come to Montana. I will pick him up in Billings, and we will drive in my pickup. I will show him where the proposed siting is for the Baker onramp where 100,000 barrels a day of made-in-Montana and made-in-North Dakota oil will enter the Keystone Pipeline. The people of Montana and the people in the Bakken region know the President's claim is absolutely false.

With gas dropping under two bucks a gallon where I am from, that has been a welcomed change for many, many hard-working Montana families. Why are gas prices dropping? It is because we are seeing more made-in-America

energy. Again, this lowering in gas prices will result in approximately $750 a year of savings for the average American household. That is a good thing. But rather than hitting pause on our energy production, it is time to encourage it.

Just this morning we were reminded by Israeli Prime Minister Netanyahu that we are living in an increasingly dangerous world. Our energy security isn't just about jobs and low energy prices. It is directly tied to our national security. Whether it is ISIS, whether it is Boko Haram in Nigeria and Chad, whether it is the Russian aggression in Eastern Europe or the growing threat of a nuclear Iran, it is vitally important we move forward with more made-in-America energy because many of these regions that are filled with turmoil supply much of the world's oil and natural gas.

I remember just a year ago when we were having some challenges and we looked at the numbers of what is going on in Ukraine. Nearly 40 percent of the natural gas that is supplied in Europe comes through pipelines going through Ukraine. Thankfully, as the United States becomes the world's largest oil producer this year, surpassing both Russia and Saudi Arabia, these are positive steps forward towards a more secure future for our children and grandchildren. We need more made-in-America energy, not more made-in-the-Middle East oil. The Keystone Pipeline will help us do just that.

Looking forward, the President's veto isn't the end. This week we will vote to override the President's veto. I hope we can get three or four more Senators onboard for this veto vote, and we can do it in the Senate. I call on my colleagues on both sides of the aisle. It was encouraging to see a good bipartisan vote in the Senate and in the House in support of the Keystone Pipeline. Let's stand together, and let's stand with the American people and override the President's shortsighted veto. Regardless of the vote, the fight is not over.

This week the President himself said he would make a final decision on this pipeline. I hope he does. You realize it took the Canadians just 7 months to approve the Keystone Pipeline—7 months. It has now taken our President over 6 years without approving the pipeline. We must keep the pressure on this administration. We must continue to fight for American jobs, American opportunity, American energy independence, and low energy prices.

I yield back my time.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

REMEMBERING MINNIE MINOSO

Mr. DURBIN. Mr. President, on Sunday, America lost a baseball legend when Saturino Orestes Armas Minoso Arrieta passed away. We knew him as the Cuban Comet, as Mr. White Sox, as the heart and soul of Chicago baseball on the South Side, and a beacon of hope for Cuban athletes everywhere. It is with great sorrow that Chicago loses its South Side White Sox champion only days after the North Side Cubs lost their champion, Ernie Banks.

Before Minnie was Major League Baseball's first black Latino star, he was the son of a sugarcane plantation worker in Perico, Cuba. He started his professional baseball career in Cuba, playing for $2 a game with the Ambrosia Candy team in Havana for the 1943 season. He also worked in the company garage for $8 a week. But within a couple of years, he made it to Havana's Marianao team, making $150 a month, which soon became $200 a month to keep him from moving even more quickly in his career.

By 1946, Minnie's talent couldn't be kept away from bigger leagues. He signed a $300 deal to play for the New York Cubans of the Negro National League. Minnie played third base for the Cubans, batted .294, played in the All-Star Game, and helped them win the pennant. They would beat the Cleveland Buckeyes in the World Series.

The Cleveland Indians hired Minoso in 1949, but the Indians barely used him. He spent the next 2 years in the minor leagues. In 1951, the Indians made a three-team trade with the White Sox and Philadelphia Phillies, and Minnie arrived in Chicago.

Minnie Minoso was the first Black player to wear a Chicago White Sox uniform. His first at-bat was a home run. That first year, the fans gave him his own day, and he was selected for the All-Star Game. He drove opponents mad with his ability to get on base and steal bases. He unabashedly crowded the plate and was hit by a pitch 192 times—just so he could steal second.

Minnie Minoso played 12 seasons with the White Sox over five decades. The seven-time All-Star was The Sporting News Rookie of the Year in 1951, he won three Gold Gloves in left field, and finished in the top four in American League MVP four times. His number was retired in 1983. Minnie had a wonderful career. He is one of two players ever to appear in a major league game in five decades. During the 1950's, two players had 100 homeruns, 100 stolen bases, and batted .300. Those two were the legendary Willie Mays and Minnie Minoso.

But his life was bigger than numbers. He brought optimism to all those around him. Nothing made him happier than when the White Sox won the World Series in 2005 with fellow Cubans Jose Conteras and Orlando Hernandez playing pivotal roles.

Minnie Minoso was a great treasure to Chicago. He used to cruise the Chicago streets in his big car with a White Sox flag flying and his dog Jewel on the front seat. Through all the decades he spent in Chicago, he helped make the town, the White Sox, and the sport of baseball a joy for thousands of fans. He will be missed.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Ms. MIKULSKI. Mr. President, today the House adopted the Department of Homeland Security funding bill without poison pill riders. The bill passed the Senate on Friday, and will fund the Department of Homeland Security through September 30, 2015—the end of fiscal year 2015.

I am glad Congress finally put partisanship aside and funded the security of the American people. And, I want to thank all those who protect our country, from the Coast Guard to the Secret Service, to cyber security professionals and intelligence analysts. Your funds are secure.

The mission of the Department of Homeland Security is to protect America from terrorism and help communities respond to all threats, including those from terrorists and natural disasters. This is a good bill and there was no disagreement on the funding. In December, working with Senator COATS and Senator Landrieu, and our House colleagues, we agreed that vital funding for the Department of Homeland Security would total $46 billion—over $1 billion more than a continuing funding resolution.

I am glad this responsible bill to fund the mission of the Department of Homeland Security and its employees is heading to the President's desk. DHS employees are on the job every day. The Coast Guard is literally breaking ice to keep the economy flowing. The Secret Service is protecting the President and fighting credit card fraud. Border Patrol and Immigration and Customs Enforcement agents are securing our borders and enforcing our immigration laws. The Federal Emergency Management Agency is preparing for and responding to disasters, including hurricanes and blizzards. There are cyber warriors securing our networks. And through grant programs the funding supports State and local law enforcement, fire fighters, and EMS. Now, after 5 months, we have done our job to put the resources into the hands of the workers who defend America.

It is my hope that with passage of the homeland security funding bill, Congress can end the era of divisive shutdown politics. The millions of men and women serving in our military and the civil service, who work every day to make this a better Nation, deserve respect and the resources to do their jobs.

Looking ahead, I look forward to working across the aisle and across the dome to debate and complete all 12 fiscal year 2016 appropriations bills in an orderly way, without poison pill riders.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for yesterday's vote on the motion to invoke cloture on the motion to go to conference on the House message to accompany H.R. 240, the Department of Homeland Security Appropriations Act. I would have voted nay.

As well, I was necessarily absent for yesterday's vote on the motion to table the request to go to conference on H.R. 240, the Department of Homeland Security Appropriations Act. I would have voted aye.

TRIBUTE TO DAN HAMMER

Mrs. BOXER. Mr. President, I would like to take this opportunity to recognize a great friend and gifted wordsmith, Dan Hammer, who is retiring after a long and distinguished career in public service.

Born and raised in San Jose, Dan attended UC Santa Cruz before moving to Boston to manage an antiwar printing press. He returned to the San Francisco Bay area soon afterwards, where he cut his editing teeth as a typesetter for Rolling Stone magazine.

I first crossed paths with Dan during my 1992 Senate campaign. Dan stopped by my San Diego campaign office after work one day, and his immense talents immediately caught the attention of my local campaign manager. Dan quickly became one of my hardest working volunteers, doing everything from writing memos and news advisories to helping manage my public events. After I won the election, I knew I had to have Dan on my team. Although it took some convincing, he joined my San Diego district office in 1994.

Dan has held many positions in my offices over the years. As a San Diego-based field representative, he served as my eyes and ears on the ground, keeping me apprised of critical issues in southern California. As my deputy press secretary based out of my Washington, DC office, Dan worked many late nights writing press releases and staffing me at events. As my constituent communications director, Dan moved my entire legislative correspondence operation from DC to southern California, managing the full operation with discipline and precision. Under his leadership, my legislative correspondence team answers 200,000 letters and emails every month, and he uses his exceptional communications skills every day to share my work with the constituents I serve. Through it all, he has helped teach a generation of young staffers how to effectively communicate about the most important issues and ideas of our time.

Outside of work, Dan selflessly gives his time to the causes he believes in. Whether volunteering with environmental organizations like the Planning and Conservation League, working for other elected officials including Congresswoman SUSAN DAVIS, or joining the U.S. Coast Guard Auxiliary, Dan has always been dedicated to making his community a better place to live.

For more than 20 years, Dan has been a trusted ally, advisor, and friend. As he begins his retirement and embarks on the next exciting chapter of his life, I send him, his wife Shelley, and their entire family my best wishes, deep affection, and abiding gratitude.

MESSAGES FROM THE PRESIDENT

CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13660 ON MARCH 6, 2014, AS MODIFIED BY THE ORDER OF DECEMBER 19, 2014, WITH RESPECT TO UKRAINE—PM 8

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 national emergency declared in Executive Order 13660 of March 6, 2014, is to continue in effect beyond March 6, 2015.

The actions and policies of persons that undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets, as well as the actions and policies of the Government of the Russian Federation, including its purported annexation of Crimea and its use of force in Ukraine, continue 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 13660 with respect to Ukraine.

BARACK OBAMA.
THE WHITE HOUSE, *March 3, 2015.*

CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13288 ON MARCH 6, 2003, WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF ZIMBABWE AND OTHER PERSONS TO UNDERMINE ZIMBABWE'S DEMOCRATIC PROCESSES OR INSTITUTIONS—PM 9

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 national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2015.

The threat constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, *March 3, 2015.*

MESSAGE FROM THE HOUSE

At 2:17 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 280. An act to authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs.

H.R. 294. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the placement of veterans in non-Department medical foster homes for certain veterans who are unable to live independently.

The message also announced that pursuant to section 2 of the Migratory

Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Migratory Bird Conservation Commission: Mr. THOMPSON of California.

The message further announced that pursuant to Executive Order No. 12131, and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the President's Export Council: Mr. KILDEE of Michigan and Ms. DELBENE of Washington.

MEASURES REFERRED

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

H.R. 280. An act to authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 294. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the placement of veterans in non-Department medical foster homes for certain veterans who are unable to live independently; to the Committee on Veterans' Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 625. A bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

*Jeffery S. Hall, of Kentucky, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2018.

*Dallas P. Tonsager, of South Dakota, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2020.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. JOHNSON:

S. 623. A bill to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect , disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself, Mr. WICKER, Mr. CARDIN, and Ms. COLLINS):

S. 624. A bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening; to the Committee on Finance.

By Mr. MCCONNELL:

S. 625. A bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes; read the first time.

By Mr. GRASSLEY (for himself and Mr. SCHUMER):

S. 626. A bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes; to the Committee on Finance.

By Ms. AYOTTE (for herself, Mrs. MCCASKILL, Mr. MORAN, Mr. FLAKE, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. THUNE, and Mr. CRAPO):

S. 627. A bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself and Ms. BALDWIN):

S. 628. A bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself, Mr. BROWN, Mrs. FISCHER, Mrs. MCCASKILL, Ms. BALDWIN, Mr. KIRK, and Mr. BLUNT):

S. 629. A bill to enable hospital-based nursing programs that are affiliated with a hospital to maintain payments under the Medicare program to hospitals for the costs of such programs; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 630. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 631. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself, Mr. DURBIN, and Ms. HIRONO):

S. 632. A bill to strengthen the position of the United States as the world's leading innovator by amending title 35, United States Code, to protect the property rights of the inventors that grow the country's economy; to the Committee on the Judiciary.

By Mr. PAUL:

S. 633. A bill to prohibit certain assistance to the Palestinian Authority; to the Committee on Foreign Relations.

By Mr. GARDNER:

S. 634. A bill to prohibit the Federal Emergency Management Agency from recouping certain assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY:

S. 635. A bill to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL:

S. 636. A bill to reduce prescription drug misuse and abuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. MORAN, Mr. SCHUMER, Mr. ISAKSON, Mr. CASEY, Mr. BOOZMAN, and Mr. BLUMENTHAL):

S. 637. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. LEE, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, and Mr. VITTER):

S. 638. A bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. INHOFE, Mr. CRAPO, Mr. LEE, Mr. COATS, and Mr. CORNYN):

S. 639. A bill to require the Administrator of the Environmental Protection Agency to include in any proposed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. INHOFE, Mr. WICKER, Mr. CRAPO, Mr. ENZI, Mr. COATS, Mr. LEE, Mr. CORNYN, and Mr. VITTER):

S. 640. A bill to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone; to the Committee on Environment and Public Works.

By Mr. PETERS (for himself and Mrs. ERNST):

S. 641. A bill to amend the Internal Revenue Code of 1986 to extend the employer wage credit for activated military reservists; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 642. A bill to aid human trafficking victims' recovery and rehabilitation; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Ms. HIRONO):

S. 643. A bill to amend titles I and II of the Elementary and Secondary Education Act of 1965 to strengthen connections to early childhood education programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 644. A bill to resolve title issues involving real property and equipment acquired using funds provided under the Alaska Kiln Drying Grant Program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY:

S. 645. A bill to assist States in providing voluntary high-quality universal prekindergarten programs and programs to support infants and toddlers; to the Committee on Health, Education, Labor, and Pensions.

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

S. 646. A bill to amend title 10, United States Code, to provide an individual with a mental health screening before the individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. CRUZ (for himself, Mr. VITTER, Mr. CRAPO, Mr. RUBIO, Mr. BARRASSO, and Mr. ENZI):

S. 647. A bill to repeal title I of the Patient Protection and Affordable Care Act and to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Finance.

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. PORTMAN, Ms. BALDWIN, Mr. ISAKSON, Mrs. MURRAY, Mr. COONS, Mr. WYDEN, Mr. BROWN, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BOOZMAN, and Mr. SCHUMER):

S. Res. 94. A resolution supporting the goals and ideals of Career and Technical Education Month; considered and agreed to.

By Mr. COONS (for himself and Mr. INHOFE):

S. Res. 95. A resolution designating March 3, 2015, as ''World Wildlife Day''; considered and agreed to.

By Mr. BROWN (for himself, Mrs. MURRAY, Mr. BOOZMAN, Mr. TESTER, Mr. NELSON, Ms. CANTWELL, and Mr. SCHATZ):

S. Con. Res. 7. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to award the Congressional Gold Medal to the World War II members of the Doolittle Tokyo Raiders; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 178

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 178, a bill to provide justice for the victims of trafficking.

S. 228

At the request of Mr. CRAPO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 228, a bill to amend title 54, United States Code, to provide for congressional and State approval of national monuments and restrictions on the use of national monuments.

S. 259

At the request of Mr. HOEVEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 259, a bill to modify the efficiency standards for grid-enabled water heaters.

S. 262

At the request of Mr. LEAHY, the names of the Senator from Maine (Mr. KING), the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 262, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 275

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 301

At the request of Mrs. FISCHER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Montana (Mr. DAINES) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 301, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 317

At the request of Ms. HIRONO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 317, a bill to improve early education.

S. 332

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 332, a bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 356

At the request of Mr. LEE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 373

At the request of Mr. THUNE, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 373, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 375

At the request of Mr. CARDIN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 375, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 388

At the request of Mr. BOOKER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 388, a bill to amend the Animal Welfare Act to require humane treatment of animals by Federal Government facilities.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 440

At the request of Mr. CRAPO, the names of the Senator from Illinois (Mr. KIRK), the Senator from South Dakota (Mr. THUNE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 440, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness.

S. 489

At the request of Mr. THUNE, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 489, a bill to amend the Tariff Act of 1930 to increase the maximum value of articles that may be imported duty-free by one person on one day.

S. 499

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 499, a bill to amend title II of the Social Security Act to prevent concurrent receipt of unemployment benefits and Social Security disability insurance, and for other purposes.

S. 578

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

S. 588

At the request of Mr. DURBIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 588, a bill to require the Consumer Product Safety Commission to establish a consumer product safety standard for liquid detergent packets to protect children under the age of five from injury or illness, and for other purposes.

S. 599

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 599, a bill to extend and expand the Medicaid emergency psychiatric demonstration project.

S. 607

At the request of Mr. GRASSLEY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 607, a bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes.

S. 615

At the request of Mr. PAUL, his name was added as a cosponsor of S. 615, a bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

S. RES. 87

At the request of Mr. MENENDEZ, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Res. 87, a resolution to express the sense of the Senate regarding the rise of anti-Semitism in Europe and to encourage greater cooperation with the European governments, the European Union, and the Organization for Security and Co-operation in Europe in preventing and responding to anti-Semitism.

S. RES. 88

At the request of Mr. COCHRAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 88, a resolution celebrating Black History Month.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 625. A bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 625

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 ''Iran Nuclear Agreement Review Act of 2015''.

SEC. 2. CONGRESSIONAL REVIEW AND OVERSIGHT OF AGREEMENTS WITH IRAN RELATING TO THE NUCLEAR PROGRAM OF IRAN.

The Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) is amended by inserting after section 134 the following new section:

''SEC. 135. CONGRESSIONAL REVIEW AND OVERSIGHT OF AGREEMENTS WITH IRAN.

''(a) TRANSMISSION TO CONGRESS OF NUCLEAR AGREEMENTS WITH IRAN AND VERIFICATION ASSESSMENT WITH RESPECT TO SUCH AGREEMENTS.—

''(1) TRANSMISSION OF AGREEMENTS.—Not later than 5 calendar days after reaching an agreement with Iran relating to the nuclear program of Iran, the President shall transmit to the appropriate congressional committees—

''(A) the text of the agreement and all related materials and annexes;

''(B) a verification assessment report of the Secretary of State prepared under paragraph (2) with respect to the agreement; and

''(C) a certification that—

''(i) the agreement includes the appropriate terms, conditions, and duration of the agreement's requirements with respect to Iran's nuclear activities and provisions describing any sanctions to be waived, suspended, or otherwise reduced by the United States, and any other nation or entity, including the United Nations; and

''(ii) the President determines the agreement meets United States non-proliferation objectives, does not jeopardize the common defense and security, provides an adequate framework to ensure that Iran's nuclear activities permitted thereunder will not be inimical to or constitute an unreasonable risk to the common defense and security, and ensures that Iran's nuclear activities permitted thereunder will not be used to further any nuclear-related military or nuclear explosive purpose, including for any research on or development of any nuclear explosive device or any other nuclear-related military purpose.

''(2) VERIFICATION ASSESSMENT REPORT.—

''(A) IN GENERAL.—The Secretary of State shall prepare, with respect to an agreement described in paragraph (1), a report assessing—

''(i) the extent to which the Secretary will be able to verify that Iran is complying with its obligations under the agreement;

''(ii) the adequacy of the safeguards and other control mechanisms and other assurances contained in the agreement with respect to Iran's nuclear program to ensure Iran's activities permitted thereunder will not be used to further any nuclear-related military or nuclear explosive purpose, including for any research on or development of any nuclear explosive device or any other nuclear-related military purpose; and

''(iii) the capacity and capability of the International Atomic Energy Agency to effectively implement the verification regime required by the agreement, including whether the International Atomic Energy Agency has the required funding, manpower, and authority to do so.

''(B) ASSUMPTIONS.—In preparing a report under subparagraph (A) with respect to an agreement described in paragraph (1), the Secretary shall assume that Iran could—

''(i) use all measures not expressly prohibited by the agreement to conceal activities that violate its obligations under the agreement; and

''(ii) alter or deviate from standard practices in order to impede efforts to verify that Iran is complying with those obligations.

''(C) CLASSIFIED ANNEX.—A report under subparagraph (A) shall be transmitted in unclassified form, but shall include a classified annex prepared in consultation with the Director of National Intelligence, summarizing relevant classified information.

''(3) EXCEPTION.—The requirements of subparagraphs (B) and (C) of paragraph (1) shall not apply to an agreement defined in subsection (i)(4).

''(b) PERIOD FOR REVIEW BY CONGRESS OF NUCLEAR AGREEMENTS WITH IRAN.—

''(1) IN GENERAL.—During the 60-day period following transmittal by the President of an agreement pursuant to subsection (a), the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review such agreement.

''(2) LIMITATION ON ACTIONS DURING PERIOD OF REVIEW.—Notwithstanding any other provision of law, except as provided in paragraph (3), during the period for review provided in paragraph (1), the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described in subsection (a).

''(3) EXCEPTION.—The prohibition under paragraph (2) does not apply to any deferral, waiver, or other suspension of statutory sanctions pursuant to the Joint Plan of Action if that deferral, waiver, or other suspension is made—

''(A) consistent with the law in effect on the date of the enactment of the Iran Nuclear Agreement Review Act of 2015; and

''(B) not later than 45 days before the transmission by the President of an agreement, assessment report, and certification under subsection (a).

''(c) EFFECT OF CONGRESSIONAL ACTION WITH RESPECT TO NUCLEAR AGREEMENTS WITH IRAN.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, action involving any measure of statutory sanctions relief by the United States pursuant to an agreement subject to subsection (a) or the Joint Plan of Action—

''(A) may be taken, consistent with existing statutory requirements for such action, if, during the period for review provided in subsection (b)(1), the Congress adopts, and there is enacted, a joint resolution stating in substance that the Congress does favor the agreement;

''(B) may not be taken if, during the period for review provided in subsection (b)(1), the Congress adopts, and there is enacted, a joint resolution stating in substance that the Congress does not favor the agreement; or

''(C) may be taken, consistent with existing statutory requirements for such action, if, following the period for review provided in subsection (b)(1), there is not enacted any such joint resolution.

''(2) DEFINITION.—For the purposes of this subsection, the phrase 'action involving any measure of statutory sanctions relief by the United States' shall include waiver, suspension, reduction, or other effort to provide relief from, or otherwise limit the application of statutory sanctions with respect to, Iran under any provision of law or any other effort to refrain from applying any such sanctions.

''(d) CONGRESSIONAL OVERSIGHT OF IRANIAN COMPLIANCE WITH NUCLEAR AGREEMENTS.—

''(1) IN GENERAL.—The President shall, within 10 days of receiving credible and accurate information relating to a potentially significant breach or compliance incident by Iran with respect to an agreement subject to subsection (a), submit such information to the appropriate congressional committees.

''(2) MATERIAL BREACH REPORT.—Not later than 10 days after submitting information about a potentially significant breach or compliance incident pursuant to paragraph (1), the President shall make a determination whether such potentially significant breach or compliance issue constitutes a material breach and shall submit to the appropriate congressional committees such determination, accompanied by, as appropriate, a report on the action or failure to act by Iran that led to the material breach, actions necessary for Iran to cure the breach, and the status of Iran's efforts to cure the breach.

''(3) SEMI-ANNUAL REPORT.—Not later than 180 days after entering into an agreement described in subsection (a), and not less frequently than once every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on Iran's nuclear program and the compliance of Iran with the agreement during the period

covered by the report, including the following elements:

''(A) Any action or failure to act by Iran that breached the agreement or is in noncompliance with the terms of the agreement.

''(B) Any delay by Iran of more than one week in providing inspectors access to facilities, people, and documents in Iran as required by the agreement.

''(C) Any progress made by Iran to resolve concerns by the International Atomic Energy Agency about possible military dimensions of Iran's nuclear program.

''(D) Any procurement by Iran of materials in violation of the agreement.

''(E) Any centrifuge research and development conducted by Iran that—

''(i) is not in compliance with the agreement; or

''(ii) may substantially enhance the enrichment capacity of Iran if deployed.

''(F) Any diversion by Iran of uranium, carbon-fiber, or other materials for use in Iran's nuclear program in violation of the agreement.

''(G) Any covert nuclear activities undertaken by Iran.

''(H) An assessment of whether any Iranian financial institutions are engaged in money laundering or terrorist finance activities, including names of specific financial institutions if applicable.

''(I) An assessment of—

''(i) whether, and the extent to which, Iran supported acts of terrorism; and

''(ii) whether Iran directly supported, financed, planned, or carried out an act of terrorism against the United States or a United States person anywhere in the world.

''(4) ADDITIONAL REPORTS AND INFORMATION.—

''(A) AGENCY REPORTS.—Following submission of an agreement pursuant to subsection (a) to the appropriate congressional committees, the Department of State, the Department of Energy, and the Department of Defense shall, upon the request of either of those committees, promptly furnish to those committees their views as to whether the safeguards and other controls contained in the agreement with respect to Iran's nuclear program provide an adequate framework to ensure that Iran's activities permitted thereunder will not be inimical to or constitute an unreasonable risk to the common defense and security.

''(B) PROVISION OF INFORMATION ON NUCLEAR INITIATIVES WITH IRAN.—The President shall keep the appropriate congressional committees fully and currently informed of any initiative or negotiations with Iran relating Iran's nuclear program, including any new or amended agreement.

''(5) CERTIFICATION.—After the review period provided in subsection (b)(1), the President shall, not less than every 90 days—

''(A) determine whether the President is able to certify that—

''(i) Iran is transparently, verifiably, and fully implementing the agreement, including all related technical or additional agreements;

''(ii) Iran has not committed a material breach with respect to the agreement or, if Iran has committed a material breach, Iran has cured the material breach;

''(iii) Iran has not taken any action, including covert action, that could significantly advance its nuclear weapons program;

''(iv) Iran has not directly supported or carried out an act of terrorism against the United States or a United States person anywhere in the world; and

''(v) suspension of sanctions related to Iran pursuant to the agreement is—

''(I) appropriate and proportionate to the specific and verifiable measures taken by Iran with respect to terminating its illicit nuclear program; and

''(II) vital to the national security interests of the United States; and

''(B) if the President determines he is able to make the certification described in subparagraph (A), make such certification to the appropriate congressional committees.

''(e) EXPEDITED CONSIDERATION OF LEGISLATION.—

''(1) IN GENERAL.—In the event the President does not submit a certification pursuant to subsection (d)(5) or has determined pursuant to subsection (d)(2) that Iran has materially breached an agreement subject to subsection (a), Congress may initiate within 60 days expedited consideration of qualifying legislation pursuant to this subsection.

''(2) QUALIFYING LEGISLATION DEFINED.—For purposes of this subsection, the term 'qualifying legislation' means only a bill of either House of Congress—

''(A) the title of which is as follows: 'A bill reinstating statutory sanctions imposed with respect to Iran.'; and

''(B) the matter after the enacting clause of which is: 'Any statutory sanctions imposed with respect to Iran pursuant to _____ that were waived, suspended, reduced, or otherwise relieved pursuant to an agreement submitted pursuant to section 135(a) of the Atomic Energy Act of 1954 are hereby reinstated and any action by the United States Government to facilitate the release of funds or assets to Iran pursuant to such agreement, or provide any further waiver, suspension, reduction, or other relief is hereby prohibited.', with the blank space being filled in with the law or laws under which sanctions are to be reinstated.

''(3) INTRODUCTION.—During the 60-day period provided for in paragraph (1), qualifying legislation may be introduced—

''(A) in the House of Representatives, by the Speaker (or the Speaker's designee) or the minority leader (or the minority leader's designee); and

''(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

''(4) COMMITTEE REFERRAL.—Qualifying legislation introduced in the Senate shall be referred to the Committee on Foreign Relations and in the House of Representatives to the Committee on Foreign Affairs.

''(5) DISCHARGE.—If the committee of either House to which qualifying legislation has been referred has not reported such qualifying legislation within 10 session days after the date of referral of such legislation, that committee shall be discharged from further consideration of such legislation and the qualifying legislation shall be placed on the appropriate calendar.

''(6) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

''(A) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider qualifying legislation reports it to the House of Representatives or has been discharged from its consideration, it shall be in order to move to proceed to consider the qualifying legislation in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the qualifying legislation. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(B) CONSIDERATION.—The qualifying legislation shall be considered as read. All points of order against the qualifying legislation and against its consideration are waived. The previous question shall be considered as ordered on the qualifying legislation to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the qualifying legislation shall not be in order. No amendment to, or motion to recommit, qualifying legislation shall be in order.

''(C) APPEALS.—All appeals from the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to the qualifying legislation shall be decided without debate.

''(7) FLOOR CONSIDERATION IN THE SENATE.—

''(A) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the committee authorized to consider qualifying legislation reports it to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of qualifying legislation, and all points of order against qualifying legislation (and against consideration of the qualifying legislation) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business until disposed of.

''(B) DEBATE.—Debate on qualifying legislation, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the qualifying legislation is not in order.

''(C) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the qualifying legislation and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate.

''(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to qualifying legislation shall be decided without debate.

''(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to qualifying legislation, including all debatable motions and appeals in connection with such qualifying legislation, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

''(8) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

''(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of qualifying legislation of that House, that House receives qualifying legislation from the other House, then the following procedures shall apply:

''(i) The qualifying legislation of the other House shall not be referred to a committee.

''(ii) With respect to qualifying legislation of the House receiving the legislation—

''(I) the procedure in that House shall be the same as if no qualifying legislation had been received from the other House; but

''(II) the vote on passage shall be on the qualifying legislation of the other House.

''(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider qualifying legislation under

this section, the qualifying legislation of the other House shall be entitled to expedited floor procedures under this section.

''(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the qualifying legislation in the Senate, the Senate then receives a companion measure from the House of Representatives, the companion measure shall not be debatable.

''(f) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—Subsection (e) is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of legislation described in those sections, and supersede other rules only to the extent that they are inconsistent with such rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''(g) RULES OF CONSTRUCTION.—Nothing in the section shall be construed as—

''(1) modifying, or having any other impact on, the President's authority to negotiate, enter into, or implement appropriate executive agreements, other than the restrictions on implementation of the agreements specifically covered by this Act;

''(2) allowing any new waiver, suspension, reduction, or other relief from statutory sanctions with respect to Iran under any provision of law, or allowing the President to refrain from applying any such sanctions pursuant to an agreement described in subsection (a) during the period for review provided in subsection (b)(1);

''(3) revoking or terminating any statutory sanctions imposed on Iran; or

''(4) authorizing the use of military force against Iran.

''(h) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) the sanctions regime imposed on Iran by Congress is primarily responsible for bringing Iran to the table to negotiate on its nuclear program;

''(2) these negotiations are a critically important matter of national security and foreign policy for the United States and its closest allies; and

''(3) it is critically important that Congress have the opportunity to consider and, as appropriate, take action on any agreement affecting the statutory sanctions regime imposed by Congress.

''(i) DEFINITIONS.—In this section:

''(1) AGREEMENT AND ALL RELATED MATERIALS AND ANNEXES.—The term 'agreement and all related materials and annexes' means the agreement itself and any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance, technical or other understandings, and any related agreements, whether entered into or implemented prior to the agreement or to be entered into or implemented in the future.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

''(3) IRANIAN FINANCIAL INSTITUTION.—The term 'Iranian financial institution' has the meaning given the term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

''(4) JOINT PLAN OF ACTION.—The term 'Joint Plan of Action' means the Joint Plan of Action, signed at Geneva November 24, 2013, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States, and all implementing materials and agreements related to the Joint Plan of Action, including the technical understandings reached on January 12, 2014, the extension thereto agreed to on July 18, 2014, the extension agreed to on November 24, 2014, and any extension that is agreed to on or after the date of the enactment of the Iran Nuclear Agreement Review Act of 2015.

''(5) MATERIAL BREACH.—The term 'material breach' means, with respect to an agreement described in subsection (a), any breach of the agreement that substantially—

''(A) benefits Iran's nuclear program;

''(B) decreases the amount of time required by Iran to achieve a nuclear weapon; or

''(C) deviates from or undermines the purposes of such agreement.

''(6) NONCOMPLIANCE DEFINED.—The term 'noncompliance' means any departure from the terms of an agreement described in subsection (a) that is not a material breach.

''(7) P5+1 COUNTRIES.—The term 'P5+1 countries' means the United States, France, the Russian Federation, the People's Republic of China, the United Kingdom, and Germany.

''(8) UNITED STATES PERSON.—The term 'United States person' has the meaning given that term in section 101 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511).''.

This act shall become effective 1 day after enactment.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 630. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to establish a National Heritage Area in the California Sacramento-San Joaquin Delta. This legislation will create the first Heritage Area in California.

This bill was first introduced in 2011 and has been the subject of Energy and Natural Resources Committee hearings in both the 112th and 113th Congresses. Since then, the Delta Protection Commission has completed a feasibility study, as required, and endorsed the legislation. Additionally, the National Park Service has confirmed that the study is consistent with the agency's interim National Heritage Area Feasibility Study Guidelines.

I was pleased to have had the opportunity to work with Senator BOXER, Representative JOHN GARAMENDI, and the County Supervisors from the five Delta Counties to develop this legislation and look forward to continuing to partner with them as well as local, State and Federal agencies to care for and improve the Delta.

This bill will establish the Sacramento-San Joaquin Delta as a National Heritage Area. The purpose of the heritage area is to conserve and protect the Delta, its communities, its resources, and its history.

The Delta Protection Commission, created by California law and responsible to the citizens of the Delta and California, will manage the Heritage Area. It will ensure an open and public process, working with all levels of Federal, State, and local government, tribes, local stakeholders, and private property owners as it develops and implements the management plan for the Heritage Area. The bill authorizes $10 million in Federal assistance over the next 15 years to provide technical assistance and matching grants to local governments and nonprofit organizations to implement the management plan to conserve and protect the delta's natural, historical and cultural resources.

It is also important to understand what this legislation will not do. It will not affect water rights. It will not affect water contracts. It will not affect private property. It will not affect fishing or hunting.

Nothing in this bill gives any governmental agency any more regulatory power than it already has, nor does it take away regulatory from agencies that have it.

In short, this bill does not affect water rights or water contracts, nor does it impose any additional responsibilities on local government or residents. Instead, it authorizes Federal assistance to a local process already required by State law that will elevate the Delta, providing a means to conserve and protect its valued communities, resources, and history.

The Sacramento-San Joaquin Delta is the largest estuary on the West Coast. It is the most extensive inland delta in the world, and a unique national treasure.

Today, it is a labyrinth of sloughs, wetlands, and deepwater channels that connect the waters of the high Sierra mountain streams to the Pacific Ocean through the San Francisco Bay. Its approximately 60 islands are protected by 1,100 miles of levees, and are home to 3,500,000 residents, including 2,500 family farmers. The Delta and its farmers produce some of the highest quality specialty crops in the United States.

The Delta offers recreational opportunities to the two million Californians who visit the area each year for boating, fishing, hunting, visiting historic sites, and viewing wildlife. It provides habitat for more than 750 species of plants and wildlife. These include sand hill cranes that migrate to the Delta wetland from places as far away as Siberia. The Delta also provides habitat for 55 species of fish, including Chinook salmon, some as large as 60 pounds, that return each year to travel through the Delta to spawn in the tributaries.

These same waterways also channel fresh water to the Federal and State-owned pumps in the South Delta that provide water to 23 million Californians and three million acres of irrigated agricultural land elsewhere in the State.

Before the Delta was reclaimed for farmland in the 19th Century, the Delta flooded regularly with snow melt each spring, and provided the rich environment that, by 1492, supported the

largest settlement of Native Americans in North America.

The Delta was the gateway to the gold fields in 1849, after which Chinese workers built hundreds of miles of levees throughout the waterways of the Delta to make its rich peat soils available for farming and to control flooding.

Japanese, Italians, German, Portuguese, Dutch, Greeks, South Asians and other immigrants began the farming legacy, and developed technologies specifically adapted to the unique environment, including the Caterpillar Tractor, which later contributed to agriculture and transportation internationally.

Delta communities created a river culture befitting their dependence on water transport, a culture which has attracted the attention of authors from Mark Twain and Jack London to Joan Didion.

The National Heritage Area designation for the Sacramento-San Joaquin Delta will help local governments develop and implement a plan for a sustainable future by providing federal recognition, technical assistance and small amounts of funding to a community-based process already underway.

Through the Delta Heritage Area, local communities and citizens will partner with Federal, State and local governments to collaboratively work to promote conservation, community revitalization, and economic development projects.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 630

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 ''Sacramento-San Joaquin Delta National Heritage Area Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Sacramento-San Joaquin Delta Heritage Area established by section 3(a).

(2) HERITAGE AREA MANAGEMENT PLAN.—The term ''Heritage Area management plan'' means the plan developed and adopted by the local coordinating entity under this Act.

(3) LOCAL COORDINATING ENTITY.—The term ''local coordinating entity'' means the local coordinating entity for the Heritage Area designated by section 3(d).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of California.

SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the ''Sacramento-San Joaquin Delta Heritage Area'' in the State.

(b) BOUNDARIES.—The boundaries of the Heritage Area shall be in the counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo in the State of California, as generally depicted on the map entitled ''Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary'', numbered T27/105,030, and dated October 2012.

(c) AVAILABILITY OF MAP.—The map described in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Delta Protection Commission.

(d) LOCAL COORDINATING ENTITY.—The local coordinating entity for the Heritage Area shall be the Delta Protection Commission established by section 29735 of the California Public Resources Code.

(e) ADMINISTRATION.—

(1) AUTHORITIES.—For purposes of carrying out the Heritage Area management plan, the Secretary, acting through the local coordinating entity, may use amounts made available under this Act to—

(A) make grants to the State or a political subdivision of the State, nonprofit organizations, and other persons;

(B) enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State, nonprofit organizations, and other interested parties;

(C) hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) obtain money or services from any source including any that are provided under any other Federal law or program;

(E) contract for goods or services; and

(F) undertake to be a catalyst for any other activity that furthers the Heritage Area and is consistent with the approved Heritage Area management plan.

(2) DUTIES.—The local coordinating entity shall—

(A) in accordance with subsection (f), prepare and submit a Heritage Area management plan to the Secretary;

(B) assist units of local government, regional planning organizations, and nonprofit organizations in carrying out the approved Heritage Area management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(iii) developing recreational and educational opportunities in the Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the Heritage Area;

(v) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access, and sites of interest are posted throughout the Heritage Area; and

(vii) promoting a wide range of partnerships among governments, organizations, and individuals to further the Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the Heritage Area management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the Heritage Area management plan;

(E) for any year that Federal funds have been received under this Act—

(i) submit an annual report to the Secretary that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the Heritage Area.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The local coordinating entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(4) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this Act shall be 50 percent.

(f) HERITAGE AREA MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the local coordinating entity shall submit to the Secretary for approval a proposed Heritage Area management plan.

(2) REQUIREMENTS.—The Heritage Area management plan shall—

(A) incorporate an integrated and cooperative approach to agricultural resources and activities, flood protection facilities, and other public infrastructure;

(B) emphasizes the importance of the resources described in subparagraph (A);

(C) take into consideration State and local plans;

(D) include—

(i) an inventory of—

(I) the resources located in the core area described in subsection (b); and

(II) any other property in the core area that—

(aa) is related to the themes of the Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the Heritage Area;

(iii) a description of actions that governments, private organizations, and individuals have agreed to take to protect the natural, historical and cultural resources of the Heritage Area;

(iv) a program of implementation for the Heritage Area management plan by the local coordinating entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the local coordinating entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the Heritage Area management plan;

(vi) analysis and recommendations for means by which local, State, and Federal programs, including the role of the National Park Service in the Heritage Area, may best be coordinated to carry out this Act; and

(vii) an interpretive plan for the Heritage Area; and

(E) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area.

(3) RESTRICTIONS.—The Heritage Area management plan submitted under this subsection shall—

(A) ensure participation by appropriate Federal, State, tribal, and local agencies, including the Delta Stewardship Council, special districts, natural and historical resource protection and agricultural organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners; and

(B) not be approved until the Secretary has received certification from the Delta Protection Commission that the Delta Stewardship Council has reviewed the Heritage Area management plan for consistency with the plan adopted by the Delta Stewardship Council pursuant to State law.

(4) DEADLINE.—If a proposed Heritage Area management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this Act until the date that the Secretary receives and approves the Heritage Area management plan.

(5) APPROVAL OR DISAPPROVAL OF HERITAGE AREA MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of receipt of the Heritage Area management plan under paragraph (1), the Secretary, in consultation with the State, shall approve or disapprove the Heritage Area management plan.

(B) CRITERIA FOR APPROVAL.—In determining whether to approve the Heritage Area management plan, the Secretary shall consider whether—

(i) the local coordinating entity is representative of the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Heritage Area management plan; and

(iii) the resource protection and interpretation strategies contained in the Heritage Area management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the Heritage Area.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the Heritage Area management plan under subparagraph (A), the Secretary shall—

(i) advise the local coordinating entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the Heritage Area management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the Heritage Area management plan from the local coordinating entity, approve or disapprove the proposed revision.

(D) AMENDMENTS.—

(i) IN GENERAL.—The Secretary shall approve or disapprove each amendment to the Heritage Area management plan that the Secretary determines make a substantial change to the Heritage Area management plan.

(ii) USE OF FUNDS.—The local coordinating entity shall not use Federal funds authorized by this Act to carry out any amendments to the Heritage Area management plan until the Secretary has approved the amendments.

(g) RELATIONSHIP TO OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this Act—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(h) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in this Act—

(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;

(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;

(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the local coordinating entity;

(D) authorizes or implies the reservation or appropriation of water or water rights;

(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or

(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(2) OPT OUT.—An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the local coordinating entity.

(i) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the local coordinating entity with respect to—

(i) accomplishing the purposes of this Act for the Heritage Area; and

(ii) achieving the goals and objectives of the approved Heritage Area management plan;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under subparagraph (A) recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(j) EFFECT OF DESIGNATION.—Nothing in this Act—

(1) precludes the local coordinating entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(2) affects any water rights or contracts.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this Act shall be determined by the Secretary, but shall be not more than 50 percent.

(c) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this Act may be in the form of in-kind contributions of goods or services.

SEC. 5. TERMINATION OF AUTHORITY.

(a) IN GENERAL.—If a proposed Heritage Area management plan has not been submitted to the Secretary by the date that is 5 years after the date of enactment of this Act, the Heritage Area designation shall be rescinded.

(b) FUNDING AUTHORITY.—The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 631. A bill to exempt National Forest System land in the State of Alaska from the Roadless Area Conservation Rule; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, rise today to introduce legislation that I have cosponsored for a number of years, that will remedy the problems that have been created by this administration's decision to apply the, Inventoried, Roadless Area Conservation Rule to Alaska, especially in Southeast Alaska's Tongass National Forest, and also in the Chugach National Forest of Southcentral Alaska. I am joined today in introducing that bill by my Alaska colleague Senator DAN SULLIVAN.

Back in 2001 the Clinton administration promulgated the Nationwide Inventoried Area Roadless Conservation Rule. Initially the rule did not cover the Tongass National Forest in Alaska, which has been the subject of congressional review and special legislation twice in the past 35 years, first in the Alaska National Interest Lands Conservation Act in 1980, which reduced the allowable timber harvest in

the 16.9-million acre forest from nearly 1 billion board feet a year to a 450 million board foot harvest level, and later by the Tongass Timber Reform Act of 1990, which further reduced the allowable harvest level to 267 million board feet annually. Congress in 1980 created 5.75 million acres of wilderness by creating 14 wilderness areas in the forest, and in 1990 further reduced the lands available for timber harvesting by creating five additional wilderness areas totaling 296,000 acres and 12 Land Unit Designation 11 areas of 727,700 acres that increased the protected acreages in the Tongass to more than 6.4 million. With the passage of the Sealaska lands bill in 2014, total protected acreage in the Tongass has risen to 6.55 million acres.

Lands classified for potential timber production have been drastically reduced since the 1980 Act's passage. In the Tongass Land Management Plans, TLPM, crafted after ANILCA's passage, 13.3 million acres of the forest, nearly 80 percent, have been restricted from resource development. Of the 9.5 million acres of commercial timber lands in the Tongass only 3.4 million were open for development after 1980 and only 800,000, including previously logged areas, were permitted/planned for harvest over a prospective 100-year timber rotation, harvesting limited to about 8,250 acres a year—4 percent of the total land area. That included about 400,000 ''new'' acres of new timber lands over a century on top of the roughly 425,000 acres harvested since modern timber activities in Southeast Alaska began in the 1950's and allowed in part for reentry in the future. Since passage of the Tongass Timber Reform Act, and since imposition of the Inventoried Roadless Rule, potential harvesting has dropped even further.

The 2001 Inventoried Roadless Areas in the Tongass include 9.5 million acres, 57 percent of the entire forest, while 5.4 million acres, 99 percent, of the Chugach National Forest in Southcentral Alaska were placed in protected status. In the Tongass 7.4 million acres are in the highest protected status of inventoried roadless meaning that not only can't roads be built for forestry, but that access is not allowed for other uses such as renewable energy development. Overall, between the Inventoried Roadless Rule and other land protections, fewer than 176,000 acres of ''new'' timber lands are planned for harvest over the next 100 years, cutting the allowable sale quantity below 267 mmbf. The drop in employment in the region has been chilling. According to the Forest Service, total direct timber sector employment fell from a high of 3,543 average annual employees in 1990 to 402 in 2007, Tongass employment in logging and sawmilling has declined from 409 in 2001, the first year of the roadless rule, to 114 by 2007. The drop off in timber activity would actually be higher except the State of Alaska, to the degree that it could, increased State timber sales. In 2002, for example, 73 percent of all timber cut in Southeast came from Federal forest lands, while by 2007 the percentage stood at barely half coming from Federal lands.

Without changes in the roadless rule to allow some additional timber harvest areas and other energy and mineral development, no more than about 3 percent of the Nation's largest forest will ever be developed and Southeast Alaska will be forced to depend solely on fisheries and tourism as economic engines, potentially returning the region to its impoverished economy of the 1940s.

Today I am introducing legislation to simply exempt Alaska from the Inventoried Roadless Rule. That will not permit economic development on all 9.5 million acres of IRA lands in the Tongass or many of the lands in the Chugach. They will continue to be protected by the terms of the national forest plans for both forests. What it will do is permit land planners the flexibility to propose more rational land planning decisions in the future. It would allow the Forest Service the ability to permit road and electric transmission lines to be placed to tap the region's huge hydroelectric potential—there being 300 megawatts of hydropower available from known sites, if distribution lines can be built at reasonable cost to get the power to markets.

Adding some timber back to the timber base would allow a timber industry to again help the region's economy. But that would not harm the environment and wildlife. Already of the 537,451 acres of productive old-growth, POG, trees left in the Tongass, 437,000 are in permanent conservation areas—81 percent.

The roadless rule may make sense in the contiguous states since there are at least some roads and utility lines that cross those States' national forests. In Southeast Alaska, however, there is no transportation network except a marine ferry system, and no permitted electrical transmission system. It simply made no sense in 2001 for the Inventoried Roadless Rules to apply to Alaska. The rule is not needed since by existing plans and regulations, even without IRA's, 96 percent of the Tongass will remain protected. An exemption from the rule will simply allow Alaskans an opportunity to make thoughtful decisions on development in a region 18 times larger than the state of Delaware, but with 1,300 miles of road in the entire region, 1/10 of the road miles of tiny Delaware.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. LEE, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, and Mr. VITTER):

S. 638. A bill to amend the Clean Air Act with respect to exceptional event demonstrations, and for other purposes; to the Committee on Environment and Public Works.

Mr. FLAKE. Mr. President, I thought I would rise to discuss legislation designed to address the bureaucratic overreach in the Environmental Protection Agency's air regulations.

Since I last introduced these bills in June of 2014, EPA's failures in this area have become even more glaring. At present, air regulations are stifling to both businesses and private citizens, and they are negatively impacting our economy.

Let me say from the outset, we all want clean air. We are always in favor of protecting the environment and the air we breathe. I think we are not in favor of an EPA that places real regulations over common sense.

Today I am introducing S. 638, S. 639, and S. 640, the CLEER Act, the OR-DEAL Act, and the Agency PAYGO for greenhouse gases.

The CLEER Act eases the regulatory burden on States, including desert States such as Arizona that are home to so-called exceptional events such as dust storms.

Dust storms in Arizona are not caused by man. They are naturally occurring events, just like tornadoes or blizzards in other parts of the country. When these dust storms occur in Arizona, they can cause a spike in the dust, or the PM–10 level. This is nothing the State can control. Yet this blip can cause Arizona and other affected States to fall out of compliance with Federal air quality standards. Again, this is through no fault of their own. It can lead to a loss of transportation dollars, even from the Federal Government.

Thanks to EPA rules, States end up wasting vast amounts of manpower, countless work hours, and lots of taxpayer dollars on reviews and appeals for events they cannot control or avoid.

For example, the Arizona Department of Environmental Quality, the Maricopa Air Quality Department, and the Maricopa Association of Governments in 2011 and 2012 spent $675,000 and 790 staff hours just to prove a spike in PM–10 levels was caused by a dust storm, not pollution.

These EPA reviews are arbitrary, cumbersome, and costly. They lack an appeals process that further defies common sense. The EPA has continually assured me it would issue a rule to help ease the burdens on States, all the States that have to weather forces of nature such as this. Yet despite these promises, the EPA has continued to backtrack and shift deadlines, and to date has not issued a workable proposed rule.

My legislation on the CLEER Act would require the EPA to move forward with a rulemaking, and it would require decisions on such events be based on a preponderance of evidence, and will accord deference to States' own findings of when such events happen.

It would also require the EPA to review the States' exceptional-event documentation within a reasonable time period of 90 days instead of dragging

out the process. Part of the cost is due to the fact that the EPA drags out the process. These practical fixes will alleviate the undue hardship States are having to deal with and when we have to deal with the effects of these natural events.

Secondly, the ORDEAL Act is an attempt to overhaul the EPA's unnecessary ozone standard reduction until 2018. When the EPA reduced permitted ozone standards in 2008, counties across the country that were in nonattainment were forced to enact expensive and complicated compliance plans.

Relying on a dubious scientific basis, the EPA has proposed lowering the ozone emissions standards even further to 65 parts per billion, while accepting comments on lowering it to 60 parts per billion. By some estimates, this proposal to lower the ozone level may be the most expensive regulation in EPA history—and that is saying something—costing as much as $1.7 trillion. Lowering ozone standards from 75 parts per billion to 65 parts per billion will cost a whopping $140 billion annually. Yet EPA's own science advisers disagree on the very basis upon which this regulation is built.

The ORDEAL Act will stop shaky facts and assumptions from being used as a basis for long-term public policy, and will give States the flexibility and the time to implement their own innovative and proactive measures.

The bill would also extend air quality standards reviews, including ozone, to a 10-year timeline instead of the current 5 years.

Third, Agency PAYGO. This administration has set its sights on reducing carbon emissions, most recently putting draconian regulations on existing powerplants, despite the inevitable job losses and spikes in energy costs. It has placed a mandate on Arizona to reduce 52 percent of its carbon emissions by 2030. This is unattainable, unless Arizonans are forced to greatly reduce their standard of living.

The Agency PAYGO Act I am introducing would simply give the EPA a taste of its own medicine by requiring the Agency to offset the Federal cost of any greenhouse gas rules to an equivalent reduction in Agency spending. If the EPA proceeds without offsetting these costs from its own budget, the final greenhouse gas rule must be approved by Congress, simply saying if you cannot do this as an offset within your own budget, bring it to Congress and let's approve it. This bill specifically forbids the EPA from denying costs to Federal agencies by passing on costs to the Federal agency's ratepayers. If capital costs are imposed by a greenhouse gas rule, the EPA must offset those costs or get Congress's approval.

The EPA has a history of implementing costly and stringent standards for negligible and even questionable benefit. All three of these bills—the CLEER Act, ORDEAL Act, and Agency PAYGO Act—provide more certainty than presently exists to States and counties and businesses that have to deal with the EPA and will hold the Agency accountable for its decision-making process.

I hope my colleagues will join me in supporting these measures.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 94—SUPPORTING THE GOALS AND IDEALS OF CAREER AND TECHNICAL EDUCATION MONTH

Mr. KAINE (for himself, Mr. PORTMAN, Ms. BALDWIN, Mr. ISAKSON, Mrs. MURRAY, Mr. COONS, Mr. WYDEN, Mr. BROWN, Mr. DURBIN, Mr. BLUMENTHAL, Mr. BOOZMAN, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 94

Whereas a competitive global economy requires workers trained in skilled professions;

Whereas according to a report by the National Association of Manufacturers, 80 percent of respondents indicated a moderate to severe shortage of qualified skilled production employees, including front-line workers, such as machinists, operators, craft workers, distributors, and technicians;

Whereas career and technical education is a tried and true solution to ensure that competitive skilled workers are ready, willing, and capable of holding jobs in high-wage, high-skill, and in-demand career fields, such as science, technology, engineering, and mathematics (commonly known as ''STEM'') disciplines, nursing, allied health, construction, information technology, energy sustainability, and many other fields that are vital to keeping the United States competitive in the global economy;

Whereas career and technical education helps the United States meet the very real and immediate challenges of economic development, student achievement, and global competitiveness;

Whereas 14,000,000 students are enrolled in career and technical education, which exists in every State and includes programs in nearly 1,300 public high schools and 1,700 2-year colleges;

Whereas 10 of the 20 fastest growing occupations in the United States require an associate's degree or a lesser credential, 13 of the 20 occupations in the United States with the greatest number of projected new jobs require on-the-job training and an associate's degree or certificate, and nearly all occupations in the United States require real-world skills that can be mastered through career and technical education;

Whereas career and technical education matches employability skills with workforce demand and provides relevant academic and technical coursework leading to industry-recognized credentials for secondary, postsecondary, and adult learners;

Whereas career and technical education affords students the opportunity to gain the knowledge, skills, and credentials needed to secure careers in growing, high-demand fields;

Whereas secondary school students participating in career and technical education are significantly more likely than students not participating in career and technical education to report that they had developed skills during high school in problem solving, project completion, research, mathematics, applying to colleges, work-related contexts, communication, time management, and critical thinking;

Whereas students at schools with highly integrated rigorous academic and career and technical education programs have significantly higher achievement in reading, mathematics, and science than students at schools with less integrated programs; and

Whereas the Association for Career and Technical Education has designated February as ''Career and Technical Education Month'' to celebrate career and technical education across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Career and Technical Education Month;

(2) recognizes the importance of career and technical education in preparing a well-educated and skilled workforce in the United States; and

(3) encourages educators, counselors, and administrators to promote career and technical education as an option for students.

SENATE RESOLUTION 95—DESIGNATING MARCH 3, 2015, AS ''WORLD WILDLIFE DAY''

Mr. COONS (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 95

Whereas wildlife has provided numerous economic, environmental, social, and cultural benefits during the course of human history, and wildlife preservation will secure these gifts for future generations;

Whereas each plant and animal species plays an important role in the stability of diverse ecosystems around the world, and the conservation of this biodiversity is critical to maintain the delicate balance of nature and keep complex ecosystems thriving;

Whereas observation of wild plants and animals in their natural habitat provides individuals with a more enriching world view and a greater appreciation of the wonders of the natural environment;

Whereas tens of millions of individuals in the United States strongly support the conservation of wildlife, both domestically and abroad, and wish to ensure the survival of species in the wild, such as rhinoceroses, tigers, elephants, pangolins, turtles, seahorses, sharks, ginseng, mahogany, and cacti;

Whereas the trafficking of wildlife, including timber and fish, comprises the fourth largest global illegal trade, after narcotics, counterfeiting of products and currency, and human trafficking, and has become a major transnational organized crime with an estimated worth of approximately $19,000,000,000 annually;

Whereas increased demand in Asia for high-value illegal wildlife products, particularly elephant ivory and rhinoceros horns, has recently triggered substantial and rapid increases in poaching of these species, particularly in Africa;

Whereas trafficking of wildlife is the primary threat to many wildlife species, including elephants, rhinoceroses, and tigers;

Whereas many different kinds of criminals, including some terrorist entities and rogue security personnel, often in collusion with corrupt government officials, are involved in wildlife poaching and the movement of ivory and rhinoceros horns across Africa;

Whereas wildlife poaching presents significant security and stability challenges for military and police forces in African nations that are often threatened by heavily armed poachers and the criminal and extremist allies of such poachers;

Whereas wildlife poaching negatively impacts local communities that rely on natural resources for economic development, including tourism;

Whereas penal and financial deterrents can improve the ability of African governments to reduce poaching and trafficking and enhance their capabilities of managing their resources;

Whereas assisting institutions in developing nations, including material, training, legal, and diplomatic support, can reduce illegal wildlife trade;

Whereas wildlife provides a multitude of benefits to all nations, and wildlife crime has wide-ranging economic, environmental, and social impacts;

Whereas the number of elephants killed by poachers in Kenya increased by more than 800 percent from 2007 to 2012, from 47 to 387 elephants killed;

Whereas the number of rhinoceroses killed by poachers in South Africa increased by more than 7000 percent between 2007 and 2013, from 13 to 1004 rhinoceroses killed;

Whereas the number of forest elephants in the Congo Basin in central Africa declined by approximately two-thirds between 2002 and 2012, placing forest elephants on track for extinction within the next decade;

Whereas as few as 3200 tigers remain in the wild throughout all of Asia;

Whereas approximately 100,000,000 sharks are killed annually, often targeted solely for their fins, and unsustainable trade is the primary cause of serious population decline in several shark species, including scalloped hammerhead sharks, great hammerhead sharks, and oceanic whitetip sharks;

Whereas the United States is developing measures to address the criminal, financial, security, and environmental aspects of wildlife trafficking;

Whereas Congress has allocated specific resources to combat wildlife trafficking and address the threats posed by poaching and the illegal wildlife trade;

Whereas in December 2013, the United Nations General Assembly proclaimed March 3 as World Wildlife Day to celebrate and raise awareness of the wild fauna and flora around the world;

Whereas March 3, 2015, represents the second annual celebration of World Wildlife Day; and

Whereas in 2015, World Wildlife Day commemorations will ''celebrate the many beautiful and varied forms of wild fauna and flora, raise awareness of the multitude of benefits that wildlife provides to people, and raise awareness of the urgent need to step up the fight against wildlife crime, which has wide-ranging economic, environmental, and social impacts'': Now, therefore, be it

Resolved, That the Senate—

(1) designates March 3, 2015, as ''World Wildlife Day'';

(2) supports raising awareness of the benefits that wildlife provides to people and the threats facing wildlife around the world;

(3) supports escalating the fight against wildlife crime, including wildlife trafficking;

(4) applauds the domestic and international efforts to escalate the fight against wildlife crime;

(5) commends the efforts of the United States to mobilize the entire Government in a coordinated, efficient, and effective manner for dramatic progress in the fight against wildlife crime; and

(6) encourages continued cooperation between the United States, international partners, local communities, nonprofit organizations, private industry, and other partner organizations in an effort to conserve and celebrate wildlife, preserving this precious resource for future generations.

SENATE CONCURRENT RESOLUTION 7—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO AWARD THE CONGRESSIONAL GOLD MEDAL TO THE WORLD WAR II MEMBERS OF THE DOOLITTLE TOKYO RAIDERS

Mr. BROWN (for himself, Mrs. MURRAY, Mr. BOOZMAN, Mr. TESTER, Mr. NELSON, Ms. CANTWELL, and Mr. SCHATZ) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 7

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDAL TO WORLD WAR II MEMBERS OF DOOLITTLE TOKYO RAIDERS.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used on April 15, 2015, for a ceremony to present the Congressional Gold Medal to the World War II members of the Doolittle Tokyo Raiders, collectively, in recognition of the military service and exemplary record of the Doolittle Tokyo Raiders during World War II.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on March 5, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled. ''America's Health IT Transformation: Translating the Promise of Electronic Health Records Into Better Care.''

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224–1409.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on March 10, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled. ''Continuing America's Leadership in Medical Innovation for Patients.''

For further information regarding this meeting, please contact Jamie Garden of the committee staff on (202) 224–1409.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 3, 2015, at 2:15 p.m., in the President's Room of the Capitol.

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

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 3, 2015, at 2:30 p.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 3, 2015, at 2:30 p.m., to conduct a hearing entitled ''Federal Reserve Accountability and Reform.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 3, 2015, at 9 a.m., in room SR–253 of the Russell Senate Office Building, to conduct a hearing entitled ''Examining the FY 2016 Budget Requests for the U.S. Department of Commerce and the U.S. Department of Transportation.''

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

COMMITTEE ON FINANCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 3, 2015, at 9 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Fairness in Taxation.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 3, 2015, at 4 p.m., to conduct a classified brief entitled ''Update on the Campaign against ISIS.''

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

SUBCOMMITTEE ON IMMIGRATION AND NATIONAL INTEREST

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate, on March 3, 2015, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of U.S. Citizenship and Immigration Services: Ensuring Agency Priorities Comply with the Law.''

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Emily O'Neill, a detailee with the Health, Education, Labor, and Pensions Committee, be granted floor privileges for the duration of the consideration of S.J. Res. 8.

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

SUPPORTING THE GOALS AND IDEALS OF CAREER AND TECHNICAL EDUCATION MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 94, introduced earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 94) supporting the goals and ideals of Career and Technical Education Month.

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

Mr. KAINE. Mr. President, the key to America's continued success lies in improving our Nation's educational system. Career and technical education, CTE, programs are a critical component to every student's education, creating diverse pathways into further education and careers. Today, these programs serve 94 percent of all high school students and 12 million postsecondary students. In both rural and urban communities, CTE plays a vital role in building student engagement, continuing our Nation's economic competitiveness, and building the skills of our workforce to meet and adapt to the needs of the 21st century.

Further, approximately 30 percent of jobs by 2018 will require some college or a 2-year associates degree, a need that can be met by improved access to CTE programs. By increasing these opportunities to obtain postsecondary skills training and meaningful credentials, CTE equitably distributes economic opportunity to all students who are willing to work for it. According to the U.S. Department of Education's Office for Career, Technical and Adult Education, the average high school graduation rate for students concentrating in CTE programs is 93 percent, compared with the national average of 80 percent.

This is why today, with my Senate CTE Caucus cochairs Senator PORTMAN, Senator BALDWIN, and Senator ISAKSON and other colleagues in the Senate, I am submitting a bipartisan resolution to designate February as Career and Technical Education, CTE, Month. CTE Month provides a chance for students and educators alike to learn more about the educational opportunities available in their communities, and to become more engaged in their studies today so they can plan for their future.

Our Nation's economic competitiveness relies on the skill of the American workforce and its ability to meet and adapt to the 21st century economy. By formally recognizing CTE Month through this resolution, it is our hope that we can build support in Washington and across the country for strengthening access to and expanding CTE programs.

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

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

The resolution (S. Res. 94) was agreed to. The preamble was agreed to.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 48, and all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Marine Corps, and Navy. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kenneth E. Tovo

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN96 AIR FORCE nomination of Mark E. Heatherly, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN97 AIR FORCE nominations (3) beginning KARIS K. GRAHAM, and ending MARVIN WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN98 AIR FORCE nominations (2) beginning JESUS A. FLORES, and ending ROBERT C. GOLDTRAP, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN99 AIR FORCE nominations (17) beginning ERICA R. AUSTIN, and ending RICHARD G. STEPHENSON, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN100 AIR FORCE nominations (16) beginning GERARD IRVELT BAZILE, and ending FREDERICK L. YOST, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN101 AIR FORCE nomination of Stephen L. Nelson, Jr., which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN102 AIR FORCE nominations (8) beginning MARY J. ABERNETHY, and ending KAREN B. STEINER, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN103 AIR FORCE nominations (6) beginning MICHAEL D. AYRES, and ending MICHELLE L. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN104 AIR FORCE nominations (3) beginning LAURA J. MCWHIRTER, and ending GREGG E. WENTWORTH, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN105 AIR FORCE nomination of Nicholas J. Zimmerman, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN106 AIR FORCE nomination of Eric M. Chumbley, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN107 AIR FORCE nomination of Scott L. Wilson, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN133 AIR FORCE nomination of Kirsten E. Delambo, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN134 AIR FORCE nominations (2) beginning Salvatore Pelligra, and ending Rebecca A. Bird, which nominations were received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN135 AIR FORCE nomination of Dell P. Dunn, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN136 AIR FORCE nomination of Latrise P. Searson-Norris, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN171 AIR FORCE nomination of Jeffrey B. Krutoy, which was received by the Senate and appeared in the Congressional Record of February 4, 2015.

IN THE ARMY

PN108 ARMY nomination of John P. Hartke, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN137 ARMY nomination of Fred J. Burpo, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN138 ARMY nomination of Paul A. Brisson, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN139 ARMY nomination of Mikelle J. Adamczyk, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN140 ARMY nomination of Robert G. Hale, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN141 ARMY nomination of John M. Gillis, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN142 ARMY nomination of Andre M. Takacs, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN143 ARMY nomination of Ines H. Berger, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

IN THE COAST GUARD

PN94 COAST GUARD nominations (260) beginning GEORGE F. ADAMS, and ending ANDREW H. ZUCKERMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

IN THE MARINE CORPS

PN112 MARINE CORPS nominations (3) beginning JERMAINE M. CADOGAN, and ending AUSTIN E. WREN, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN113 MARINE CORPS nominations (7) beginning ANTHONY K. ALEJANDRE, and ending JONATHAN R. RISSER, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN114 MARINE CORPS nominations (4) beginning PAUL M. HERRLE, and ending ROBERT W. PUCKETT, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN116 MARINE CORPS nominations (2) beginning JAY B. DURHAM, and ending ANDREW K. LAW, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN117 MARINE CORPS nominations (6) beginning DANIEL H. CUSINATO, and ending WILLIAM C. VOLZ, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN118 MARINE CORPS nomination of Ryan M. Cleveland, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN119 MARINE CORPS nominations (5) beginning NICHOLAS K. ELLIS, and ending KOLLEEN L. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN120 MARINE CORPS nomination of Jonathan L. Riggs, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN121 MARINE CORPS nominations (657) beginning BRETT D. ABBAMONTE, and ending JASON E. ZELLEY, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN123 MARINE CORPS nomination of David C. Walsh, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN124 MARINE CORPS nomination of Scott W. Zimmerman, which was received by the Senate and appeared in the Congressional Record of January 26, 2015.

IN THE NAVY

PN109 NAVY nominations (37) beginning ALYSSA B. Y. ARMSTRONG, and ending KARI E. YAKUBISIN, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2015.

PN144 NAVY nomination of Rachel A. Passmore, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN145 NAVY nominations (2) beginning JUSTIN R. MILLER, and ending JAMES R. SAULLO, which nominations were received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN146 NAVY nomination of Candida A. Ferguson, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN149 NAVY nomination of Richard R. Barber, which was received by the Senate and appeared in the Congressional Record of January 29, 2015.

PN178 NAVY nomination of Benigno T. Razon, Jr., which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

PN179 NAVY nomination of Donna L. Smoak, which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

PN180 NAVY nomination of Fabio O. Austria, which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

PN182 NAVY nomination of Shawn D. Wilkerson, Jr., which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

PN183 NAVY nomination of Budd E. Bergloff, which was received by the Senate and appeared in the Congressional Record of February 5, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR WEDNESDAY, MARCH 4, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, March 4; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S.J. Res. 8, with 2 hours of debate remaining, equally divided in the usual form.

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

PROGRAM

Mr. MCCONNELL. Tomorrow Senators should expect two rollcall votes at approximately 11:30 a.m. on passage of the resolution of disapproval on ambush elections, followed by cloture on the Keystone veto message.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following up to an hour of debate controlled by Senator MURRAY or her designee.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD—Continued

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the National Labor Relations Board and the reforms that have been proposed in the new rule. I rise first of all to provide by way of a predicate or background what happened in 1935 when the National Labor Relations Act was passed. There is a lot to talk about in that act, but just like when a major piece of legislation passes, we have findings that undergird the statute itself.

I will not go through all of those today, but I think some of the language in there is especially appropriate for what we are talking about. The findings and summary spoke to the benefits of collective bargaining—the benefits of organizing and collectively bargaining, and asserted at one point very early in the statute, in the findings, the first couple of paragraphs of the findings that experience—I am paraphrasing this but I will get to specific words in a moment.

But experience has shown that collective bargaining and organizing—and these are the exact words—''safeguards commerce from injury, impairment or interruption.'' It goes on to talk about why it was better—why they believed it was better to pass a statute to resolve labor-management disputes instead of the old way, which was constant conflict, conflict fighting, in some cases even violence.

So we did the right thing in 1935 as a country. We have had some history since then to draw from. The National Labor Relations Board, of course, is the entity that gives meaning to what we intend when we pass laws such as the National Labor Relations Act.

Now we are having a dispute here in this body and in the other body as well about what these rules ought to be. What are the rules that govern the National Labor Relations Board, but in particular, what are the rules that govern elections?

With all of the challenges we are facing in the country right now—the middle class has nowhere near recovered from the last—the great recession. Wages have been declining over a generation, or at least not increasing at the level that costs have been increasing.

So with all of that pressure on families, you could think this could be an area of common ground, but it is not. With all of those challenges facing middle-class families, it is disappointing that Republicans in the Senate have chosen to focus on rolling back the National Labor Relation's Board modest and commonsense reforms, to help workers get a seat at the table, so they can increase their wages and their economic security.

Democrats are fighting to increase wages and we are also fighting for economic security, at the same time Republicans seem to be constantly fighting to increase corporate profits while making workers pay the price. All of us, whether we are Democrats or Republicans, should be coming together to expand workers' voices at the table and not attacking workers' right to collectively bargain.

We are talking about something fundamental here, the opportunity to have

an election in a workplace, and the benefits that flow from that. That is really about empowering workers. I believe that is one of the reasons why we passed the National Labor Relations Act, not just to have a board that can settle disputes, but to actually empower workers in ways they have not been empowered up to that point in our history.

Empowering workers is an important part of building a stronger economy that works not just for those individual workers in that worksite, but in an economy that works for all families, not just the wealthiest few. When the workers have a seat at the bargaining table, our economy prospers and the middle class thrives. I have always believed that if we did not have unions and collective bargaining and organizing since World War II and even since the 1930s, we would have a much less robust middle class. Some people believe there would not be a middle case. But I am at least willing to assert that the right to organize and collectively bargain is not just good for that worker and his or her family, but it is also good for the economy as well.

Those workers are the ones who drive the economy, not just the work they do, but the expenditures they make on behalf of their family. So even though workers are more productive in the United States than ever before, workers are still struggling with those stagnant wages. Today the middle class accounts for the smallest share of the Nation's income since World War II. Hard to believe that the middle class has been so devastated.

We know from our history that when workers have a voice in the workplace through collective bargaining, wages increase, workplace safety improves, and workers have increased retirement and health security. All of those benefits have helped grow America's middle class. Labor unions helped workers share in that economic prosperity that they have helped to create through their own hard work.

One of the great moments I have had as a Senator from Pennsylvania is when you go to a manufacturing plant and they take you on a tour. I am sure the Presiding Officer has done this a number of times. They take you on the tour not just to show how they are producing something, how they manufacture something, they are making something, but they are also very proud of the way they interact with and relate to and work with their employees. They go out of their way to point to a bulletin board or point to a data point in their record to say we have very few injuries, or zero injuries in a certain point of time. They take great pride in that because they know that if they have fewer injuries, they are going to be more productive. If they have fewer injuries, they are going to have employees who can produce on their behalf.

One of the reasons they have fewer injuries over time in our economy and in those businesses is because workers have rights. Workers have rights they did not have in the early part of the 1900s. So we know from our history that this works, this process of making sure workers have a seat at the table.

Now let's go to the National Labor Relations Board, their election reforms. These particular reforms make modest but, I would argue, very important updates to both modernize and streamline the election process, to prevent delays and reduce litigation. The current system is vulnerable to litigation that will drag out for a long period of time, drag out the election process and put workers' rights on hold.

Those reforms will reduce unnecessary litigation that is not relevant to the outcome of the election. In the past, employers and unions had to send information about the election process to the Post Office, which would cost time and money. The new rule brings this election process into the 21st century—which is 15 years old now—by letting employers and unions file forms electronically.

I think that is the least that can happen. You would think in this era we are living in, when everything that is done—most everything is done electronically, in banking and in other industries, that at a minimum we should have information transmitted about an election—something valuable in a workplace. We hold elections with great regard and we believe in the sanctity of elections. So the least we could do is make sure those workers have the benefits of something that would transmit the information electronically. Sending that information in that fashion makes all of the sense in the world.

The rule also allows the use of modern forms of communications through cell phones and emails. That is not asking too much, to be able to transmit information to prepare workers for an election by the use of email or cell phones.

The reforms are commonsense steps to make sure the NLRB, the Board, is using its taxpayer dollars efficiently and effectively.

These changes, as I referred to earlier, are not just good for workers, they also help businesses by streamlining the whole process, the elections process in this case. Right now the election process varies from region to region. Streamlining the process will provide certainty for both employers and workers themselves. The new rule allows businesses and unions to file forms electronically, as I mentioned, instead of using postage. This will save everyone time and money. So modernizing—this is what we are talking about here—modernizing election rules allows businesses and unions to use these basic forms of communications in a way that promotes common sense.

The rule will at long last level the playing field for small businesses. Right now the biggest corporations can exploit the system with long and costly litigation to deny workers, if they choose to do that, a fair up-or-down vote on joining a union. By making the election process more consistent and transparent, the Board's reforms level the playing field for the smaller businesses that already play fair.

The NLRB, the Board itself, the representation rule, are in need of kind of basic updates. There have not been substantial updates to this NLRB election process since the 1970s. Today that leads to inefficiencies and delays. Right now big corporations take advantage of those inefficiencies to postpone and even deny workers the right to vote on union representation.

Often, in the face of employer tactics, workers give up hope. In fact, one in three will never even get to have an election. That is not something the National Labor Relations Act intended. I do not think that is what anyone intended when it comes to these elections or the possibility of an election. So these amendments, these updates, these modernization reforms help restore balance and fairness to the election process. I am perplexed why this is the subject of so much controversy, because these are basic reforms to help people exercise their right to vote in the workplace, which is consistent with our values, consistent with our history, and also consistent with our efforts not just to move that worker and his or her family forward, and their business forward, but also to move the American economy and the middle class forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I come to the floor today with strong support of the National Labor Relations Board's new effort to make workplace union elections more efficient and more effective. I come to the floor today in opposition to Republican efforts to preserve a broken system. Today, instead of raising minimum wages for millions of struggling families, or letting people refinance their student loans, or making sure women get equal pay for equal work, instead of implementing policies that strengthen the middle class, Republicans are pressing a bill to stop a government agency from modernizing its procedures because it might help—yes, help—American workers.

Coming out of the Great Depression, America's labor unions helped build America's strong middle class. For half a century, as union membership went up, America's median family income went up. You know, that was true for families whether they were part of a union or not. As our country got richer, our families got richer. As our families got richer, our country got richer.

Since 1935, Congress has required the National Labor Relations Board to oversee the workplace elections in which workers decide whether to be represented by a union. According to NLRB data, more than 90 percent of

time this works out just fine. For most of the cases that make it to an election, employees and employers agree about the process and an election is held without a dispute. Done.

But in the remaining handful of cases, the rules on how to resolve these concerns have turned into a mess. Over time, a hodgepodge of different rules for resolving these dispute has emerged in each of the country's 26 NLRB regions. To fix this, the NLRB recently finalized one national set of rules that sets out clear procedures for resolving these issues. In other words, the NLRB is trying to make dispute resolution clearer, more efficient, and more consistent from region to region.

Trying to make government work better should not be controversial. But it is controversial. Why? Because some employers simply oppose union votes altogether. They do not want the NLRB to work. They do not want union elections to happen at all. So they are lobbying against those new rules, and congressional Republicans are standing up for them, advancing a proposal to stop the NLRB from implementing its final rules and doing the job Congress gave it 80 years ago.

Republicans claim they were concerned about workers being able to ambush their employers with workplace elections. That is just plain nonsense. Employers are always notified at the beginning of the election process, and according to Caren Sencer, a top labor attorney who testified a few weeks ago in the HELP Committee hearing, there is nothing—nothing—in the new rule that would stop an employer from having its relevant concerns heard and addressed prior to an election.

Let's be honest. The only ambush here is the Republican ambush on workers' basic rights. According to a 2001 study from the Berkeley Center for Labor Research and Education, long election delays correspond with higher rates of labor law violations. A delay gives any union employer more time to retaliate against a union organizer, and to intimidate workers and delay work.

According to NLRB data, nearly one-third of the time when employees file a petition to request an election, they never actually get one. Employers who want to keep their workers out of a union prefer a broken, inefficient system that gives them room to manipulate the process and to block workers from organizing. But that is not the law. The NLRB doesn't answer to them. Federal law directs the NLRB to make sure election disputes can be resolved fairly between employers and employees, and that is exactly what the NLRB is doing.

Throughout our history, powerful interests have tried to capture Washington and rig the system in their favor, but we didn't roll over. At every turn, in every time of challenge, organized labor has been there fighting on behalf of the American people. Labor was on the frontlines to take children out of factories and to put them in schools. Labor was there to give meaning to the words ''consumer protection'' by making our food and our medicine safe. Labor was there to fight for minimum wages in States across this country. In every fight to build opportunity in this country, in every fight to level the playing field, in every fight for working families, labor has been on the frontlines.

Powerful interests have attacked many of the basic foundations of this country—the foundations that once built a strong middle class—and too many times those powerful interests have prevailed. So it comes down to a question I have asked before: Whom does this Congress work for? Republicans say government should keep on working for powerful CEOs who don't like unions and who have figured out how to exploit a tangled system. Republicans complain about government inefficiencies, but then they introduce a bill that is specifically designed so a broken, inefficient system will stay broken and inefficient, even when we know how to fix it.

Well, we weren't sent here just to represent CEOs who don't like unions. We were sent here to support working people who just want a fighting chance to level the playing field. I urge my colleagues to vote against this Republican resolution and let the NLRB do its job.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

IRAN NUCLEAR AGREEMENT REVIEW ACT

Mr. MENENDEZ. Mr. President, I come to the floor to express my disappointment that the majority leader is asking to rule XIV the bipartisan Iran Nuclear Agreement Review Act.

I must ask the majority leader, what happened? Where is the bipartisanship part? Where is the bipartisanship that we have expressed and that I expressed this morning on the floor and last night at AIPAC? I ask again, what happened to putting aside political posturing and partisanship? What happened to the majority leader's pledge in January to ''decentralize power in the Senate'' and ''open up the legislative process''?

''We need to return to regular order,'' he said. I agree with him. Let's do it. Let's return to regular order.

Frankly, this is not what was intended, and it is certainly against my better judgment, against procedure, against any understanding we might have had to take the politics out of our effort to establish congressional oversight of any nuclear agreement with Iran. I am more than disappointed; I am pretty outraged.

I said last night and again this morning that I join Chairman CORKER and Senators GRAHAM, KAINE, DONNELLY, HEITKAMP, KING, NELSON, AYOTTE, RUBIO, MCCAIN, and RISCH in introducing bipartisan oversight legislation to ensure that Congress has a chance to review the deal before it goes into effect and to oversee its compliance after it goes into effect. And now, putting any bipartisanship aside, we are back to politics as usual. The only way to make this work is to work together.

The provisions of the bill itself are good ones. It would require the President to submit an agreement to Congress within 5 days of reaching it. It would give Congress 60 days to consider the agreement before sanctions relief could be provided. It would outline consequences should Congress decide to disapprove the agreement. And in terms of oversight, it would require information on potential breaches to be promptly reported to Congress, along with a comprehensive report every 180 days of any Iranian action inconsistent with the agreement. It would require a report every 90 days from the President on Iran's compliance, informing us of any actions that might advance Iran's nuclear weapons program, that it has not supported or financed or carried out any acts of terrorism, and that any sanctions relief is both appropriate and proportionate to Iran's efforts under the agreement. Of course, it would have here in the Senate a 60-vote threshold, so that means it would have to be a bipartisan determination.

We in good faith agreed to introduce this legislation and take it through the committee process and to the floor so that Congress—which was responsible for bringing Iran to the table in the first place to negotiate—would have a role in reviewing the agreement before it goes into effect, whether to provide sanctions relief, and overseeing implementation and Iranian compliance after it goes into effect because, as I said last night, a deal cannot be built on trust alone. Now, I was talking about Iran; I did not know that I was talking about our deal to pass a bipartisan review act.

So let me conclude. I can't imagine why the majority leader would seek to short-circuit the process, unless the goals are political rather than substantive. And I regret to say these actions make clear an intention that isn't substantive, that it is political. On a day that has been defined by serious discourse about Iran's illicit nuclear weapons program, at a moment when legislators contemplate the most serious national security issue of our time, I am disappointed that the leader has chosen to proceed outside of regular order. By bringing the Corker-Menendez legislation directly to the floor for debate, the majority leader is singlehandedly undermining our bipartisan efforts.

Nobody in Congress has worked harder on this issue, and I certainly don't take a backseat to anyone in pursuing

Iran's nuclear weapons program and standing up for Israel, but I sincerely hope that we can restore regular order and that this bill can be fully considered by all the members of the Senate Foreign Relations Committee in due time.

Finally, there is no emergency. This deal—if there is one—won't be concluded until the summer, so there is plenty of time to wait until March 24, find out whether we have a deal, and then act to be able to be in a posture to opine on that deal and to deal with it accordingly. There is no reason to accelerate this process in this way, to go outside of regular order, bypass the Senate Foreign Relations Committee, and come directly to the floor.

I know I cannot object to the rule XIV process under the rules, but I say to my colleagues, if this is the process, then I will have no choice but to use my voice and my vote against any motion to proceed. I hope that is not the case. I have worked too hard to get to this moment. But if that is the way we are going to proceed, then I will certainly have to vote against proceeding at that time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise to oppose S.J. Res. 8, a misguided resolution that targets workers' right to organize and hurts working families in Hawaii and around the country.

Union election rules haven't been updated since the 1970s. The National Labor Relations Board—or NLRB—is trying to bring union election rules into the 21st century, but today's Senate resolution will block the NLRB's commonsense updates.

The right to organize is a crucial part of our democracy. Unions have helped build the middle class in Hawaii and nationwide. It is disappointing that instead of working to create jobs or help the middle class get ahead, today we are debating whether to make it harder to join a union.

Workers wishing to join a union already face many barriers. For example, companies have significant opportunities to make their case to employees about why they should oppose a union. Meanwhile, unions are not allowed to visit the worksite to make their case for joining a union, and they do not have access to modern contact information such as emails and cell phone numbers—unbelievable as that may sound—to contact workers.

In addition, companies can delay union elections with what amounts to frivolous litigation and appeal after appeal. Nationwide, in contested cases workers already have to wait an average of 4 months to vote whether to join a union.

While most employers in Hawaii want to support their workers, there have been those rare cases of companies exploiting the current system to prevent workers from having a voice in the workplace.

Let me share a situation that happened in Hawaii where workers had not been given a raise in 6 years. They asked a local union for help in organizing their union. In the runup to the union elections, the workers were forced to attend one-on-one or group meetings on work time where their management could convince workers to vote against the union. This company hired a private security firm and posted security guards outside the voting area during the vote. Workers felt intimidated.

The company appealed election results and NLRB rulings over and over again, adding delay after delay and revote after revote. In July 2005, 40 months after a petition was first filed to hold an election, the NLRB finally certified a union for the workers. Still, the company continued to offer appeal after appeal of the election results and even fired 31 union supporters in 2007. Finally, at the end of 2012, 10 years later, the certified union reached its first union contract.

Remember, I noted that where most workplaces are organized, things are done in 4 months. That is not always the case. The NLRB's updated union election rules would help reduce this kind of intimidation and delay, which happens all too often, and would allow organizers to contact workers by email and cell phone. It is pretty astounding that we had to have a rule change in order to make this kind of commonsense change available to organizers—which, by the way, this resolution which I ask my colleagues to vote against disallows.

The rule will make it easier for small businesses to follow labor election laws. Currently, big corporations can use expensive lawyers to litigate and prevent union elections, while small businesses don't have those kinds of resources.

I urge my colleagues to join me in supporting these modest, commonsense updates to NLRB rules and voting no on the resolution. Let's stand with working men and women in this country and support the middle class.

I want to end with a quote from one of our labor organizers and leaders in Hawaii, Hawaii Laborers' business manager Peter Ganaban. In a recent piece in Pacific Business News, Mr. Ganaban explained that ''Hawaii's union climate is an extension of our local culture of helping each other and caring for our communities.''

Allowing workers a fair choice and a fair chance to join a union is the least we can do for our workers in the middle class.

I yield my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WORLD WILDLIFE DAY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 95, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 95) designating March 3, 2015, as ''World Wildlife Day.''

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

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

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

The resolution (S. Res. 95) was agreed to. The preamble was agreed to.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE NATIONAL LABOR RELATIONS BOARD—Continued

Mr. BLUMENTHAL. Mr. President, I am here for the main purpose of vigorously opposing S.J. Res. 8, and to support the National Labor Relations Board's recent rule to modernize the process that workers use if they decide they want to form a union and bargain collectively.

The new NLRB rule makes modest but highly important changes to improve the overall consistency and efficiency of the election process, allowing workers to vote for or against the creation of a union in a fair and timely way. This rule is long overdue, and in Connecticut I have seen—and in my personal experience with the NLRB—how important it is.

As I go around Connecticut, I consistently hear of problems when workers seek to gain representation to form a union. It is cumbersome, costly, time consuming, and is prone to needless delays. It involves needless litigation, and it creates uncertainty for all involved. This rule change—this new rule—is not only good for working men and women, it is also good for businesses by reducing—and in some cases eliminating—the cost, time, and uncertainty that are aggravating and expensive. It is a small step toward a level playing field and a guarantee that companies respect workers' rights to organize and gain the benefits of union membership.

Very simply, here is what the rule does: It removes obstacles to forming unions and requires businesses to postpone litigation over member eligibility issues until after workers join a union.

It cuts down on lengthy litigation that could cause union formation to drag on for a year or more. It modernizes the election process. And, very importantly, it allows for the electronic filing and transmission of petitions for union elections. Believe it or not, previously all of it had been done by fax or mail—not exactly the latest or least expensive technology—and it ensures that unions and employees have enough information about each other so they can communicate in advance of the election.

It streamlines the NLRB's procedures, and with all due respect to the NLRB, what is needed there is practices that are uniform throughout the regional offices so that organizers can better interact with the agency. Its effect is not only on unions and businesses but also on the NLRB in speeding and streamlining and improving the way it works.

Its effects are seen in other areas too. The opponents of this measure forget to mention that these new rules apply equally to both elections seeking to certify a union and elections to decertify a union. These more efficient procedures will help not only workers who want to choose a union, it will help workers who want to get rid of an existing union. It is a level playing field, fairness, efficiency, less cost, and less time.

The rule still gives employers the opportunity to inform workers about the drawbacks of having a union so that workers have a fair opportunity to decide if they want union representation. This is the epitome of fair and balanced and more efficient kinds of rules.

The people in this body know that the simple fact is—and folks across America know it—the majority of American workers want representation. Fifty-three percent of workers want a union in their workplace, but because of the broken election process, fewer than 7 percent of workers are represented. That is a stark fact. As Ronald Reagan said, ''Facts are stubborn things.'' Thirty-five percent of the time that workers file a petition for a union election, they never even get to an election.

The current election process is full of delays and costs, and unfortunately in many cases litigation gives way to outright discrimination.

According to a 2011 University of California-Berkeley study, the longer the delay between the filing of a petition and the election date, the more likely it is that the NLRB will issue complaints charging employers with illegal activity. In other words, basically the election process is drawn out and leads to growing dissatisfaction and contempt and thereby damages everyone.

This rule is a necessity and will have a real impact on real people. In Connecticut, I have spoken to people and heard the stories of individuals who have been deprived or inhibited in exercising their right to vote in the election process. This process is broken.

The new NLRB will prevent frivolous litigation from delaying an election. I have spoken to workers who wanted the election to be held on a date that was beyond the allowed waiting period. They told me that they were told if they didn't back down, the employer would ''make sure the process would be lengthy and difficult.''

The new rule will itself push back on intimidation. In the face of these kinds of tactics, some have persevered, but only through tremendous resolve. They triumphed in a seriously flawed and failed NLRB election process.

In short, these rules are an important step in the right direction. They provide for free choice that is fair and will protect both sides. They will reduce costs and time and litigation.

I urge my colleagues to oppose this measure as ill-conceived and ill-considered, and I hope we will preserve the NLRB's new rule.

I thank the Presiding Officer, and I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

Thereupon, the Senate, at 7:25 p.m., adjourned until Wednesday, March 4, 2015, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 3, 2015:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KENNETH E. TOVO

IN THE AIR FORCE

AIR FORCE NOMINATION OF MARK E. HEATHERLY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH KARIS K. GRAHAM AND ENDING WITH MARVIN WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH JESUS A. FLORES AND ENDING WITH ROBERT C. GOLDTRAP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH ERICA R. AUSTIN AND ENDING WITH RICHARD G. STEPHENSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH GERARD IRVELT BAZILE AND ENDING WITH FREDERICK L. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATION OF STEPHEN L. NELSON, JR., TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MARY J. ABERNETHY AND ENDING WITH KAREN B. STEINER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL D. AYRES AND ENDING WITH MICHELLE L. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH LAURA J. MCWHIRTER AND ENDING WITH GREGG E. WENTWORTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

AIR FORCE NOMINATION OF NICHOLAS J. ZIMMERMAN, TO BE MAJOR.

AIR FORCE NOMINATION OF ERIC M. CHUMBLEY, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF SCOTT L. WILSON, TO BE MAJOR.

AIR FORCE NOMINATION OF KIRSTEN E. DELAMBO, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH SALVATORE PELLIGRA AND ENDING WITH REBECCA A. BIRD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 29, 2015.

AIR FORCE NOMINATION OF DELL P. DUNN, TO BE MAJOR.

AIR FORCE NOMINATION OF LATRISE P. SEARSON–NORRIS, TO BE MAJOR.

AIR FORCE NOMINATION OF JEFFREY B. KRUTOY, TO BE MAJOR.

IN THE ARMY

ARMY NOMINATION OF JOHN P. HARTKE, TO BE COLONEL.

ARMY NOMINATION OF FRED J. BURPO, TO BE COLONEL.

ARMY NOMINATION OF PAUL A. BRISSON, TO BE COLONEL.

ARMY NOMINATION OF MIKELLE J. ADAMCZYK, TO BE MAJOR.

ARMY NOMINATION OF ROBERT G. HALE, TO BE COLONEL.

ARMY NOMINATION OF JOHN M. GILLIS, TO BE MAJOR.

ARMY NOMINATION OF ANDRE M. TAKACS, TO BE MAJOR.

ARMY NOMINATION OF INES H. BERGER, TO BE LIEUTENANT COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH JERMAINE M. CADOGAN AND ENDING WITH AUSTIN E. WREN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH ANTHONY K. ALEJANDRE AND ENDING WITH JONATHAN R. RISSER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH PAUL M. HERRLE AND ENDING WITH ROBERT W. PUCKETT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH JAY B. DURHAM AND ENDING WITH ANDREW K. LAW, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATIONS BEGINNING WITH DANIEL H. CUSINATO AND ENDING WITH WILLIAM C. VOLZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATION OF RYAN M. CLEVELAND, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH NICHOLAS K. ELLIS AND ENDING WITH KOLLEEN L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATION OF JONATHAN L. RIGGS, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH BRETT D. ABBAMONTE AND ENDING WITH JASON E. ZELLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

MARINE CORPS NOMINATION OF DAVID C. WALSH, TO BE COLONEL.

MARINE CORPS NOMINATION OF SCOTT W. ZIMMERMAN, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH ALYSSA B. Y. ARMSTRONG AND ENDING WITH KARI E. YAKUBISIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.

NAVY NOMINATION OF RACHEL A. PASSMORE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JUSTIN R. MILLER AND ENDING WITH JAMES R. SAULLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 29, 2015.

NAVY NOMINATION OF CANDIDA A. FERGUSON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF RICHARD R. BARBER, TO BE COMMANDER.

NAVY NOMINATION OF BENIGNO T. RAZON, JR., TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF DONNA L. SMOAK, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF FABIO O. AUSTRIA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF SHAWN D. WILKERSON, JR., TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF BUDD E. BERGLOFF, TO BE CAPTAIN.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH GEORGE F. ADAMS AND ENDING WITH ANDREW H. ZUCKERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2015.