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## Senate

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

### PRAYER

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

Let us pray:

Loving Father, You are high above all nations, and Your glory is above the Heavens. The Earth belongs to You. You own the silver and gold and the cattle upon a thousand hills. We confess that we often forget that righteousness exalts a nation but sin is a reproach to any people. We thank You for Your mercies that come to us new each day. May we live lives of gratitude because of Your generous kindness.

Today, use our Senators as instruments of Your glory. Fill them with Your peace as they keep their minds fixed on You.

Lord, bless our Nation. Make it a beacon of freedom and righteousness in these challenging times.

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. COTTON). The majority leader is recognized.

### THE APPROPRIATIONS PROCESS

Mr. McCONNELL. Mr. President, when the new majority resolved to get the Senate back to work, we knew we would have to get committees func-

tioning first. We believed that would be critical to helping Members on both sides rediscover their voices and find common ground and then develop real stakes in the outcome. That certainly is what we have seen this appropriations season.

The Appropriations Committee has already held dozens of hearings. It has marked up funding bills at a steady clip. It is sending good legislation to the floor.

One of those bills is the energy security and water infrastructure appropriations measure which is before us now. This legislation is important for American energy, for American waterways and ports, and for American commerce and safety. It will also maintain our nuclear deterrence posture by ensuring nuclear stockpile readiness, which is important for national security.

I would like to recognize the bill managers for their diligent work to bring this legislation to the floor for consideration. I would also like to recognize the leadership of the Appropriations Committee for its work in getting this process moving. By returning to regular order, we have opened up the process and empowered Senators—both those who sit on the Appropriations Committee and those who do not—to have more of a say in the appropriations legislation. That is important because these funding bills can affect each of our States.

The progress we have seen already is encouraging. It shows what is possible when the Senate gets back to a productive legislative process.

### RECOGNITION OF THE MINORITY LEADER.

The PRESIDING OFFICER. The Democratic leader is recognized.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. REID. Mr. President, I appreciate the good work, the exemplary work done on the Energy and Water appropriations bill by Senators FEINSTEIN and ALEXANDER. I managed that legislation for many years. Most of the time, it was with Pete Domenici from New Mexico. I was the chair most of the time but not all of the time. But it didn't matter—our job was to move the bill forward.

What people don't realize about this most important bill is that most of the funding is not for energy and water as we look at it, it is defense related—making sure our nuclear weapons are safe and reliable and things of that nature, making sure our National Labs are funded. So I appreciate their good work. It has been very good. I appreciate it.

Last night the Republican leader filed cloture. Cloture was filed not because of any problems on our side. We should finish the work on the bill tomorrow or maybe Thursday. But I am glad we are going to get it done. It is an extremely important piece of legislation. I am glad we started here. I am glad to hear my friend the Republican leader talk about the appropriations process moving forward. But we have to understand that we have a lot more bills to go. This is only one—one out of many, one out of a dozen.

### ZIKA VIRUS

Mr. REID. Mr. President, I want to be clear about something else, something that is vitally important, something that is imperative. The Senate must do something now to address the outbreak of the Zika virus. We are not going to interfere with the Energy and Water appropriations bill, but we must do something to confront this scourge that is facing our country and the western part of the world.

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



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Anyone who has followed the news over the past few months has undoubtedly heard about the spread of Zika. Zika is a virus spread by mosquitos in warmer tropical areas. We have warmer areas in the United States—not tropical but warm—and they breed mosquitos. Zika has been linked to many health problems, but most notable is a terrible birth defect called microencephaly. We have all seen pictures of these babies with these small heads, caused by a mosquito bite.

Dr. Anthony Fauci from the National Institutes of Health—he is the leader of the institute dealing with infectious disease—came to the Capitol last Thursday. He briefed us about this thing called Zika. He described how dangerous it is. He was accompanied by people from the Centers for Disease Control. He is, of course, representing the National Institutes of Health. We also had the Secretary of Health and Human Services. They were here to tell us how serious the situation is, how dangerous it is.

There are a number of problems as a result of this virus, but the one that has been most illustrated is the fact that in infants the skull does not fully form. So the skull never completely pushes out to form around the brain. So when they are born, these babies have tiny, undeveloped skulls. Sometimes the skulls collapse.

Aside from the damaged brains and skulls, these babies also have, of course, developmental delays. Earlier this year a baby in Hawaii was born with this disease, but, sadly, the worst is on its way.

We have seen cases of this virus all over the continental United States. These have been linked to travel or transmitted from someone who has traveled to Zika-affected areas. Most Americans are afraid to travel abroad—and, I am sorry to say, rightfully so—for fear of mosquitos carrying Zika, that Zika will infect them. But Zika is already upon us in Puerto Rico and in Florida, and it is going to spread to other places. These mosquitos can breed in something smaller than a bottle cap of water.

Puerto Rico is battling the local transmission of the virus as we speak. As of last Friday, the island already had more than 500 confirmed cases of Zika, and they are concerned that 1 in 5 Puerto Ricans could have been infected.

Our fellow American citizens in Puerto Rico have limited funding to fight this growing epidemic. We have heard about the financial problems they are having. The Puerto Rican government doesn't even have enough money to pay contractors to empty the septic tanks in schools, which are breeding grounds for mosquito larvae, capable of producing billions of mosquitos—not millions but billions.

Experts tell us it won't be long before the mosquitos carrying Zika are infecting people here in the continental United States. We can't wait for that

before we act. This is an emergency situation, if anything ever were. The Senate must do something now to counter the spread of this virus. The White House has taken money—they asked for money 2 months ago, but during that period of time, they took money from Ebola funding, which is also vitally important. We are doing pretty well stopping the spread of that. But taking that money away, we are going to be right back with the problem with Ebola if it is not replaced.

We have a bill ready to go. Senator NELSON of Florida, who is going to feel this as much as any Senator in the country, has provided a bill to give the President the money he has asked for: \$1.9 billion in emergency supplemental appropriations. Democrats believe this \$1.9 billion is a good start. Our Nation's public health and infectious disease experts say this is roughly how much money they need to fight this virus. We would be irresponsible not to provide this money and do it now. Senator NELSON's bill will bolster our defense against Zika by funding the development of vaccines, mosquito control methods, and testing and services to those who are infected.

So I say to my Republican colleagues, I say to the Republican leader: Do we want to wait until more babies are born with these permanent disabilities—disabilities caused by a virus that the vaccine could help prevent, if not for all children, then for many? Do we want to wait until people in the United States start to suffer from paralysis caused by Guillain-Barre syndrome, which is also linked to Zika? It has already been more than 2 months since the President requested this emergency funding. The longer we wait, the worse it will be.

States are already scrambling to address Zika. A story in the Washington Post highlighted the danger of inaction. I quote:

Cities and states preparing for possible Zika outbreaks this spring and summer are losing millions of federal dollars that local officials say they were counting on, not only for on-the-ground efforts to track and contain the spread of the mosquito-borne virus but also to respond to other emergencies that threaten public health.

Los Angeles County, for example, says it won't be able to fill 17 vacancies at its public health laboratory or buy equipment to upgrade its capability for Zika testing. Michigan is concerned about providing resources to help Flint contend with its ongoing water-contamination crisis. Minnesota plans to reduce its stockpile of certain medications needed to treat first responders during emergencies.

The across-the-board funding cuts are part of a complicated shift of resources that the Obama administration blames on Congress for its refusal to approve the White House's \$1.9 billion emergency request to combat Zika.

The President is right. He is pointing the finger where it belongs—right here at Congress.

So I implore my Republican colleagues, I implore my friend the Republican leader: Let's act now. We have

done the work. We have a bill to provide what experts need to fight this devastating virus. Let's get it done.

For more than a week, we have heard about Republicans and the appropriations folks working toward an agreement. I have yet to see it. I have heard about it. If the Republican leader and Appropriations have an alternative, they should bring it to the floor now. Democrats are happy to work toward a solution, but we have to get started. We need to get the experts the resources they need to prevent the spread of Zika. It is not acceptable to do nothing. The Senate should not leave this week without addressing legislation that fights Zika. We cannot go on break without taking care of this emergency. When the Senate finishes the work on Energy and Water, we must move to the Zika legislation. The National Institutes of Health, the Centers for Disease Control, the entire Health and Human Services Cabinet office—they need Congress to send them the funding necessary to start working on a solution to Zika.

#### ADDRESSING DROUGHT CONDITIONS IN THE WEST

Mr. REID. Mr. President, Benjamin Franklin said: "When the well is dry, we know the worth of water."

The drought is here. It has been going on for 15 to 20 years in the western part of the United States. All over the West, we are perilously close to running dry. The water situation is as dangerous as it has been in our lifetime.

The States of California, Arizona, Nevada, Colorado, Utah, and Wyoming don't have these huge rivers like we see west of the Mississippi. We have, basically, the little Colorado River. It is a tiny little river. In the past, it has become mighty, but for very short periods of time. That little river is called upon to respond to everything.

One of the things that is happening is that Lake Powell, the largest man-made lake in America, is going dry. There is no end in sight. This drought has dropped Lake Mead, which is the resource for water that goes everywhere in the West. Most of the water in California they get out of the Colorado. It all comes out of Lake Mead.

Lake Mead levels have dropped to levels not seen since the Great Depression. That is, of course, when the lake was born. It hasn't been full in over three decades. To make matters worse, El Nino is supposed to ease the pain, but it hasn't—only a little bit more.

Some say up to 50 million people rely on the Colorado River. We know the State of California, with almost 40 million people, depends on it as much as any other source of water. We have to work to reverse current trends or face a future where water shortages become the new normal. The Federal Government can and should work with States on solutions that make our precious water supplies more sustainable. We

need to work together, as the States of California, Arizona, Nevada, Utah, and even Wyoming, which is a long way away, have worked to solve the issues.

Today the Senate continues deliberation on the Energy and Water bill. Later this morning we will consider three amendments. One is a Reid-Heller amendment, which seeks to address drought conditions throughout the West. Our amendment would build on that spirit of collaboration by trying to address the fact that we need to stretch every drop of water as far as it will go.

This legislation isn't for any one city or region. It will help every State that relies upon the water in the Colorado River system: Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

I hope this amendment will be adopted. I urge my colleagues to support it.

Mr. President, will the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

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

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

Alexander amendment No. 3804 (to amendment No. 3801), to modify provisions relating to Nuclear Regulatory Commission fees.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided between the two managers or their designees.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ZIKA VIRUS

Mr. DURBIN. Mr. President, by now we have all seen reports of the neuro-

logical damage that is done by the Zika virus. We have seen the damage it can do to newborn infants. It has been clinically linked to serious birth defects in pregnant women who contract it.

Since the start of the outbreak, nearly 900 Americans in 41 States, Washington, DC, and 3 U.S. territories—including over 80 pregnant women—have already contracted Zika. In my State of Illinois, 13 people have already tested positive, including at least two pregnant women.

But because we have the best scientists and researchers in the world at the Centers for Disease Control and Prevention, we know more today about the virus and prevention measures than we did when most of us first heard the word “Zika” a few months ago.

We know that mosquitoes spread the disease. We know that the arrival of warm weather signals the start of mosquito season, but America is currently unprepared to deal with an outbreak of this dangerous virus. We must improve vector control. We must expand access to family planning, education, and contraception. We must accelerate efforts to develop a vaccine as quickly as humanly possible.

The Centers for Disease Control and Prevention desperately needs funding to deal with this crisis, and they need it now before the summer months, when mosquitoes spread north across the United States.

Congress has failed to even consider President Obama's emergency Zika funding request. What on Earth is Congress waiting for?

Last week Senate Democrats sent a letter to Senate Republican leadership calling for immediate action to pass the Zika supplemental request. I hope this call for action will be heard by all of my Republican colleagues, but I especially hope that it resonates with my colleagues from the Southern States. These are the States that are the most likely to be hit first and hardest by the Zika mosquito virus: Florida, Mississippi, Louisiana, Texas, Alabama, Arkansas, and the list goes on.

In the absence of congressional action—immediate congressional action—the administration has been forced to divert funding and resources away from other important public health efforts in order to respond to Zika.

This morning's Washington Post headline in a few words tells the story: “Zika crisis costs states funds for emergency preparedness.” What does that mean? The President asked for this supplemental request weeks ago. The refusal of the Republican-led Congress to respond to the President's request for emergency public health funds to fight Zika means that we are cutting back on public health preparedness in States all across the Nation. Frankly, we are endangering people whom we represent because the Republican majority in Congress refuses to give the President his supplemental re-

quest to deal with the Zika virus. For instance, the administration just had to divert \$2 million in public health emergency preparedness grants away from Illinois in order to fight Zika in Southern States.

Well, let me tell you, I want to help people everywhere, including those in Southern States who are likely to be hit first, but not at the expense of the public health of the people I represent.

There is an answer. President Obama suggests it—an emergency public health supplemental for the Zika virus.

The Republican majority in Congress has refused to act. Both the Illinois Department of Public Health and the Chicago Department of Public Health received grants to prepare for and to respond to all kinds of public outbreaks, such as Ebola, Zika, and Elizabethkingia, which I will talk about in a moment. These cuts, which are being proposed in order to have the administration have enough resources to respond, are unacceptable and unexplainable.

They come at a time when Illinois, my State, is in the middle of the longest budget crisis in our State's history. This current Governor has been unable to reach an agreement on a budget for almost 11 months, making it difficult for Illinois families and State agencies in ordinary circumstances.

But because congressional Republican leaders have failed to pass a Zika emergency public health supplemental requested by President Obama, the administration has had to divert money away from States such as Illinois to respond to the threat of the Zika virus in other States. Is this any way to govern a great Nation?

Illinois should not have to lose precious funding to deal with public health threats because Republican congressional leaders—from Southern states, I might add—have refused to pass the necessary additional funding to deal with Zika, a virus that will likely impact their States first and hardest.

We have to do both. We should pass the Zika supplemental so Illinois and other States can keep the funding they need to deal with current public health threats and receive additional funding to deal with Zika.

Let me talk about why diverting \$2 million from my State of Illinois to Southern States for Zika is a challenge.

Last week the Illinois Department of Public Health and the Centers for Disease Control and Prevention confirmed 10 cases of a bacterial infection known as Elizabethkingia. It has resulted in six deaths in my State. This bacterial outbreak is separate from an outbreak in Wisconsin that resulted in over 60 cases of this infection. So in the middle of this outbreak, Illinois is losing 8 percent in core funding for public health contingencies because of the failure of Republican leaders in Congress to pass President Obama's emergency public health supplemental appropriation.

This means that the Illinois State Department of health is not going to be as prepared as it should be to conduct the needed epidemiology, laboratory testing, and outbreak control. And four of our health experts say there will be major cuts that hurt our ability to respond to public health crises. What happens tomorrow if there is another outbreak?

Last year our State dealt with unexpected serious outbreaks of Legionnaires' disease. Taking money from one State's public health defense effort to give it to another to deal with a public health threat makes no sense in a great nation, particularly when the President showed the appropriate leadership in asking for the \$1.9 billion emergency supplemental to deal with the Zika crisis, and the President asked over 2 months ago.

I know many Republicans are in denial when it comes to climate change, but if they would have been in Springfield, IL, my home, last Sunday—just 2 days ago—sitting out on the deck in 80-degree weather in April, they might understand warm weather is coming sooner across the United States and with that warm weather, mosquitoes, and with those mosquitoes, the threat of the Zika virus.

I don't come to raise an alarm that is unmerited and unwarranted. I believe this is a serious public health challenge, so serious we should not leave Congress this week and take a recess without passing the President's emergency budget supplemental for public health and the Zika virus. The mosquitoes are not going to be on recess next week, they are going to be working, and sadly they are going to be infecting people across the South and across the United States while congressional leaders dither.

The supplemental request would provide more than \$1.8 billion in emergency funding to improve CDC vector control to control the mosquitoes that threaten us. It would accelerate efforts at the National Institutes of Health to develop a vaccine. I have heard testimony, so I know it takes time to develop a vaccine. Let's do it in an expeditious, safe, thoughtful, and professional way, but let us not shortchange NIH or any other agency that is facing this crisis.

We need to expand education. We need to expand access to women's health planning services. The administration provided a comprehensive plan. It cannot be implemented successfully without resources, and we should act on it this week—get it done before we leave.

I joined my colleagues Senator NELSON, Leader REID, Senator SCHUMER, and Senator HIRONO in introducing a bill to fully fund the administration's request. I am pleased to hear my Republican colleagues on the Committee on Appropriations are interested in working with Democrats to reach a deal. I see Senator ALEXANDER on the floor. I know he is sensitive to this,

and I hope he will join in calling for leadership on both sides of the Rotunda to move on this issue before we take our recess.

Let us not delay this any longer. We need to ensure we aren't diverting necessary Ebola money to be used for the Zika virus. It is naive to believe the Ebola threat is gone and we can ignore the possibility of its reemergence. In my State and others, we know all too well what happens when you divert money from one public health fund to another.

This brings to mind the Biblical story of Noah and the great flood. Noah built the arc before the rain, not after it started. It is reckless, it is dangerous to delay. The cases of Zika are continuing to grow, and inaction and further delay put many families, pregnant women, and children in jeopardy.

We have seen the Zika threat coming for many months. We have had the President's request for over 2 months. I urge my colleagues this week, before we go home, to take this appropriate action to begin to protect Americans in every State.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, at 11 a.m. we will have three votes on the Merkley, Flake, and Reid amendments. That will bring to a total of 17 the number of amendments we will have disposed of on the floor.

Senator FEINSTEIN and I have worked with Members on both sides of the aisle to include many of their policy suggestions and requests in our basic bill. The last count I saw said 77 Members of the Senate had at least part of their requests or policy suggestions in our basic bill. So we are doing very well. Cloture has been filed. There are only a few amendments remaining that are in question. We hope to conclude that quickly and bring the bill to a conclusion.

My hope is that when a Senator has a germane amendment, we can have a vote. Sometimes, if they are controversial, they will be at 60. We have done pretty well with that so far—giving Senators a chance to have a say and to have a vote.

I would like to spend about 4 or 5 minutes on an amendment we will be voting on at 11, when we will have limited time to talk—unless Senator FEINSTEIN has something she would like to say before I do that.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, as I understand it, the filing deadline for first-degree amendments is this afternoon at either 1:30 p.m. or 2:30 p.m. So everybody should get their amendments in.

I thank Senator ALEXANDER again for the cooperative spirit with which he is working on this bill. It is very much appreciated.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to speak to the amendment from the Senator from Oregon, which would increase the funding for the wind energy program by \$15.4 million. This is in addition to the \$30 million that our subcommittee has recommended at the request of Senator GARDNER of Colorado for the National Renewable Energy Laboratory and the \$50 million Senator COLLINS of Maine has recommended for offshore wind research. Within the priorities in the bill, we have already put \$80 million, and this would add \$15 million more.

That may not seem like much, but here is my question: I wonder if the American taxpayers wouldn't think that \$23 billion is enough to spend on giant windmills—\$23 billion. That is the amount the Congressional Research Service has said Congress has spent of taxpayer money to subsidize wealthy people so they can build giant wind turbines across America. That money has been spent from 1992 through 2016 this year. It started out as an effort to help wind turbines get started in 1992, and it has been renewed 10 times. You would think this is a mature industry. In fact, the previous Energy Secretary said it was.

What do we get for this \$23 billion? Four percent of our electricity is produced by wind turbines in the United States. This is a country that uses 25 percent of all the electricity in the world, and we spend \$23 billion for 4 percent of our electricity. Thirty-seven percent of all the subsidies, all the spending we have for different forms of energy produces 4 percent of the electricity.

The President of the United States and a number of private people in the United States, such as Bill Gates, have announced they would like to double energy research. I support that. The Senator from Illinois, Mr. DURBIN, and I introduced legislation that would authorize increased funding at the level of 7 percent for energy research this year so we can move more rapidly toward the goal of doubling research for energy.

We spend \$5 billion a year for energy research for the U.S. Government. We spend nearly \$5 billion a year on subsidizing wealthy people so they can build giant wind turbines. We spend as much subsidizing windmills as we spend on all our energy research. If we stop the subsidies, we could double the research, which is what we should be doing.

What are we getting for this? We are getting energy—electricity—that is true, but it mostly blows at night, when we don't need it. It can't be stored for use when we do need it. So it is unreliable. The wind only blows about one-third of the time. In Tennessee it is 18 percent of the time. It can't be stored and we don't need it. We don't need it. At the same time, it destroys the landscape.

I am astonished at the environmental groups that would support putting

these huge giant turbines in the most beautiful part of our country and then building transmission lines across the country through everybody's backyard.

If we replace the 100 nuclear reactors in this country that produce 60 percent of the carbon-free electricity we have—60 percent of the carbon-free electricity—it would take enough windmills to cover a State the size of West Virginia, and I think you would have to have about 17,000 miles, 19,000 miles of new transmission lines.

The Presiding Officer is the Senator from Arkansas. In Arkansas, a windmill company is building 700 miles of transmission lines across Arkansas that the State doesn't want and has objected to. Yet the administration is allowing the wind mill company to use Federal preemption for the first time to build transmission lines where people don't want them.

Not only is this a wasteful amount of money, not only is it a kind of energy that a country this big cannot rely on, the size of the subsidies create preposterous results. For example, in some cases the subsidy is so large the windmill-producing companies pay the utilities to take their power and they still make a profit. They can pay the utilities to take their power and still make a profit because the taxpayers have spent \$23 billion subsidizing wealthy people so they can build windmills.

These aren't your grandma's windmills. You can see them for 20 miles away—the flashing lights. They are twice as tall as the football stadium at the University of Tennessee, and only one of these would fit within the football stadium at the University of Tennessee.

It would take four nuclear reactors, each taking about 1 square mile, to produce enough electricity to equal the same amount of electricity produced by wind if you strung 45-foot windmill towers along the entire 2,178-mile stretch of the Appalachian Trail. You may say that is a stretch, that will not happen, except that is exactly where the wind towers would be most likely to go—on our scenic mountain tops where more wind blows, and then the transmission lines come down the mountain tops through your backyard.

My objection is a very simple one. I think \$23 billion is enough to spend on windmills. I have other objections to wind. I think we should focus on nuclear power instead of unreliable wind power. I believe trying to use wind turbines to power a country that uses 25 percent of all the electricity in the world is the energy equivalent of going to war in sailboats when the nuclear navy is available, but I certainly think there is no need at all for Senators to say yes to an amendment that spends more money for wind than our subcommittee recommended. We are already spending \$23 billion. The taxpayers have been bamboozled into allowing that to happen, and I don't think they would want us to spend more.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise to speak in support of Flake amendment No. 3820, which would lower the construction appropriation for the U.S. Corps of Engineers by just under \$69 million and eliminate funding for environmental infrastructure projects.

Ostensibly, the Corps of Engineers uses these funds to build water supply, water treatment, and wastewater projects. I am not here to argue against the need for environmental infrastructure projects. There are a great many municipalities that consider these projects essential and have made an effort to fund them on their own. That is usually done through a combination of utility bills and municipal bonds. Typically, the users pay for this.

However, despite the fact that these projects have traditionally been funded by State and local governments, Federal support is actually duplicative. The Federal Government already offers resources for similar projects through the EPA. Specifically, the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund programs provide States with low-interest loans based on the merits of these projects and the needs of the communities.

Taxpayers deserve better than to be expected to provide the U.S. Corps of Engineers \$69 million it never asked for to fund projects they already support in a program that has been described by many as a slush fund for parochial interests. That is certainly how the program started years ago. Frankly, it has never seemed clear that the Corps of Engineers understands how these projects fit into its mission. Because of a years-old congressional carve-out, these environmental undertakings are not subject to the environmental studies, economic analyses, and cost-effectiveness standards that are required for more traditional Corps projects. As far as I can tell, there is really no rhyme or reason as to how one project gets funding over another.

With a national debt of over \$19 trillion, it is time that we get a little more serious about putting our fiscal house in order. I urge my colleagues to support this amendment and eliminate this duplicative funding.

Mr. President, I wish to say a couple words about Reid-Heller amendment No. 3805.

I support the Colorado River System Conservation Program. Voluntary efforts like these in Arizona are estimated to have kept Lake Mead at about 3 feet higher than it would have been otherwise. Not coincidentally, last week the Bureau of Reclamation announced that at the end of this year, Lake Mead is predicted to be 3 feet above the level that would trigger a shortage declaration. What I want to make sure happens is that any conserved water actually stays in Lake

Mead and keeps these levels up above the shortage declaration area.

I note that this amendment simply authorizes funds to go to the conservation program. I hope that before this money is actually spent, we can develop assurances that the water will go to its intended purpose. The Lower Colorado River Basin States have developed such language, and I look forward to ensuring that our Federal dollars are well spent in this area.

AMENDMENT NO. 3820 TO AMENDMENT NO. 3801

Mr. President, I call up my amendment No. 3820 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. FLAKE] proposes an amendment numbered 3820 to amendment No. 3801.

The amendment is as follows:

(Purpose: To withhold certain funds for the construction of environmental infrastructure)

On page 3, line 11, strike "\$1,813,649,000" and insert "\$1,744,699,000".

Mr. FLAKE. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 3812 TO AMENDMENT NO. 3801

(Purpose: To provide for funding for wind energy)

Mr. MERKLEY. Mr. President, I call up my amendment No. 3812.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 3812 to amendment No. 3801.

On page 23, line 15, strike the period at the end and insert the following: "Provided further, That of such amount, \$95,400,000 shall be available for wind energy."

Mr. MERKLEY. Mr. President, I wish to add a few remarks about this, as we are preparing shortly to consider a number of amendments.

This particular amendment is a bipartisan amendment, which I am pleased to sponsor with my partner from Iowa, stating that wind energy is particularly important. This amendment would restore funding for wind energy research to fiscal year 2016 levels of \$95.4 million. Otherwise, research in wind energy would suffer a substantial reduction.

This program is indispensable to the success of wind energy in the United States. The wind energy program works to advance innovations in the grid integration, manufacturing, and deployment that are key to reducing the cost of wind energy. For example, the Wind Program helps to address market barriers through including wind-forecasting tools in power system operations, which helps utilities and regulators better integrate large amounts of wind energy into the grid.

The Wind Program provides research, development, and technical support to manufacturers and distributors of wind technologies that are still emerging. This enhances small wind manufacturing, supports offshore demonstration projects, and will improve the economic viability of distributed wind.

Currently, eight National Laboratories across our Nation conduct research or testing related to wind energy. The proposed fiscal year 2017 funding level is only \$80 million, which is over \$15 million less than last year's funding—thwarting our ability to realize the true potential for wind energy.

During debates, we have sometimes heard that wind is a mature industry and that is why the funding for research should be revoked or lowered. But in fact, as wind is emerging, we are seeing continuous innovations resulting in different designs and different strategies for integrating intermittent wind energy into the grid. As that wind component becomes substantially larger, we need to understand the details of how we accommodate it effectively. If we were to talk about mature industries, then we wouldn't be doing studies for the fossil fuel industry, which is about as mature as an industry can get. Clearly, this is an evolving industry with great potential to assist us with clean energy and, moreover, a program that can affect the economy of rural America.

In 2015 wind energy supplied about 5 percent of the total electricity generated in the United States. So it is no longer just a fraction of a percent; it has grown enormously in the last few years. But the Department of Energy estimates that wind could provide as much as 35 percent—or more than one-third—of the electricity generated in our country by the year 2050.

As my colleague and partner on this bill, the Senator from Iowa, knows, wind energy can be a huge boon to a State's economy. Iowa is already getting over 30 percent of its electricity from wind. And because wind energy is less expensive in the forecast of potential other sources, it could result in billions of dollars of savings to energy consumers in that State.

In my home State of Oregon, we already have over 10 percent of our electricity being generated from wind energy. The savings for our State down the road could be enormous, but we can only reach these goals if we support wind energy research.

With the development of wind energy comes hundreds of thousands of jobs in manufacturing, in installation, in maintenance, and in supporting services. The estimate is around 600,000 jobs—generally good-paying jobs—by the year 2015.

I do a lot of townhalls back home in Oregon, one in every county every year. Much of Oregon is very rural. I hear about the impact property taxes on these wind installations have on our rural counties, enabling them to do things—for example, to build libraries

or assist in the development of their local schools. There is no question that this is a boon to the rural economy.

It is our job in Congress to look at what policies will be the most successful and give the most bang for the buck in terms of creating jobs now and in the future. We should be supporting programs that spur economic development and support families in rural areas. That is what this amendment calls for. When we create jobs, local communities benefit, certainly the energy industry benefits, and our environment benefits. All of this depends upon robust research, and we are simply asking that research continue at the same level it did in fiscal year 2016.

Let's back red, white, and blue, American-made wind energy and support this bipartisan amendment. I urge my colleagues to support it.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

There are now 2 minutes equally divided on amendment No. 3812.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, we will be voting on amendment No. 3812, which my colleague from Iowa and I have put together to restore research on wind development to the level it was last year. When you see these wind turbines, what you should see is economic development in highly deserving rural communities, putting clean electrons onto the grid, putting jobs into the community, and putting money into the property tax coffers in local communities to do good work.

I wish to reserve the rest of my time.

The PRESIDING OFFICER. Who yields time?

Does the Senator from Tennessee wish to use his time on the amendment?

Mr. ALEXANDER. I do, but I will wait until the end.

The PRESIDING OFFICER. If no one uses time, time will be charged equally to both sides.

Mr. ALEXANDER. Mr. President, can I not reserve the rest of my time?

The PRESIDING OFFICER. Not at this point.

Mr. ALEXANDER. Mr. President, don't you think \$23 billion is enough to spend on windmills? That is what we have spent since 1992—\$23 billion for 4 percent of America's electricity. This is electricity that is unreliable. The windmills blow about one-third of the time, often at night, and it can't be stored. We will spend \$5 billion this year and \$4.4 billion next year. We could double our energy research spending if we would stop subsidizing

wealthy people to build giant wind turbines. Sixty percent of our carbon-free electricity comes from nuclear reactors. Relying on giant wind turbines and new transmission lines to power a country that uses 25 percent of all the electricity in the world is like going to war in sailboats when the nuclear Navy is available.

We already have \$80 million going to research, which Senator GARDNER and Senator COLLINS have asked us to include in the legislation. It is in the bill. We don't need to spend more.

We have already spent \$23 billion since 1992. Spending \$4 or \$5 billion a year is more than enough to spend on giant wind turbines.

I urge a "no" vote on the Merkley amendment.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, these subsidies are a tiny dot compared to the \$52 billion spent annually on fossil fuel subsidies and the massive subsidies spent on nuclear. Yet these subsidies are creating jobs in rural America, and that matters. These communities need these jobs. These are clean electrons, these are terrific middle-class jobs, and this is an industry that is still on a curve where research is truly beneficial in making it a success.

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

The question is on agreeing to the amendment.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—54

Baldwin	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Heinrich	Nelson
Booker	Heitkamp	Peters
Boxer	Heller	Portman
Brown	Hirono	Reed
Cantwell	Hoeven	Reid
Cardin	Kaine	Rounds
Carper	King	Schatz
Casey	Kirk	Schumer
Collins	Klobuchar	Shaheen
Coons	Leahy	Stabenow
Donnelly	Markey	Tester
Durbin	McCaskill	Thune
Ernst	Menendez	Udall
Franken	Merkley	Warren
Gardner	Mikulski	Whitehouse
Gillibrand	Moran	Wyden

## NAYS—42

Alexander	Daines	Murkowski
Ayotte	Enzi	Paul
Barrasso	Feinstein	Perdue
Blunt	Fischer	Risch
Boozman	Flake	Roberts
Burr	Hatch	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott
Coats	Johnson	Sessions
Cochran	Lankford	Shelby
Corker	Lee	Sullivan
Cornyn	Manchin	Tillis
Cotton	McCain	Vitter
Crapo	McConnell	Wicker

## NOT VOTING—4

Cruz	Toomey
Sanders	Warner

The amendment (No. 3812) was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 3805 TO AMENDMENT NO. 3801

Mr. HELLER. Mr. President, on behalf of Senator REID, I call up the Reid-Heller amendment No. 3805 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Nevada [Mr. HELLER], for Mr. REID, proposes an amendment numbered 3805 to amendment No. 3801.

The amendment is as follows:

(Purpose: To make funding for water management improvement subject to a condition)

In section 204, strike “and inserting ‘\$400,000,000’” and insert “and inserting ‘\$450,000,000, on the condition that of that amount, \$50,000,000 is used to carry out section 206 of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235)’”.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, the Colorado River is the lifeblood of the West. It supplies many of our communities with the majority of its water. The ongoing drought is threatening shortages, reviving the old Mark Twain saying that “whiskey is for drinking; water is for fighting over.”

In response, the West has teamed up to establish the Colorado River System Conservation Pilot Program, an innovative effort to improve levels in our reservoirs. It is very clear the program is working well. Nineteen agreements have come together, saving 80,000 acre-feet, enough western water for 160,000 households. Increasing our region's water security is essential to Western States.

Without water, we cannot grow. I would urge this body to support this extremely important western initiative.

I yield the floor.

I yield back my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, this amendment does not increase funding in the bill and the Senator from California, Mrs. FEINSTEIN, and I intend to vote for it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

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

The result was announced—yeas 73, nays 23, as follows:

[Rollcall Vote No. 62 Leg.]

## YEAS—73

Alexander	Feinstein	Menendez
Ayotte	Fischer	Merkley
Baldwin	Flake	Mikulski
Barrasso	Franken	Murphy
Bennet	Gardner	Murray
Blumenthal	Gillibrand	Nelson
Blunt	Graham	Peters
Booker	Grassley	Portman
Boozman	Hatch	Reed
Boxer	Heinrich	Reid
Brown	Heitkamp	Rubio
Burr	Heller	Schatz
Cantwell	Hirono	Schumer
Capito	Inhofe	Shaheen
Cardin	Isakson	Stabenow
Carper	Kaine	Sullivan
Casey	King	Tester
Cassidy	Kirk	Udall
Cochran	Klobuchar	Udall
Collins	Leahy	Vitter
Coons	Manchin	Warren
Daines	Markey	Whitehouse
Donnelly	McCain	Wicker
Durbin	McCaskill	Wyden
Enzi	McConnell	

## NAYS—23

Coats	Lankford	Rounds
Corker	Lee	Sasse
Cornyn	Moran	Scott
Cotton	Murkowski	Sessions
Crapo	Paul	Shelby
Ernst	Perdue	Thune
Hooven	Risch	Tillis
Johnson	Roberts	

## NOT VOTING—4

Cruz	Toomey
Sanders	Warner

The amendment (No. 3805) was agreed to.

AMENDMENT NO. 3820

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 3820, offered by the Senator from Arizona, Mr. FLAKE.

The Senator from Arizona.

Mr. FLAKE. Mr. President, this amendment would simply cut \$69 million in unrequested funding for Corps of Engineers projects. This is kind of the outgrowth of the bad old days when we had earmarks, when all of this funding came about. We now have an earmark ban, but some of the funding still goes to some projects that have not even been requested.

If we have a debt of \$19 trillion and a deficit of \$500 billion, it is time that we actually make some cuts somewhere. I would submit that this is a place ripe for cutting.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am going to oppose the Flake amendment. The Army Corps of Engineers rebuilds locks and dams, dredges our rivers and harbors, works to prevent floods and storm damage, and builds environmental restoration projects. There is not a funding line in the budget that more Senators seek for their States.

Our spending is under control on the discretionary side. It is the mandatory spending, the entitlement spending, that is out of control.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I also strongly oppose this amendment. This would eliminate funding for our environmental infrastructure projects of the Army Corps of Engineers. Funding for these projects enables communities to solve local problems in a way that protects the environment.

Problems are being solved, such as upgrading wastewater treatment facilities, so that our drinking water and marine resources are protected, and replacing deteriorated distribution systems with efficient systems that help conserve water.

I hope we will vote this amendment down.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3820.

Mr. FLAKE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

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

The result was announced—yeas 12, nays 84, as follows:

[Rollcall Vote No. 63 Leg.]

## YEAS—12

Barrasso	Gardner	Lee
Coats	Heller	McCain
Enzi	Johnson	Moran
Flake	Lankford	Sasse

## NAYS—84

Alexander	Boxer	Cassidy
Ayotte	Brown	Cochran
Baldwin	Burr	Collins
Bennet	Cantwell	Coons
Blumenthal	Capito	Corker
Blunt	Cardin	Cornyn
Booker	Carper	Cotton
Boozman	Casey	Crapo



Daines	Klobuchar	Roberts
Donnelly	Leahy	Rounds
Durbin	Manchin	Rubio
Ernst	Markey	Schatz
Feinstein	McCaskill	Schumer
Fischer	McConnell	Scott
Franken	Menendez	Sessions
Gillibrand	Merkley	Shaheen
Graham	Mikulski	Shelby
Grassley	Murkowski	Stabenow
Hatch	Murphy	Sullivan
Heinrich	Murray	Tester
Heitkamp	Nelson	Thune
Hirono	Paul	Tillis
Hoeven	Perdue	Udall
Inhofe	Peters	Vitter
Isakson	Portman	Warren
Kaine	Reed	Whitehouse
King	Reid	Wicker
Kirk	Risch	Wyden

## NOT VOTING—

Cruz	Toomey
Sanders	Warner

The amendment (No. 3820) was rejected.

The PRESIDING OFFICER. The Senator from Hawaii.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Ms. HIRONO. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 307, 357, 358, 359, 362, 363, 364, 459, 460, 461, and 508; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, I understand our Democratic friends are going to propound a number of different unanimous consent requests here with regard, I assume, to the judiciary. The core question here is whether President Obama has been treated fairly, and I think it is noteworthy that at this point in President Bush's 8 years, 303 of his judicial nominees had been confirmed. At this point in President Obama's term, the number is 324. That is 21 more judges the current President has gotten at this point than President Bush.

Clearly, President Obama has been treated fairly and, therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Ms. HIRONO. Mr. President, I am very disappointed the Republicans are blocking dozens of qualified nominees—nominees who have been reported to the Senate floor on a bipartisan basis. This is certainly, in my view, not about whether the President is being treated fairly, but it is about the Senate doing its job. The Senate is on track to confirm the lowest number of judicial nominees in our history.

Let me mention a nominee from Hawaii: Clare Connors. She was confirmed or voted on unanimously by the Judiciary Committee last month, a statement to her qualifications. Her wide-ranging experience includes district and appellate venues, criminal and civil arenas, and litigation on issues ranging from tax law to tough cases such as crimes against children.

Clare and the other nominees before us today will be kept from serving on the Federal bench because of Republican inaction. My Republican colleagues intend to stop all judicial nominations in July, although there are 79 vacancies pending, 28 of which are considered emergencies. If Ms. Connors is not confirmed, the Hawaii district court seat will be left vacant for over a year.

Our judiciary should be composed of the full complement of judges accorded to each district court. One of the fundamental jobs of the Senate to engage in is its advice and consent function with regard to these judicial nominees, and we are not doing that.

I call upon my colleagues, my Republican friends, to enable all of us to do our jobs and begin again the advice and consent process which we are, under the Constitution, required to do.

I see some other colleagues on the floor, so I yield to my good friend from New York.

The PRESIDING OFFICER. The Senator from New York.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I will have a unanimous consent request after I make a few brief remarks. I thank my friends, the Senators from Hawaii and Maryland, for joining me here today.

We all know it is the job of the Senate to keep up with the need to confirm judges, but our friends on the other side of the aisle aren't holding up their end of the bargain. The judicial confirmation process has been at a crawl for years. Now it has come to a functional standstill, as noncontroversial nominations—some of which were approved out of committee by overwhelming votes, the majority of Republicans and the majority of Democrats—languish on the Executive Calendar.

Our colleagues on the other side of the aisle did their best to slow the pace of confirmations when the Senate was under Democratic leadership, and now they are sluggishly moving nominations under a Senate they control. That has culminated in an irresponsible partisan blockade of President Obama's Supreme Court pick.

Let's talk about some real numbers. More than 1 year into this new Congress, the Republican leadership has allowed only 17 judges to be confirmed. How many months do we have here? We had 12 in the last year of this Congress, and we are now at the end of April, so that is 4. So that is 16—1 a month.

Let me show the contrast. I say to my dear friend, our majority leader,

this is the number that counts because the analogy was the last 2 years of the Bush administration when there was a Democratic majority. Then, a Republican President and a Democratic majority; now, a Democratic President and a Republican majority. They confirmed 17 and we confirmed 68. This has consequences—real consequences.

The number of vacancies has risen from 43 to 79 since the Republicans took over the majority. That didn't happen when President Bush was President and made nominations. Twenty-eight judicial emergencies. For people seeking justice—they can't get it very speedily because of the obstruction of judges.

There are 20 noncontroversial judges on the Executive Calendar. We are urging our colleagues to let these noncontroversial judges go through. Very simply, we are urging our colleagues to do their job.

I know the leader wants to have the Senate move along, and we have tried to go along whenever it is possible. But this is a glaring example where it is easy to do your job, where it is easy to move things forward, and all we face is obstruction and for no voiced reason.

I would like to know why the judges who I will ask for unanimous consent—it is a smaller list than my colleague from Hawaii has asked to go forward with. I would love to know a single reason why any of them shouldn't be sitting on the bench.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 307, 357, 358, 359, 362, and 363; further, that the Senate proceed to vote without intervening action or debate on the nominations; that if confirmed, the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, I would say to my Democratic friends that no effort to redefine what this is about will be successful.

The issue before the Senate is, has President Obama been treated fairly with regard to the confirmation of judges during his tenure in office? We are to a point where we know that so far during the Obama years, he has gotten 23 more judges than President Bush got to this point. That is the fundamental question. Has President Obama been treated in some way differently from President Bush? The answer, of course, is no. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

## UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I will continue to try here, and I thank the Senate majority leader for his patience.

This is really not a matter of fairness to the President but fairness to the



American people. As my colleague Senator HIRONO pointed out, this is a matter of justice delayed is justice denied. We have judicial emergencies—many on our list—that have not been filled.

As Senator SCHUMER pointed out, this is about comparing what has been done on the workload of this Congress to any previous Congress on the confirmation of judges, and we are dead last as far as action that has been taken.

I think the critical number is the number of vacancies. Compare the number of vacancies. When the Republicans took the majority, there were 43 vacancies in our courts. That number has almost doubled to 79 vacancies.

When we take a look at the pace of confirmation—because we could say maybe there were a lot that had to be taken up over a President's term. But, as Senator SCHUMER pointed out, there have been only 17 judges confirmed to date. That is one of the lowest numbers in the modern history of our country. In the last year of President Bush's administration, in the same period of time of that 2-year cycle, 68 judges had been confirmed by a Democratically controlled Senate.

What makes matters more difficult for the American people to understand is that 20 judicial nominations have currently passed the Senate Judiciary Committee. I believe every one has been passed by unanimous voice vote, so they are not controversial. It is just a matter of getting them up for confirmation—20 of them that have yet to be acted on the floor of the Senate.

I will make two unanimous consent requests that will deal with 4 of these 20 currently pending. All passed the Judiciary Committee by unanimous voice votes. Two are from States that have Democratic Senators and two are from States that have Republican Senators.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 307, Xinis of Maryland; Calendar No. 357, Martinotti of New Jersey; Calendar No. 358, Rossiter of Nebraska; and Calendar No. 359, Stanton of Tennessee; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, for the reasons previously expressed by the majority leader, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to make one further request in the se-

ries with Senator HIRONO and Senator SCHUMER, and that is to deal with the next nominee who would be up, considering the length of time she has been on the calendar. It is the nomination of Paula Xinis of Maryland made in March 2015—over 1 year ago—by President Obama. She was recommended by Senator MIKULSKI and me after an exhaustive vetting process that we go through before making recommendations to the President of the United States. She was nominated over 1 year ago. She had a hearing in the Judiciary Committee in July of 2015. As I said earlier, she was reported out of the committee by unanimous voice vote in September of last year, and she has been waiting all this time for action on the Senate floor.

We need this vacancy filled. We now have two vacancies in the Maryland District. The chief judge has related to us several times that this position is critical for the administration of justice for the people of Maryland and our Nation. Therefore, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 307, Xinis of Maryland; that the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, for reasons previously given, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to inject a few comments in this discussion too. This isn't all about Republicans. This isn't all about Democrats.

I had a nominee from Wyoming. Incidentally, he wasn't nominated by me; he was nominated by our Democratic Governor. It took me about 9 months to get a hearing in committee. This was for a district judge. This wasn't for the Supreme Court. This wasn't for a circuit court. This was for a district court. It took me about 9 months to get a hearing for him. At the end of 2 years, he had not gotten a vote in committee. His life was in suspense for 2 years. That is not right. Neither party should do that. But as long as the other side is saying that we are holding things up, I have to point out that it is not just a one-sided thing.

I hope some of the criticism can end and some of the work can be done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I just want to share in the frustration of my

colleague from Wyoming. This should not be a partisan issue. I agree, it is wrong to hold people's lives in abeyance. We are trying to get the very best people to serve on our courts. If they have to put their lives on hold for a year or two, will they come forward and seek to serve as a judge?

We know that for the ones we are trying to get on the bench, it is going to be a financial sacrifice. They can make more money in the private sector. We want the very best on our courts. If someone is put on hold for 2 years or for 1 year, it compromises their ability if they are in the private practice of law, and it is not the right thing to do—whether it is a Democrat or a Republican in the White House. We have to act on these appointments a lot faster.

The point I raised is that during this term of Congress, during this year and a half, we have seen the number of judicial vacancies go up from 43 to 79. At this particular moment, there are 20 nominees on the Executive Calendar who have cleared the committee by voice vote and who are not controversial. Some have been waiting over a year since their nomination.

We can do something about it right now, and we should do something about it right now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I wish to say a few more things regarding our request for action on these judicial nominations.

The group of nominations on which I requested action includes nominees from Maryland, New Jersey, Nebraska, Tennessee, New York, California, Rhode Island, Pennsylvania, and Hawaii. They are all waiting.

I have just one comment about the Supreme Court vacancy. The last time the Senate refused to deal with a Supreme Court vacancy was during the Civil War. They so objected to dealing with the President's nomination that the Congress actually changed the number of Justices on the Supreme Court. The number of Justices is set by law, so the Congress changed the law and changed the number of Justices from 10 to 7 so that they would not have to deal with the President's nominee to the Supreme Court vacancy. The President vetoed that bill, the Congress overrode that veto, and so they changed the makeup and number of Justices on the Supreme Court. Certainly that is not what I am suggesting Republicans should do. In fact, we have had a nine-member Supreme Court for almost 150 years.

I agree with my friend, the Senator from Wyoming, that this should not be a partisan issue. Certainly, I agree with my friend from Maryland that we should get on with it. We should get on with these judicial nominations. We should do our advice and consent role, and clearly with regard to the Supreme Court vacancy, where, with this inaction, we are going to leave that Court

with eight members for a year. That is not acceptable to the people of our country. We need to do our job.

I ask my Senate colleagues, my Republican friends, to enable the Senate to do our advice and consent role and do our job as set forth in the U.S. Constitution.

I yield the floor.

# RECESS

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

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Colorado.

### NOMINATION OF MERRICK GARLAND

Mr. BENNET. Mr. President, I rise to discuss the vacancy on the Supreme Court and the majority's ongoing refusal to consider the nomination of Chief Judge Merrick Garland. Forty days have passed since the President of the United States nominated Judge Garland to fill Justice Scalia's seat. This is longer than it took for the Senate to confirm Justice Sandra Day O'Connor in 1981. In fact, 75 percent of all Supreme Court Justices have been confirmed within 31 days, but today—40 days after his nomination—many Senators haven't even extended Judge Garland the simple courtesy of a meeting. The majority's refusal to hold a vote is without precedent, and the majority has cited none. Instead, the majority is trying to shift the blame.

Incredibly, the chairman of the Judiciary Committee recently came to the floor to blame, of all people, not other Senators, not other politicians, but the Chief Justice of the United States of America for politicizing the Court. Ten days before Justice Scalia's death, the Chief Justice said: "The process is not functioning very well." That turns out to have been something of an understatement. The Chief Justice went on and said that the process "is being used for something other than ensuring the qualifications of the nominees." Again, he was not referring to what is going on now in the Senate. This happened before Justice Scalia passed away. There was no way that the Chief Justice could have known there was going to be a vacancy. He continued: "[Supreme Court Justices] don't work as Democrats or Republicans . . . and I think it's a very unfortunate impression the public might get from the confirmation process."

His words struck me—particularly given what has gone on since then—as a candid expression of his concern for the Court as an institution. This con-

cern apparently upset the chairman of the Judiciary Committee. He took to the floor and said:

The Chief Justice has it exactly backwards. The confirmation process doesn't make the Justices appear political.

He continued:

The confirmation process has gotten political precisely because the Court has drifted from the constitutional text, and rendered decisions based instead on policy preferences.

It is absolutely breathtaking that the Chief Justice would be criticized for "drifting from the constitutional text" when, for the past 10 weeks, the majority has drifted from article II, section 2, clause 2, which sets out our constitutional responsibility to advise and consent in very clear terms. Worse, the majority's drift isn't even about policy; it is about politics. It is about rolling the dice on an election instead of following the plain text of the Constitution.

This is absolutely unprecedented in the history of the Senate. Throughout our history, the Senate has confirmed 17 nominees in Presidential election years to serve on the Supreme Court. The last of these was Justice Kennedy in 1988. When the President made this nomination, he had more than 340 days left in his term. We are talking almost a quarter of the President's term. That is a lot more time than most of those 17 Justices had before this Senate.

In the last 100 years, every nominee to a Supreme Court vacancy who did not withdraw—and a couple did—received a timely hearing and vote. On average, the Senate has begun hearings within 40 days of the President's nomination and voted to confirm 70 days after the President's nomination. There is no excuse for not holding a hearing and a vote.

If that is what we are going to pay attention to in this Chamber and if that is what we are going to argue for—originalism, strict constructionism—the plain language of the Constitution is clear. There is a reason why no Senate has ever had the audacity to do what this Senate is doing right now—because of how clear that mission is and because there is no one else to do it. The Constitution says: The Senate shall advise and consent. It doesn't say: The House of Representatives shall have a role. It doesn't say: Let the people decide. It says that this is the Senate's job. We should do our job just as every Senate, until now, has done its job since the founding of the country, including the Senate that was there when George Washington was in office. Three of those 17 appointments were confirmed by a Senate that actually contained people who had been at the constitutional convention, and they were consistent with their understanding of what the Founders had agreed to. They had a vote on the floor of the Senate.

I am not saying how people should vote. They should vote their conscience, but we should have a vote. The

American people expect us to do our job.

I want to be clear that I believe there should be hearings. I think we should go through hearings to establish the qualifications of the nominee. I think that is really important. The point I am making about having this vote does not have to do with whom the President nominated. It has to do with our institutional responsibility. It has to do with the rule of law and the image we want to project to our country and overseas.

Finally, I have a word to say about the President's nominee. Merrick Garland is an honored and accomplished judge. Two weeks ago I had the opportunity to meet with him and learn about his judicial record and philosophy. I have known Chief Judge Garland for more than 20 years. I have actually worked for him at the Justice Department when we both worked for the Deputy Attorney General of the United States. I was fresh out of law school, but even then Judge Garland's humility, work ethic, and commitment to the rule of law inspired me and continue to inspire me.

Our meeting last week confirmed what I already know. Judge Garland is an intelligent and pragmatic judge who is extraordinarily well-qualified to serve on the Supreme Court. I have wondered whether that is the reason the majority is not holding hearings. They could simply hold the hearings and vote against Judge Garland, which is their prerogative. Why not hold hearings? Maybe they know that the American people, given the opportunity to hear directly from Judge Garland, would see that he is precisely the type of judge who should serve on the Court.

A vacancy on the Supreme Court is a rare thing. It doesn't come around very often. For those of us in this country, whether we are in the Senate or in a classroom somewhere, those vacancies, hearings, and debates on the floor present an unparalleled opportunity—a remarkable opportunity—for the American people to engage in a debate about the Court, the Constitution, and all kinds of issues that the Court will consider. That is what these hearings are about. That is what could be going on this summer during this Presidential election year, and we would have a discussion about where we want to head as a country. We are not having it. We are not having it because of this unprecedented action.

Because of what the majority has done here, by not meeting with the nominee or holding a hearing, they are denying him the opportunity to make his case to the American people. In the meantime—and this is really critical—the Court will continue to be impaired. Impaired is the word that Justice Scalia himself used when he was asked to recuse himself from a case involving Dick Cheney, then the Vice President of the United States. In that case, he was asked if there would be a presumption of recusal. Justice Scalia's answer

to that was this: Maybe if I were on the court of appeals—because if I were on the court of appeals, there would be somebody to replace me, but that is not how it works on the Supreme Court. When there is a vacancy on the Supreme Court, leaving the Court with only eight Justices, there is nobody who can fill in. There is nobody to become the ninth Justice. He said that the Court would therefore be impaired.

The action that is being taken right now threatens to impair the Supreme Court not for one session but for two sessions of the Court before there is another election. In fact, for the third time since Justice Scalia's death, the Supreme Court could not resolve a dispute because of a 4-to-4 split. The longer this vacancy remains, the more uncertainty and confusion the American people will suffer. As I said, two terms of the Court will be jeopardized by petty politics.

Believe me, I know it has become fashionable for Washington to tear down rather than work to improve the democratic institutions that generations of Americans have built, but to so cavalierly impair the judicial branch of our government is pathetic.

It is time for the Senate to do its job as every Senate has done before us. Again, I am not asking my colleagues to support Judge Garland's nomination. That is a matter of conscience for each of us. But we must fulfill our basic constitutional obligation of holding a hearing and a vote. This is literally—because it is in the Constitution and no one else is granted this power—the least we can do to demonstrate that we are a legislative body that functions as the Constitution requires.

We certainly have plenty of time. In view of that, if by contrast we leave for our scheduled 7 weeks of summer vacation—which is not enshrined in the Constitution but is a schedule that is set by the Senate—without having fulfilled our responsibility, the American people should demand that we return to Washington and do our job.

It is past time for my colleagues to meet with Judge Garland, hold hearings on his record, and give the American people an up-or-down vote on this judicial vacancy.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senate majority whip.

#### THE APPROPRIATIONS PROCESS

Mr. CORNYN. Mr. President, I fear that sometimes here in the Senate we get bogged down in the minutia and the process and don't really talk about the why of how things are done here. We talk a lot about the how, but we don't talk about the why. I just want to speak for a couple of minutes about why it is so important that we pass the regular appropriation bills and put what we are trying to do here in a larger context.

Our colleagues will remember that last year we were unable to pass the 12

regular appropriation bills because our Democratic colleagues filibustered those pieces of legislation in order to force a negotiation to raise the spending caps on discretionary spending. I regret that. I wish it hadn't happened, but it did and there is not much we can do about it. But in the process, what happened is that we ended up having to pass a fiscal year-end omnibus appropriations bill that lacked any basic transparency. There was about \$1 trillion-plus worth of spending, and I think most people's reaction is this: Why do you have to do business in such a terrible way that lacks transparency, doesn't let people know what is in the bill, and doesn't let all 100 Senators contribute to the product? The reason is because our Democratic colleagues blocked those bills.

I hope it is different this year because now those top-line numbers for discretionary spending are fixed in law. What we are trying to do, starting with the Energy and Water appropriations bill that Senator ALEXANDER and Senator FEINSTEIN are working through the legislative process, is to begin the process of passing those regular appropriation bills. I hope and trust we will conclude with this piece of legislation this week and then we will move on to the next legislative vehicle, which will probably be the transportation, housing, and urban development legislation, the so-called THUD bill around here.

We have actually demonstrated that by providing an open process, we can actually get some things done. We all recall last Congress—a year and a half ago. The fact of the matter is that a decision had been made by the then-majority leader, Senator REID, not to allow Senators to participate in the amendment process on the floor. As a consequence, it wasn't just those of us in the minority who were prohibited from offering legislation that would actually improve the product that was on the floor, it included Members of his own political party. So they had to go home at election time and explain to their constituents back home: I may be in the majority, but I couldn't get an amendment voted on, on the Senate floor.

Having learned from that experience, Senator MCCONNELL and we decided that the best thing to do is to have an open process by which Members of the majority party and minority party, Democrats and Republicans alike—anybody who has a good idea—can come forward and get a vote on that legislation. We had a couple of recent bipartisan successes. Yes, I know in some corners "bipartisanship" is a dirty word, but the fact is, you can't get anything done around here unless it is bipartisan. Our Constitution was written in a way to force consensus to be built. In an absence of consensus, nothing gets done.

So we have had a couple of recent successes, in addition to our work on appropriations bills, including the Energy Policy Modernization Act. One of

the most important parts of that legislation from my perspective is that back in Texas we saw an expedited process for the approval of liquefied natural gas export terminals. That is very important to our economy and something that takes advantage of an incredible resource we have in America—natural gas—which we would like to sell to our allies and friends around the world when they don't have it. That is something that builds jobs in America. It helps grow our economy. It helps provide a lifeline to many of our allies around the world, for whom energy is being used simply as a weapon by people like Vladimir Putin.

We also voted to reauthorize the Federal Aviation Administration bill. Obviously, this is important for public safety—to make sure our skies are safe—but also to provide the appropriate regulatory regime for the airline industry.

Looked at individually, these bills may not seem like an end-all or be-all, but they are part of a bigger picture and part of a larger goal, which is getting this legislative body back to work again, as it was meant to do, considering and passing legislation that will impact our country for the better. Don't get me wrong. Sometimes the right answer is to stop bad ideas. Sometimes the right idea is to stop bad ideas, but where there is an opportunity for consensus and where we can actually craft something that helps move our country forward—I believe all 100 Senators came here with that sort of goal in mind.

The bottom line is, we are working again to advance the priorities of the American people. In the same way we debate and discuss the Energy and Water appropriations bill, we have to keep the bigger picture in mind. It is not just about passing a single appropriations bill or to check items off our to-do list, it is part of a larger process, which is to fund the Federal Government in a fiscally responsible way, hopefully—that is our goal—and to make sure we review the programs that are funded by Federal appropriations and make sure they are still the priorities we believe they should be. If they aren't, then they shouldn't be funded. That is part of the process—to go back and look at what the programs are, whether they are still working, whether they are still necessary, and if they are not working or no longer necessary, then we simply no longer fund those as part of the appropriations process.

We know this sets our country's priorities by giving guidance on everything we support—from our veterans to how we provide for our energy structure needs, to how we equip and train our troops. Funding the government is actually one of the most important and basic duties of the Congress. As the Senator from Tennessee has pointed out, one of the biggest problems we have—one we are not going to solve here today or this week, unfortunately—is that so much of the money

that gets spent by the Federal Government is on autopilot—so-called mandatory spending. In other words, it is not even subject to the appropriations process in the Senate. Currently, only about one-third of the money the Federal Government spends actually goes through this sort of transparent and open process, where everybody knows what is going on and can offer their input. The rest of the money is spent on autopilot, and it is projected to rise, according to one recent projection I saw, at a rate of roughly 5.3 percent over the next 30 years.

We know that is far beyond the rate of inflation, and it is an unsustainable amount of spending. Some of the most important programs that are government funded, such as Medicare or Social Security, cannot be sustained at the current level of spending unless we do everything we can within our ability to shore them up and save them for the next generation. That is what we actually need to be doing in the larger picture.

Until that day, we can continue to do what we can to deal responsibly with discretionary spending, and that is what we are trying to do. If we don't deal with these appropriations bills in a methodical and deliberate sort of way—all 12 of them—we are going to find ourselves at the end of September, at the end of the fiscal year, back in the same situation we were in last year—with the need for an omnibus appropriations bill or a continuing resolution, which is something I know there is not a lot of appetite for.

#### ZIKA VIRUS

Mr. President, let me just say a word about the Zika virus and the emergency funding request made by the President. Some of our colleagues—notably the Democratic leader and the Democratic whip—talked about this this morning and raised the question of whether we are going to responsibly deal with this threat of the Zika virus. I can tell my colleagues we will. We are committed on a bipartisan basis to try to make sure we respond responsibly both from a public safety point of view and from a fiscal point of view.

The President requested \$1.9 billion. Thankfully, there is money that has been identified that was left over from the Ebola threat—some \$500 million—that can be used as a downpayment to make sure our world-class scientists, like the ones I have met at the University of Texas medical branch in Galveston and just this last week at the Texas Medical Center, are doing the research that is necessary in order to identify how to stop this threat by controlling the mosquitoes that bring it into the country. We know the mosquito that carries the Zika virus is common in more temperate and warmer parts of the country, and that is why it has been primarily a threat in Brazil and places like Haiti and Puerto Rico. We also know that in places like Texas, Florida, and Louisiana, this mosquito is present and there are already estab-

lished cases of Zika, primarily occurring in, I believe, either people who have traveled to Central America or South America and who have been bitten and brought it back with them or, in the case of—apparently it has now been discovered that this virus can be sexually transmitted. So one of the things we need to make sure of, particularly for every woman of child-bearing age, is that they get the sort of protection they need so these horrific birth defects that we have seen in the news don't occur. We are all committed to doing that.

We also ought to make sure we don't overshoot our goal and write a blank check for something when we don't even know what the plan of attack is. In some ways, this is like the President asking us to fund a war without telling us what his strategy is for fighting and winning that war. I think that is the sort of commonsense question our constituents want us to ask, and which we should ask.

I realize not everything is knowable. Hopefully, within a couple of years, our scientific community will have developed a vaccine which can protect people from this virus, but in the meantime we need to continue to fund the basic research. We need to continue to fund at the local level the mosquito eradication, and we need to keep our eye on this emerging threat.

We can do that, and we will do that in a responsible sort of way. We don't need our colleagues on the Democratic side to say we have to do it right here, right now, without even having a plan from the administration on how we will fight and win this war against the Zika virus and hold up the regular appropriations process. I can tell from the saber-rattling going on from some of my colleagues across the aisle that they are looking for a reason to disrupt the regular appropriations process and that can be a mistake. First of all, it will not accomplish anything that can't otherwise be accomplished in terms of funding our research and the fight against the Zika virus. We are committed to doing that in a bipartisan sort of way but in a responsible sort of way that doesn't add to the national debt and pass the bill on to the next generation, as well as a proportional response to the threat. Just throwing money at it without a plan does not seem like a responsible thing to do.

I implore our colleagues across the aisle, do not try to use the Zika crisis to hold hostage our ability to do our regular appropriations work. It is too important to avoid the year-end Omnibus appropriations bill that nobody says they like, and it is important for us to demonstrate—as we have tried to and I believe succeeded in doing, in large part—that we can continue to do our work day in and day out on a bipartisan, responsible basis, not that we are all going to agree on everything—that is just not the way people are built—nor do they want us to agree on

everything. This is the place where we have the great debates on the issues that confront our country, both now and in the future, and that is appropriate. Nobody should take it personally. We need to have those debates. We need to have those verbal confrontations so we can get to the truth and figure the best path forward for the country.

So we are not here to kick the can down the road. We are here to do the Nation's business, and we are here to deliver results to the American people. I hope we can continue to do that by carefully discussing, debating, and then voting on all 12 appropriations bills.

In addition to talking about how, I hope to explain a little bit of the why it is so important that we do this now in order to avoid that year-end rush to an omnibus appropriations bill later on.

Mr. President, I don't see any other Senators seeking recognition, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, first, to the majority whip, I thank him for his comments on the Zika virus. He is absolutely right to raise awareness of that issue. It is a great concern. In Ohio we happen to have some military assets that have been used in the past for aerial spraying, and I know they are interested in being even more involved in some of the eradication of some of these mosquitoes in the southern part of the country that may end up causing some of this infection. It is a very serious matter, and I am glad to know the Appropriations Committee is working on it as well as our authorizing committees. I know the Senator from Texas has a personal interest in this.

I rise to speak about the underlying legislation—the Energy and Water appropriations bill. I thank the chairman of that committee, Senator ALEXANDER, for working with me to include a couple of important provisions for the State of Ohio.

One is the cleanup of what is known as the Portsmouth Gaseous Diffusion Plant. This is a site that for half a century enriched uranium. This uranium was used by our Navy, for our military, and for other purposes, including our nuclear arsenals, but it also has been used for our powerplants. So for decades the people in Piketon, OH, have been helping keep Americans safe and also helping thousands of Ohioans to keep the lights on and to stay warm at a reasonable cost. Now we have to clean up this facility. We moved on to other technology. It is an efficient

technology, but it is a heck of a cleanup removing all this gaseous diffusion material and properly disposing of it.

This cleanup effort employs about 2,000 Ohioans. They are doing their job and doing it very well. We have to support them. Unfortunately, over the years they have not gotten the support they deserve. In a 2008 campaign trip to Ohio, the President gave a commitment that he would accelerate that cleanup. Frankly, that just hasn't happened under the President's budget, so every year we have to fight for more funding to be sure that we can continue the cleanup, which is so important, but also to ensure that we aren't losing jobs in Pike County. We just had this tragic occurrence where we had four different homes where family members were present during the horrible shooting out there in Pike County. This is one of the counties in Ohio that have relatively high unemployment. It is a county that has a lot of economic issues. These 2,000 jobs are good-paying jobs with good benefits, so it is very important that we keep the jobs there.

Just as importantly, it is the right thing to do for the taxpayers because as the Obama administration has pulled back funding for this cleanup, it ends up costing the taxpayers more because delaying this cleanup ends up adding huge additional costs as funding is cut back and there is less cleanup going on. Our analysis shows that an accelerated cleanup could save the taxpayers \$4 billion, getting this done and moving the site on to commercial use. Having adequate funding will save the taxpayers money.

Second, cleaning up the radioactive waste and other hazardous waste there is incredibly important for the community. It makes that site cleaner, of course, and is better for the environment. It is important for the community and these people who have for many years been providing us with the enriched uranium for our military and for our powerplants to know they are not going to be left with this environmental problem.

Third, these are good-paying jobs in a county that really needs them.

Finally, we owe it to the community to clean up the site so they can redevelop it. They want to reindustrialize this site, and it is a great location to do maybe an energy project or maybe a nuclear powerplant at some point and other exciting opportunities, but they have to clean up what is there in order for the site to be used for that.

The people of Piketon have helped shore up our economy and our national defense. We owe it to them to clean up this site. I am pleased that in this legislation we are considering an increase of \$20 million over this year's level of cleanup work and an additional \$20 million over this year's level for constructing a needed onsite disposal cell. We are at the point where we need to dispose of this material, and we need more money for that disposal cell. I am

hoping that the House will increase the funding for the disposal cell even more, and if so, we will work in conference to get that number up further because that makes a lot of sense in order to actually move forward on this cleanup for all the reasons I have stated.

Again, I thank the chairman, Senator ALEXANDER, for his help on this. One thing the chairman knows well is that part of the funding for the cleanup work comes from the Department of Energy's barter of uranium. I ask that as we move forward with the completion of this legislation over the next few months, if the price of uranium should change—should drop—that the chairman continue to work with us to ensure that there are no job losses and to ensure that the cleanup work is not delayed as it has been in the past.

Second, I thank the chairman for including another provision that is incredibly important to Ohio and to Lake Erie. For many years the Army Corps of Engineers has been dredging the Cuyahoga River. It is necessary to do that for commercial purposes. They have a big steel plant there, which anybody who comes to the Republican Convention will see. It is very important, for that plant and other commercial purposes, to keep this waterway open for boat traffic, including bringing iron ore in for the steel mills.

Unfortunately, the U.S. Army Corps of Engineers wants to take the dredge from the river and dump it into Lake Erie. Time and time again, the Ohio Environmental Protection Agency and others have said this is not good for the environment. Specifically, the dredge has PCB material. The PCB pollutants get into the fish, and the Ohio EPA has told them that if they keep dumping it into the lake, at some point they will have to issue a warning that the walleye in Lake Erie, which is our great game fish, is not to be eaten more than a certain number of times per month. This would kill the fishing industry. It is also the wrong thing to do with all the algal bloom problems we have in the lake because that is driven by nitrogen and phosphorous mostly, and those nutrients would get into the lake through this dumping. So we are saying: Let's use an onsite disposal facility. We have one on land that they can use. They are refusing to do that.

The Army Corps of Engineers has gone so far as to, in the last appropriations bill, actually cut their own funding—which is something I have never seen before—to not be able to meet the requirement we put into law, saying that they have to provide for the disposal of this product not into the lake but onto a land facility.

We have now worked with Chairman ALEXANDER to include language in this legislation before us. Senator SHERROD BROWN and I were successful in getting that in last year. Once again we are working with the chairman to get that language in this year. I thank Senator ALEXANDER for including it. It main-

tains the requirement that ensures that the Corps uphold its funding obligations to dispose of this dredge material upland and not in the lake.

Again, it concerns me that the Corps seems to want to try to get around this. In fact, instead of putting money into the operations and maintenance account, as they are required to do to comply with not just what Congress says but, frankly, what the court has ordered them to do—because the court has consistently said they have to dredge and then dump on land, they have actually put that into a risky position by saying they don't need the funding. They have gone so far as to indicate that maybe other dredging projects on Lake Erie or other Lake Erie funding could be in jeopardy of not receiving the full amount of money they need if there is a need to dispose of this on land.

There is a better way. The Corps should request use of unallocated funds provided by Congress in order to dispose of the dredge material at Cleveland Harbor safely without putting other projects at risk. They can do that.

Our Permanent Subcommittee on Investigations, which I chair, is currently investigating whether the Corps intentionally requested a decrease in funding in last year's spending bill so that they would have no choice but to dump this dredge material into the harbor. I hope that is not true. I hope we find out that is not what happened, but there are indications of that. Again, doing so would threaten the health of the area, the city of Cleveland, Lake Erie's ecosystem, and specifically our fishing industry in Lake Erie, which is so critical to economic growth in that area. Lake Erie is the most productive of all of our Great Lakes in terms of fishing. It has a \$6 billion fishing industry and is the No. 1 tourist attraction in Ohio.

I urge the Corps to revise its work plan for this year to request the additional funds necessary to safely dispose of the dredge sediment at the Cleveland Harbor during the 2016 dredging season if, as I suspect, the Federal judge again rules that the Corps cannot place it in Lake Erie. I urge them to work with us to come up with a solution so we can have this dredge material disposed of on land and actually recycle that material so that it has value. A couple of weeks ago when I was at the site, I saw how some of the material is being mixed with other fill and being used not just for landfill but also for gardens and for farming and agriculture purposes. This is a way to take the dredge and to actually have it have value and be able to recycle it.

Mr. President, I thank the Presiding Officer for allowing me to give this statement today and for his patience. I also thank Chairman ALEXANDER and others who have worked with us on this so that we can indeed be sure that we clean up this site and that we are able to get this dredge material coming out

of the Cuyahoga River onto a site on land to avoid the environmental damage that would otherwise occur.

I yield back my time.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Thank you, Mr. President.

I ask unanimous consent to speak as in morning business for up to 17 minutes.

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

#### ZIKA VIRUS

Mr. SCHATZ. Mr. President, I first want to talk about the Zika public health emergency that is coming to the United States of America. We have to act now to fund the administration's request of \$1.9 billion in supplemental funding.

Zika is a disease carried by the *Aedes aegypti* mosquito, a vector that has already caused a dengue epidemic in my State of Hawaii. The *Aedes* mosquitoes are in more places than we previously thought throughout the United States.

Zika is the first mosquito-borne illness to be associated with a congenital birth defect. We are continuing to learn more about this devastating disease every day, including its association with Guillain-Barre syndrome—a type of paralysis—eye abnormalities, and more.

While there have not yet been any locally transmitted diseases of Zika in the continental United States, we do have hundreds of travel-related cases and up to 500 cases of active transmission in Puerto Rico, American Samoa, and the U.S. Virgin Islands. As I mentioned, Hawaii is recovering from a dengue epidemic. So we must provide emergency funding for mosquito-borne illnesses, and we must do it now. This is an emergency.

The administration has clearly laid out its request to combat Zika, which includes the following: \$830 million for the CDC. This money would include grants and technical assistance to Puerto Rico and the U.S. territories and help our domestic and international response activities; about \$250 million for the Centers for Medicare and Medicaid Services, or CMS, to increase the Federal match rate to Puerto Rico; and several hundred million dollars for the National Institutes of Health and BARDA to invest in vaccine research and development. That is the long-term solution. There is a high degree of competence that we will be able to get a vaccine but not without the funding. This is an absolute emergency. We need \$10 million for the FDA vaccine and diagnostics development and review, which is absolutely critical—we don't have diagnostic tests that are quite as efficient and effective as we are eventually going to need—and \$335 million for USAID efforts abroad in public health infrastructure.

I was fortunate to visit the CDC in Atlanta a couple of weeks ago to learn more about their efforts to combat

Zika, dengue, and other vector-borne diseases. I saw firsthand how the CDC has activated its Level 1 Emergency Operations Center to combat Zika. During my questions at the Labor-HHS appropriations hearings, I heard how the CDC is strapped for funds and has already programmed its Ebola funds and how these Ebola funds are critically needed to prevent another Ebola crisis. I have total confidence in the CDC, but they need this emergency funding request to be granted.

We are about to go on a 1-week recess. There is no reason that we can't at least get on the supplemental this week. This is an absolute emergency. There are a lot of things we are doing that are important this week in terms of individual appropriations bills, but let's be clear: None of these appropriations bills are going to pass in the next week or even the next month. We still have the House that needs to take action, and there is no doubt we are going to go to conference. So in terms of whatever other legislative vehicles are pending or about to be pending, there is no urgency for us to move to those instead of what is happening right now in terms of a public health emergency with Zika. This is an absolute emergency.

The reason this is not smashing through every headline online, on television, in the newspapers, and on the radio is that it is still cold outside in a lot of places and the mosquitoes haven't come out. This is about to be a very serious public health crisis.

For those of us who have differing views about the size and scope of government, I just want to say this: We have arguments about the EPA's role, about the Department of Human Services' role, about the Department of Education's role, and the size and scope of government across the board, but can't we agree that government's basic job is to protect its citizens, and can't we agree that the CDC is one of the best agencies in the government across the board, and can't we agree that this is a real emergency and ought not to wait until May or June or July and ought to be taken up immediately?

Mr. President, this is an emergency, and we ought to fund the supplemental on a big bipartisan vote.

#### TRANS-PACIFIC PARTNERSHIP

Mr. President, I would like to talk about the Trans-Pacific Partnership. Many promises were made about the TPP. Before the final text was available, I received dozens of phone calls from advocates of the deal asking for my support. They said that this trade agreement was going to be different; that it would raise standards rather than lower them; and that my concerns about labor, the environment, climate change, public health, and consumer protection would be addressed. But since the text was released, I have read it, and unfortunately this deal does not turn out to be any different from the previous deals. It looks like just another race to the bottom.

Proponents claimed that the labor and environment chapters would contain enforceable commitments, and I know a lot of people worked very hard to make that true. But when you look closely at the wording of these chapters, you see that the commitments are basically just strongly worded suggestions. There are very few requirements. Instead, the countries have promised to "promote," "encourage," "cooperate," "strive," and "endeavor" to do various things. I have no clue how one can enforce an obligation to encourage something or discourage something. Many of the provisions contain this weak language, carefully written by lawyers to be unenforceable.

Here are a few examples from the environment chapter, which is particularly weak.

First, the chapter opens with a general commitment that "each Party shall strive to ensure that its environmental laws . . . provide for, and encourage, high levels of environmental protection." That is right; they are to "strive to ensure."

On transitioning to a low-emissions economy, "Parties shall cooperate to address matters of joint or common interest." There is nothing more on climate change whatsoever.

On marine animal conservation, "Each party shall promote the long-term conservation" of sharks and various marine animals through "such measures" considered appropriate. I don't even know what that means. What is clear is that none of this is enforceable. So the problem is, no accountability. There is no requirement that countries meet their obligations before Congress has to vote on the agreement and no independent verification of whether those obligations are ever met.

We will vote to open our markets on day one to goods made under terrible labor and environmental conditions and hope that over time, after we have forfeited our leverage, these countries will implement and enforce the kinds of labor laws our country has had for decades.

What this means is that we are giving them the deal, and after we forfeit all of our leverage, we hope they will see the light and do the right thing. Take Vietnam as an example. The economic benefits to Vietnam of reduced or eliminated U.S. duties are enormous. Importers from Vietnam currently pay around \$2 billion in annual tariffs. Most of that comes from imports of apparel and footwear—industries that frequently utilize forced and child labor. Although Vietnam is supposed to comply on day one with the labor side agreement it signed with the United States, there is no independent verification. The side agreement sets up a long process of consultation before punitive action can be taken. At that point, Vietnam will already be enjoying the benefit of the elimination of the tariff, and the United States will have lost jobs that cannot compete



with forced child labor. No punitive action will bring back those jobs.

Now let's talk about the enforcement side. Our track record, unfortunately, is not good. In the limited instances in which there are enforcement mechanisms in our trade agreements, we rarely utilize them. Recently, the GAO reported a systemic failure to enforce labor and environmental commitments across several trade agreements, even in light of compelling evidence of violations. The reason for this is that we don't really provide the resources for enforcement. But more importantly, there is a real lack of political will. For instance, the inclusion of Malaysia in this trade zone gives us insight into the lack of political will.

When we debated fast-track authority last year, Congress agreed on an important negotiating objective: No trade deals with countries that earn the worst human trafficking ranking, according to the U.S. State Department. This seems like something everyone ought to agree to. At the time, this included Malaysia, which had the lowest ranking. But just after fast-track became law, Malaysia's ranking was upgraded—to the surprise of human rights experts everywhere. The upgrade allowed the circumvention of Congress's will and the continued inclusion of Malaysia in TPP. This came just a few months after the discovery of human cages and 130 graves at a human trafficking detention camp on the Malaysia-Thailand border. Against this backdrop, it is hard to have confidence that we will ever prioritize labor rights, human rights, or environmental protection over commercial interests.

I am also deeply concerned about the inclusion of investor-state dispute settlement provisions, or ISDS for short. ISDS provides a special forum outside of our court system that is just available to foreign investors. These investors are given the right to sue governments over laws and regulations that impact their businesses—a legal right that is not granted to a labor union, an individual, or anyone else.

Here is how it works: If a decision is made by a national government that is contradicted by a provision in a trade agreement, the trade agreement wins. If a law that we pass contradicts a provision in TPP, TPP trumps our law. Corporations are increasingly seeing this as a viable legal strategy to increase profits and undermine public health and environmental and labor protections.

The ISDS forum is not available to anyone other than foreign corporations. It is not open to domestic businesses, labor unions, civil societies, or individuals who allege a violation of a trade agreement obligation.

The arbitrators in ISDS who preside over these cases are literally not accountable to anyone. Their decisions cannot be appealed. By profession, the arbitrators usually make their living working as lawyers for multinational

corporations. The arbitrators cannot force the government to change its laws, but they can order the government to pay the investor when they lose money as a result of a law that contradicts a trade agreement, which can have the same effect.

It is one thing for the United States to decide to pay a penalty to keep a law in place, but small countries cannot afford to go up against these multinational corporations in the ISDS context. Not only will they repeal their national laws, they sometimes will not enact national laws knowing that they will be subject to fines under this ISDS process.

The government often agrees to change the law or regulation that is being challenged, in addition to paying compensation. The threat of a case can be enough to convince a government to back away from legitimate public health, safety, or environmental policies. The practical implication is potentially sweeping. ISDS could prevent us from addressing climate change, raising the minimum wage, protecting consumers from harmful products, or preventing another financial crisis.

Each time we pass a law or regulation to improve the lives of the American people, foreign investors will effectively have the final say. These risks are not theoretical. In fact, for the United States, the risk of ISDS has become very real. In January, TransCanada—the Canadian company behind the Keystone XL Pipeline—filed a claim against the U.S. Government under NAFTA's ISDS provisions for failing to approve the pipeline. If TransCanada wins, taxpayers—U.S. taxpayers—would be on the hook for \$15 billion in damages being demanded by foreign corporations.

Make no mistake. This is a new strategy for fossil fuel companies to challenge laws and regulations that are attempting to reduce carbon emissions and combat climate change. There are hundreds of billions of dollars at stake, and with that on the line, you have to believe that law firms are spending hours systematically scouring every trade and investment agreement for provisions they can use to invalidate Federal law. This is the legal strategy to bust up laws designed to protect public health, the environment, and consumers.

Corporate interests should not be the driving force for public policy decisions. Yet that is exactly what this trade agreement would allow. A lot of us had hopes that this trade agreement would be different, but in a lot of ways, it is the same as the bad agreements that have come before it, and in some ways, it is actually worse.

We are forfeiting valuable leverage across a huge area of the Asia Pacific that we could have used to lift labor and environmental conditions and level the playing field for our workers. This is not a question of whether you are for trade or whether you believe we should be engaged in the Pacific region, it is a question of how.

This deal is, unfortunately, a lowest common denominator agreement. For these reasons, I must oppose the TPP.

I yield the floor.

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

#### THE REPUBLICAN-LED SENATE

Mr. BARRASSO. Mr. President, I head home to Wyoming just about every weekend. Lots of people from Wyoming come here to Washington to visit as well. When I am home, I get a chance to talk to people, and here in Washington, I get to talk to people. So yesterday is a day I flew here. I had talked to folks in Wyoming early in the morning and then yesterday afternoon got off the plane, and there were a number of students here from Sheridan High School from "We the People." One of our pages here is also from that high school. So you get to hear a lot from people. Some folks have been asking: What has the Republican Congress actually accomplished? So I would like to take a few minutes to talk a little bit about what the Senate has actually done this year and during this Congress since the Republicans have taken over the majority.

We are not even 4 months into this year, and we have already had a very productive year in the Senate. It is true. We have been active, we have been effective, and it is only April.

In February, we passed legislation to add tough new sanctions against North Korea. As the Presiding Officer knows, the President in the White House was very reluctant when we started proposing these sanctions—hesitant about the sanctions that we proposed against North Korea. Let's face it. North Korea has been aggressively testing missiles, testing nuclear weapons, and needs to be stopped.

When other countries threaten their neighbors, as North Korea has done in their general geographic area, what happens is the United States must stand up and stop them. President Obama has done far too little. I am very concerned about the aggression and the ambitions of North Korea. That is why the Senate had to act. So Congress has stood up and pushed against this action. We had more action against North Korea; that is exactly what we did.

The Senate also acted by passing a Defend Trade Secrets Act to help businesses protect their confidential information.

We passed a piece of legislation called the Comprehensive Addiction and Recovery Act, a bipartisan piece of legislation to help fight the misuse of prescription drugs, in terms of prescription pain killers called opioids. Now, look, it has been a huge problem in our country—communities all around the country. Senator AYOTTE from New Hampshire and Senator PORTMAN of Ohio were two of the main sponsors of this legislation. I know



Senator PORTMAN was on the floor recently, talking about different legislation. But he has shown heroic leadership in an area that certainly needed to be addressed.

The Senate worked and reauthorized the Older Americans Act. This was another bipartisan piece of legislation. It works to help provide senior citizens with things like meals, transportation—ways to help people live in their own homes longer and ways to help in terms of their quality of life, which is very important for Americans all across the country.

We passed legislation to overhaul and reauthorize the Federal Aviation Administration. This is a significant accomplishment. This legislation promotes U.S. aerospace jobs by cutting through some of the redtape that has been hurting airplane designers.

Then, just last week, we passed a comprehensive overhaul of American energy policy, something we had not done in about 8 years. Over the past few years, hard-working Americans have made this country into an energy superpower. Yet we had not passed any kind of major energy legislation for about 8 years because Washington's regulations have simply not kept pace, and they have actually worked against the energy producers, people that are getting back to work, getting this country's economy returned.

The legislation we passed is going to rein in some of this needless, wasteful bureaucracy that the Federal Government has imposed on the people creating energy jobs and working to produce more energy because energy is called a master resource for a reason. We have it in great abundance.

One of the very important parts was language to expedite the shipment of America's natural gas to buyers around the world. It is good for our economy, and it is good for our allies who will be able to decrease their dependence on Russian gas.

Senator LISA MURKOWSKI from Alaska did an outstanding job of making sure that this legislation had ideas from both sides of the aisle. That is a big part of why this piece of major energy legislation—first time in 8 years—passed 85 to 12—85 to 12. That is another big accomplishment of the Senate this year that does not get enough attention. It is not just that we are passing important legislation that helps Americans, but we are doing it in a bipartisan way that allows every Senator—every Member of this body—to represent the people back home with their ideas and their suggestions.

We have voted on 129 amendments so far this year—129 amendments voted on this year. When the Democrats under HARRY REID were in control, a lot of people around here got used to the idea that people did not actually get to vote on amendments. In 2014, the last year under Democratic control under HARRY REID, the Senate had only 15 up-or-down votes on amendments all year—full calendar year 2014.

When Republicans took the majority, we changed that. The Senate has been working this year just as we worked last year. We could have done a lot more if a few Democrats had not blocked progress on some very important pieces of legislation. The people in Wyoming now know that there are some important things they really care about, and they were actually blocked by President Obama. In January, the President vetoed legislation that we had passed to improve health care in this country by repealing major parts of ObamaCare.

Remember, the President said to Democrats that they should forcefully defend and be proud of that health care law, but one out of four Americans—25 percent of Americans—say they have been personally harmed by the President's health care law. So we put it on his desk to do a repeal, and he vetoed that.

Now, only about one in eight people in this country say they have been helped by the health care law. When you take a look at major legislation that impacts the country, it is no surprise that this health care law continues to be very unpopular, especially when you see that for every one person who says they have been helped, there are almost two people who said they have personally been hurt by the law.

The President also vetoed legislation that we passed here to bring some sanity to something called the waters of the United States rule—again, a rule put out in regulation by the President, a reinterpretation of the law. The law is very clear to me, but the President had his own approach. We put a bill on his desk to overturn what he has tried to do. The courts have actually stopped him in his tracks, but he once again vetoed our efforts.

Last year the President actually vetoed five different bills passed by Congress. This kind of obstructionism from President Obama doesn't help our country move forward. It is not helpful when the Democratic leaders do everything they can to convince people that nothing is being done in the Senate, but we hear that day after day from Minority Leader HARRY REID.

It is interesting, because when Senator REID was the majority leader, he had a very firm strategy, and the strategy seemed to be to do as little as possible.

Well, he is now the minority leader, and I think he went from the majority to the minority for a reason. It seems to me that he is still hanging on, clinging on to that losing strategy. The plan didn't work then, and I think that one of the reasons that he continues to try to talk down and slow down some of our progress is because, actually, he is envious—envious of anyone who gets things done in the Senate.

Republicans in the Senate are not interested in working at HARRY REID's pace and neither are the Democrats—many of the Democrats. Most Senators agree that we have a lot of work to do

and that it is good for America when we actually do the work.

That is why we have been working our way through the appropriations bills. This year we got the earliest start ever to appropriations bills—and really in the history of the modern budget process. So we continue to work on that.

I wish to be clear on one important point. Doing our job in the Senate doesn't mean setting aside the priorities of the American people just to help President Obama build a political legacy. That is why the Senate is going to stand firm and strong to give Americans a voice in who gets to fill the vacancy on the Supreme Court. Now President Obama wants us to set aside everything else and let him appoint his Justice to the Supreme Court. It is not going to happen.

We do our job every day, doing the things that will make an immediate difference to the families all across the country, things that Republicans and Democrats agree on and that everybody knows we should be doing. That is what you are seeing with this Republican-run Senate. That is what the people want us to do. That is what they expect us to do, and that is what we will continue to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today is the 135th issue I have come to give voice to the issue that I feel will most significantly define this generation of leadership in the United States and, frankly, around the globe.

I know that there are many people in Washington who would prefer to ignore what our carbon emissions are doing to our oceans and to our climate, but we disregard nature's warnings at our peril.

The changes to our environment, fueled by our carbon pollution, are far-reaching—from the coastlines to the prairies, from mountain tops to deep oceans, from pole to pole. As a terrestrial species, we naturally pay more attention to what is happening on land, such as increasing average global temperatures and upheavals in extreme weather. We don't so much see what is happening in our oceans.

Every year we emit into the Earth's thin atmosphere tens of gigatons of carbon dioxide from burning fossil fuels—nearly 36 gigatons of carbon dioxide in 2014. Not all of that carbon dioxide stays in the atmosphere. Our oceans—the Earth's oceans—absorb approximately one-third of all our carbon pollution. That means they have absorbed roughly 600 gigatons in our industrial era.

For the record, a gigaton is a billion tons—not a thousand tons, not a million tons, but a billion tons—and 600

billion tons of carbon dioxide have gone into our oceans. We know what that does. All that carbon dioxide in the oceans changes the ocean's very chemistry, and it makes ocean water more acidic. The chemical reaction, carbon dioxide reacting with water to form carbonic acid, is simple. You can replicate it in a middle school science lab, but its effects in the oceans are profound.

According to research published in the journal *Nature Geoscience*, the rate of change in ocean acidity is already faster than at any time in the past 50 million years on Earth. We are rapidly spiraling into unknown territory. By way of context, the human species has been around on Earth for about 200,000 years. The human species started farming and herding, went from hunting and gathering to the basics of socialized human life less than 20,000 years ago. We are doing something to our planet now that has no precedent for 50 million years.

This line shows the increasing CO<sub>2</sub> in the atmosphere in parts per million. This line shows the absorption of the CO<sub>2</sub> by the ocean, and this line shows the pH change in the oceans as a result. I would point out that pH is actually measured on a logarithmic scale. So if you were to adjust this to the standard percentage-type display of information, you would see this falling much more steeply. This is a very conservative way of showing what is happening to our oceans. The logarithmic scale is a multiple, not just a steady line. So as you move down the pH numbers, you are actually creating much more massive effects in the ocean.

People have measured this drop in ocean pH from climate change. This is not a theory. You can go out and measure it with equipment that is not very different, again, from what a middle school with an aquarium would use to measure pH in the aquarium.

People measure something else in our oceans also. They measure the rise in ocean temperature. For decades, the oceans have absorbed over 90 percent of the excess heat trapped in the atmosphere by greenhouse gas emissions. The heat that comes in, that gets trapped in our thin atmosphere when the Sun's warmth gets trapped by these greenhouse gasses, lands in a variety of places. The Antarctic ice sheet gets two-tenths of a percent of the heat. The Greenland ice sheet gets two-tenths of a percent of the heat. Arctic sea ice gets eight-tenths of a percent of the heat. Glaciers and icecaps take up nine-tenths of a percent of the heat. All of our continents together, the land mass of the Earth, take up 2.1 percent of the added heat from climate change.

The atmosphere, that thin membrane that allows us to live and breathe on this planet, has taken up 2.3 percent of the heat. All the rest of it, 93 percent, has been taken up by the oceans. They are our refrigerant. They are our cooler. They are the air conditioner for the planet. But when you take up that

much, things begin to change, and ocean heat is ramping up.

A study published in the journal *Nature Climate Change* found that in the last 20 years—actually, less than 20, from 1997 to now, to be exact—the oceans absorbed the same amount of heat energy just in that 20-year period as they had in the previous 130 years. That is a dramatic increase in heat uptake by the oceans. It is our human activity, specifically our unfettered burning of fossil fuels, that has made our oceans both warmer overall and more acidic.

One result of this is the calamity now taking place in the world's coral reefs. A healthy coral reef is one of the most productive and diverse ecosystems on Earth. It is an engine for the propagation of life. Coral depends on a symbiotic relationship with tiny, photosynthetic algae called zooxanthellae. They live in the surface tissue of the coral. Within a limited range of temperature, pH, salinity, and water clarity, this symbiosis can thrive, and it gives us reefs all over the world—these engines of life in the ocean. Living coral has evolved for millions of years to maintain its symbiosis within that range. We are now measurably—not theoretically but measurably—altering the ocean in ways too fast for coral to adapt.

Push corals out of their comfort range for very long, and the corals get stressed and they evict their algae. This process is what is known as coral bleaching. Because corals get most of their food out of that symbiotic relationship with these algae, if the algae can't be reabsorbed quickly, the corals die. Coral bleaching sounds benign, but it is like cardiac arrest for a reef. There is a good chance it dies and, even if it doesn't, it is a long recovery. We are currently in the middle of a massive bleaching of the world's coral reefs—cardiac arrest at a global scale.

Dr. Mark Eakin of NOAA's Coral Reef Watch Program says of this coral cataclysm: "It very well may be the worst period of coral bleaching we have seen." And when he says "we have seen," he means that which we have ever seen in the human record.

Worldwide, coral has already declined by approximately 40 percent. Closer to home, across the Caribbean and the Florida Keys, two key coral species have declined by an astonishing 98 percent in the last four decades.

In my lifetime, I have seen once-radiant underwater ecosystems teeming with life become barren fields of white skeletons reaching into an empty ocean. One of my climate trips took me down to Monroe County, FL, where I met Mayor Sylvia Murphy, the Republican mayor of Monroe County, home to the famous Florida Keys. I asked her how the reefs were off the Keys. "Beautiful," she said, "unless you were here 15 years ago."

Australia's Great Barrier Reef is the largest coral ecosystem on Earth. It is one of the seven wonders of the natural

world. Severe bleaching is now hitting "between 60 and 100 percent of corals" on the Great Barrier Reef, according to Dr. Terry Hughes of James Cook University in Queensland, Australia.

Professor Hughes tweeted out a map of the current devastation, writing in the text: "I showed the results of aerial survey of bleaching on the Great Barrier Reef to my students, and then we wept."

As with many other effects of climate change, it can be difficult to convey the magnitude of events when they aren't taking place in front of our terrestrial human faces. In his 2010 TED talk, one of the great marine scientists we have, leading coral ecologist Dr. Jeremy Jackson, tried to bring this coral bleaching calamity a little closer to home. He put it like this:

Imagine you go camping in July somewhere in Europe or North America, and you wake up the next morning, and you look around you, and you see that 80 percent of the trees, as far as you can see, have dropped their leaves and are standing there naked. And you come home, and you discover that 80 percent of all the trees in North America and in Europe have dropped their leaves.

Remember, this is his example from July.

And then you read in the paper a few weeks later, "Oh, by the way, a quarter of those trees died." Well, that's what happened in the Indian Ocean during the 1998 El Niño, an area vastly greater than the size of North America and Europe, when 80 percent of all the corals bleached and a quarter of them died.

Jeremy came to speak to our caucus recently. He told us that every ocean ecosystem he studied in his career is gone, as he first found it, changed dramatically from his first visit.

Coral reefs are one of the first places that truly irreversible effects of climate change seem to be manifesting themselves—the proverbial canary dying in the coal mine of our carbon-ridden planet. To say the ocean we knew in our childhood is already gone is not doomsaying or pessimism, it is a grimly realistic assessment of where we stand, sadly.

In the Senate, there will likely be snickering about this. Some will say: Who gives a damn about coral reefs? If it can't be monetized by a corporation, the hell with it, is too often our motto here. Well, God made these glories. God made them on our planet. In some cases, they have been growing for tens of thousands of years. We are wrecking them in a single generation, and if that doesn't mean something to us, a long look in the mirror might be in order.

Even those who can only see this tragedy through their monetizer goggles ought to know that a decline in healthy coral reefs is a huge blow to us all. According to an article last month in *The Atlantic*, coral reefs are home to 25 percent of the world's fish biodiversity. Reefs are incubators for ocean life, support systems for fisheries we depend on, tourist attractions for divers and snorkelers who fill local communities with their visiting and

their spending, and they are coastal protection for coastal infrastructure and homes against storm waves. It is not nice to fool with Mother Nature. As Pope Francis warned, "God always forgives; mankind sometimes forgives; nature never forgives. You slap her and she will slap you back." As he says, we are sinning with our actions against nature, and nature will not forget.

We just don't have that right. We are making a mark on the Earth in this generation that will not go away. If mankind lasts 10,000 years, well, 10,000 years from now they will see and know the mark of this generation on our planet, and they will justly inquire: How could we have been such fools? How could we, in this generation, have been such greedy, reckless, self-infatuated fools?

In 1954, the United States detonated a hydrogen bomb over the Bikini Atoll in the Marshall Islands. The explosion vaporized everything on three islands, raised water temperatures to as much as 55,000 degrees, and left a crater over a mile wide and 240 feet deep. More than 60 years have gone by and scientists observe the corals in this part of the Pacific flourishing again. If you give it a chance, life finds a way.

Dr. Zoe Richards, one of the scientists involved in the study, said: "The healthy condition of the coral at Bikini Atoll today is proof of their resilience and ability to bounce back from massive disturbances, that is, if the reef is left undisturbed and there are healthy nearby reefs to source the recovery."

So that is the caveat. Reefs can recover but not if we continue to stack the deck oceanwide against them by pumping so much heat and carbon pollution into the oceans.

Senator SCHATZ of Hawaii—not coincidentally another ocean State—introduced, along with me, the American Opportunity Carbon Fee Act last year to address climate change with a market-based solution built on principles espoused by leading Republican economists. We went to Republicans—former Cabinet officials, former Members of Congress, economists, think tanks—and we said: How should we do this? If you don't like the President's plan, if you don't like the regulatory way, what is your way? Virtually every single person on the Republican side who has thought this problem through to a solution has come to the same place, a revenue-neutral carbon fee with an appropriate border adjustment. So that is what we wrote. When you are ready, we are here. We did it your way.

As a Senator, John F. Kennedy once said:

Let us not despair but act. Let us not seek the Republican answer or the Democratic answer but the right answer. Let us not seek to fix the blame for the past—let us accept our own responsibility for the future.

This is particularly true for our oceans. As one Florida mayor put it: "The ocean is not Republican, and it's not Democratic . . . it's a nonpartisan

ocean," and that nonpartisan ocean is screaming warnings at us that we ought to heed in nonpartisan fashion.

We have a clear scientific understanding of the problem, and we have a moral obligation to act. Time is not on our side. We need to pay attention to the evidence. We need to accept the reality of our predicament as it is communicated to us by the laws and signs of nature—God's signals to us on this Earth.

That is what healthy coral looks like under the water. Here it is bleached out and dying. It is our ocean. It is our responsibility. I urge this body to wake up and lead.

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

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

#### TRIBUTE TO DR. EMILY LEMBECK

Mr. ISAKSON. Mr. President, I come to the floor of the Senate to do something I periodically like to do when a citizen of my State deserves recognition for the contributions they have made to my State and the citizens of my State. Today is such a day.

Dr. Emily Lembeck is the superintendent of the Marietta City Public School System. Recently, she was inducted into the Hall of Fame for Education, and her palm print is embedded in the walk around Glover Park Square in Marietta, GA.

I am close to Emily in more ways than one. When I chaired the State board of education in 1996, she was an elementary school principal at Dunleith Elementary in Marietta, GA. She had been at West Side, she moved on to Marietta Middle School, and later became superintendent of the Marietta Public Schools—8,900 students, 1,200 employees—a challenge but a wonderful community.

Throughout her career, she has gifted more to children in our community than any person I know of. In particular, she has taught those who didn't know how to read to read. She has made reading a passion in our community. She has made children's ability to read and comprehend and understand and move forward in life a reality, in a place where at one time it was no reality at all.

In fact, let me tell you, when I was chairman of the State board of education we were working hard to make Reading First a movement in this country. She came forward with this idea about adopting something called Marietta Reads. It was a very simple program but a program where leaders in the community, such as I, would come to elementary schools in Marietta, GA, sit down "Indian style" on the floor with first graders and teach them to read, read with them, and help

them identify with the joy of reading and the understanding of reading. From that day, I gained a greater appreciation for the challenge every teacher faces as they teach our children in classrooms.

Emily Lembeck has been awarded almost every award you can possibly get, from the chamber of commerce to the Kiwanis Club, to the Rotary. She has received the Living the Dream Award from the NAACP during King Week a few years ago, she received the Whitney M. Young Jr. Service Award from the Boy Scouts for her leadership.

Time and again, Emily Lembeck has been represented to be the great person she is—a leader in education, a leader of children, somebody our community is proud of. So on this day in Washington, DC, on the floor of the Senate, I want the name of Emily Lembeck to ring from one corner to the other for all she has contributed and all she has done to make our community a better, more wholesome, and more meaningful community, and for what she has done to make the lives of our community's children just a little bit better.

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

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

#### INDIAN HEALTH SERVICE

Mr. THUNE. Mr. President, for years now, patients on Indian reservations in the Great Plains area have been receiving substandard medical care.

The most recent example of the Indian Health Service's failure occurred in December of 2015, when I was notified that two federally operated Indian Health Service facilities in my State were at risk of losing their Medicare provider agreements. In other words, these two facilities have been delivering such a poor level of care, the government isn't sure it is willing to continue paying these facilities to care for Medicare patients.

In February, at the request of several Senators, myself included, the Senate Committee on Indian Affairs held a hearing to address the state of patient care at the Indian Health Service in the Great Plains area. Thanks to the graciousness of our colleague from Wyoming, Senator BARRASSO, who chairs the Indian Affairs Committee, I was able to participate in this hearing and question several Indian Health Service officials. I wish I could report that this hearing reassured me that the Indian Health Service is on track to solve the problems facing patients on the reservations, but it just left me more concerned. The hearing underscored the government's massive failure on this issue: its failure to deliver quality care, its failure to ensure patient safety, and its failure to live up to treaty responsibilities.

I have read the reports from the Centers for Medicare and Medicaid Services, and some of the stories really are beyond comprehension. Incredibly, a report of dirty, unsanitized medical equipment left exposed in an emergency room isn't even the most shocking of those stories.

One patient who had suffered a severe head injury was discharged from the hospital mere hours after checking in, only to be called back later the same day when his test results arrived. The patient's condition was so serious that he was immediately flown to another facility for care.

One health service facility was in such disarray that a pregnant mother gave birth on a bathroom floor—a bathroom floor—without a single medical professional nearby, which shockingly wasn't the first time this had happened at this facility.

I wish I were able to stand here today and report that conditions are getting better. Unfortunately, I cannot. Since February's hearing, we have been made aware of another tragic event that occurred at Pine Ridge Hospital. Reports from the Centers for Medicare and Medicaid Services indicate that a 23-year-old patient complaining of nausea and cramping in his hands and lower extremities died from cardiac arrest 2 hours after he was discharged from the emergency department. An investigation conducted by CMS verified that this young man failed to receive an adequate medical screening evaluation before his discharge. Even worse, the report indicated that there was no documentation showing nurse and doctor communication.

It hasn't helped that Congress's attempts to address these problems have been hampered by less-than-honest reporting from the Indian Health Service. Time and again, we have found that conditions on the ground have not matched up to information reported to Congress.

In 2014, I requested a status update from the then-Acting Director of the Indian Health Service. In her response, she stated that "the Great Plains Area has shown marked improvement in all categories" and that "significant improvements in health care delivery and program accountability have also been demonstrated."

Significant improvements? Sending a man home with bleeding in his brain and having a mother give birth prematurely on a bathroom floor are not signs of significant improvements.

On December 4, 2015, officials from the Indian Health Service stated that a majority of the concerns at Rosebud Hospital had been addressed or abated. Yet, mere hours later, I was informed that the Rosebud Hospital emergency department was functioning so poorly that emergency patients would be diverted to other hospitals beginning the next day. It has now been 143 days, and the Indian Health Service leadership has been unable to reopen the Rosebud Hospital's emergency department.

For the last 143 days, incoming emergency patients have had to travel between 44 and 55 miles to receive care. That is similar to requiring a resident of Harpers Ferry, WV, to travel to Washington, DC, to receive emergency services. And to date, the Indian Health Service has been unable to tell us when it anticipates emergency department services will resume.

The Rosebud Sioux Tribe informs me that since this emergency department has been on diverted status, six individuals have lost their lives in ambulances while being transported to a hospital farther away. Six families are now left to wonder whether their loved ones could have been saved if the Indian Health Service had been doing its job. This is unconscionable.

The Indian Health Service has one last chance this Friday to reach an agreement with CMS to set the Rosebud Hospital back on a path to compliance with basic safety and administrative requirements. If the Indian Health Service fails to do so, Rosebud will lose its status as a Medicare provider.

Additionally, the Indian Health Service has until Friday to address Emergency Medical Treatment and Active Labor Act violations found at Pine Ridge Hospital.

The administration has drafted report after report promising to correct these issues, yet time and again it has failed to follow through. During the recent Indian Affairs Committee hearing, the former Principal Deputy Director of the Indian Health Service could not remember that he was in charge of implementing a 2011 report. Where is the accountability? Who is in charge? We have got to do better.

Simply shifting staff between positions and offices, as the Indian Health Service has done in response to these problems, is not enough. It is time for action. We must do everything within our power—we will do everything within our power—to hold the Indian Health Service accountable and to make sure this never happens again.

I continue to work with my colleagues in the Senate on a path forward to demand accountability from an agency that, by all accounts, is disconnected and unresponsive to the needs of our Native Americans.

I will also continue to consult with the nine tribes in South Dakota. Our tribes are in the best position to help figure out the path forward for their own health care, and I believe the Indian Health Service must do a better job of consulting with our tribes when it comes to the care they receive.

I am going to do everything I can within my power to get all of our tribal citizens the quality care they deserve. Mr. President, 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. BURR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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

(The remarks of Mr. BURR pertaining to the introduction of S. 2854 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BURR. I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Madam President, I rise today to speak on behalf of the one in three Ohioans who knows somebody who is struggling with addiction to heroin or prescription drugs.

I rise today on behalf of the over 5,000 Americans who have lost their lives to a prescription drug overdose since the Senate passed the Comprehensive Addiction and Recovery Act back on March 10.

I rise today to talk about an epidemic which is affecting my home State of Ohio, which is affecting all our States, whichever it is, and which is affecting our country and must be dealt with.

This is the fourth time I have come to the floor of the Senate since we passed CARA, which is the Comprehensive Addiction and Recovery Act, and I come to floor to talk about our legislation and to ask the House of Representatives to please pass that legislation, which would then go to the President for his signature and could begin to help in communities all across the country.

The legislation I am talking about is legislation that the Senator from New Hampshire, now who is the Chair right now, the Presiding Officer, has been involved with in a very deep way in her own State of New Hampshire and also here on the Senate floor. I appreciate all the hard work she has put into this, and I know she agrees with me that it is time for the House to act.

We passed it on March 10. That means it has been 47 days since the Senate acted. About 120 Americans die every day of a drug overdose. It has been 47 days. That means we have lost 5,600 Americans to drug overdoses since the Senate passed this bill.

By the way, it is not just about that tragic loss of life, it is about so many people who may not have overdosed but have this addiction and are not taking care of their families, are not able to work and be a productive citizen, are not achieving their God-given potential. It is about those who have overdosed but have been saved by this miracle drug that police and firefighters and other first responders and sometimes family members now are administering called Narcan or naloxone.

It means that since the Senate passed this bill, this epidemic is getting worse, not better. That is based on

all of the information I get back home. Last week in Lebanon, OH—it is a small town north of Cincinnati, OH, where my family has roots going back to the 1920s—in Lebanon, OH, a 34-year-old woman, who was engaged to be married, overdosed and died in front of her children, one aged 10 and one baby girl who was still learning to walk. By the way, that little girl's father has now been arrested. Within days of her mother's addiction—she has now lost both her mom and her father.

Last week, from Tuesday afternoon to Wednesday morning—Tuesday afternoon to Wednesday morning—six people died of overdoses in one small town called Elyria, OH. It is not a big city; there are about 53,000 people in Elyria. We lost six people in 24 hours. That does not include the 14 people who were saved by this miracle drug I talked about, Naloxone, that reverses the effects of an overdose.

That is what has been happening. That is happening on our streets, and in the case of my home town of Cincinnati, it is happening in our parking lots. At noontime on Sunday, in my hometown, a man overdosed in the parking lot of the Museum Center in Cincinnati, OH. First responders moved quickly and were able to save his life. But it is happening in broad daylight, unfortunately, more and more frequently.

Since 2007 drug overdoses have killed more people in Ohio than car accidents, making it the No. 1 cause of accidental death. I am told that nationally, now, it is the leading cause of accidental death in the country. It is not car accidents, which we would might have assumed, it is overdoses. They have more than tripled in Ohio from 1999 to 2010.

We are told that 200,000 Ohioans are addicted to opioids—200,000 people. That is the size of a major city like Akron, OH. That is something which should concern us all.

Last week there was a poll that showed that 3 in 10 Ohioans know someone who has abused prescription drugs, and 1 in 8 knows someone who has overdosed. We are talking about more than 1.3 million Ohioans.

According to NIDA—the National Institute on Drug Abuse—the United States, even though we make up about 5 percent of the world's population, consumes 75 percent of the prescriptions drugs, including the vast majority of the world's prescription painkillers, the narcotic painkillers. They say four to five of the people who are heroin addicts started on prescription drugs.

We have heard more about this this week in the news, about the fact that so many people get addicted to the opioid, which is the prescription drug. Sometimes it is actually prescribed to them; sometimes they obtain it illegally. They turn to heroin as a less expensive alternative and then end up overdosing. The results are tragic.

If this is not an epidemic, I don't know what is. It is affecting every

area. It knows no ZIP Code. So when you think about drugs and drug abuse and the effects of it, you might think inner city. That is not so. It is everywhere—in the suburbs, in the rural areas. It knows no ZIP Code.

I mentioned that this legislation we worked on here for a few years passed the Senate. It was bicameral legislation, meaning it was the House and Senate working together for 3 years. We had five conferences here in Washington. We brought in experts on the issues of prevention and education and treatment and recovery and how to deal with our veterans who are coming back, who have a high rate of addiction, how to deal with women and their babies. In my home State of Ohio, we have had a huge increase in the rate of babies being born addicted, and what do you do about that?

We put together this legislation in a comprehensive manner to handle not just one part or one sector but to be something that would deal with the holistic approach so that we could actually get at this issue.

In the House, by the way, the identical legislation was introduced, and they now have over 120 cosponsors of that legislation in the House. Yet they have not been able to move on that legislation. Instead, they are moving on other legislation to deal with the issue. That is good. I am sure there are a lot of other things that can and should be done. Some of what they are doing is consistent with CARA. But we know CARA works. We know that if we can pass it, the President would sign it. We know it would help immediately in our communities. So I again call on the House to move quickly.

Last week a subcommittee in the House chaired by JOE PITTS marked up one dozen bills that have to do with how we fight this epidemic. JOE PITTS is a man who cares a lot about this issue. He has a passion for it. This week my friend and full committee chairman FRED UPTON is going to mark up those 12 bills. The House has a lot of good ideas. That is fine. That is good.

I joined Congressman BILL JOHNSON of Marietta, OH, who has been a passionate advocate on this issue, to introduce something called the Preventing Abuse of Cough Medicine Act, which would restrict the sale of certain cough medicines that are frequently abused. That is good. It is a common-sense Ohio idea. I thank my friend and colleague for doing his part to help our constituents. That should be passed in addition to CARA, along with other legislation.

I certainly respect my colleagues over there very much, as I said, but let's just give CARA a vote, and then let's move on this other legislation as well. It takes a while, as all of us are painfully aware, to get something through the process around here. This one went through with a 94-to-1 vote. It is comprehensive. It was introduced in both the House and the Senate. They have over 120 cosponsors. Let's just

move that. Then, if there are other things to be dealt with, like the one I talked about, we can work on those as well and find ways to work together to find common ground. I will support that. I cannot speak for all of my colleagues, but I can speak for all of them—with the exception of one who voted the other way—to say that we will help get CARA to the President. In fact, it doesn't need to come back to the Senate if they pass the CARA legislation.

More and more Members in the House are focused on this issue. That is good. Tomorrow, the House Judiciary Committee is also marking up legislation in this area. So this is a separate committee—the Energy and Commerce Committee—and now the Judiciary Committee. They are going to mark up five related bills, including what they consider the alternative to CARA. It has some of the CARA provisions but not all of them.

Let me tell you what the experts out there are saying. There are over 120 groups who have endorsed our legislation, helped us to get our legislation through.

Yesterday, the policy director of the Harm Reduction Coalition sent a letter to the Judiciary Committee saying that its alternative “omits vital provisions in CARA addressing recovery, collateral consequences, prevention, and education. These omitted provisions represent critical community priorities, which truly relate to the comprehensiveness of CARA's approach. CARA was developed through a thorough process of extensive consultation with dozens of stakeholders . . . and has secured the broad support of national, state, and local addiction and recovery, public health, and criminal justice organizations. . . . The version of CARA passed by the Senate represents substantial consensus among both community stakeholders and bipartisan lawmakers.”

The House Judiciary's alternative to CARA does contain some of CARA's best proposals. I appreciate that. But unfortunately it dropped out a number of really important ones as well. Some of the most important ideas that are missing include provisions expanding drug takeback programs. Again, we talked about this earlier. These prescription drugs are at the heart of this problem. These takeback programs get these prescription drugs off the bathroom shelf, allow us to pull these drugs away from our communities so that people are not using these drugs to get into more drugs, to get into heroin. That is not in there.

There is also a heroin law enforcement task force that was dropped out and a drug court for veterans called the veterans court. That is a very important issue for all of us. The veterans' testimony we got made it clear to us that these courts are working. I have toured some of these courts. I have had a chance to sit down at a roundtable discussion in Ohio with one of our

great veterans courts to talk to veterans whose lives have been entirely turned around by these veterans courts. After years and years of bouncing around in the prison system or at the VA, finally they get into these drugs courts for veterans, where they are surrounded by other veterans and they are able to pull their lives together, to get their families back together, and in one case go back to school. There is one guy who is about to graduate from Ohio State University after years and years of not being able to find a way to move forward.

Here is another one. Patty McCarthy Metcalf of Faces and Voices of Recovery wrote in a letter today that taking out the CARA recovery provisions “will prolong the crisis of addiction by not providing the critical support in communities across our nation where it is most needed. Recovery services provided by recovery community organizations, including recovery coaching and emergency rooms and drug courts and recovery education and awareness, are desperately needed and highly effective in getting people with addiction on a long-term path to recovery.”

What does she mean by all that? She means that these recovery coaches and the services that are supported by the CARA bill help people who might go, as she said, to an emergency room because they have an overdose to be confronted by somebody who says: Look, we can help you get better. You don't have to do this again. You don't have to overdose again. You don't have to go through this near-death experience. We can get you into a program where you can get treatment and recovery.

Someone has to provide the resources for those coaches. We want those coaches. All of us as citizens should want them. We don't want people to keep overdosing again and again. We want to break that cycle. That is what our legislation would do.

Patty makes the critical point that our response has to be comprehensive. I think she is right. She says:

Prevention, treatment and enforcement cannot solve the opiate problem without recovery supports. National experts on addiction, and millions of people in recovery, will agree that a comprehensive approach is critical.

That is what we do. CARA is comprehensive. There are 71 recovery groups, including the Ohio State University Collegiate Recovery Community, which sent a letter to the House Judiciary Committee and the Education and Workforce Committee today expressing concern that two sections of CARA which expand recovery supports for students in high school and in college were dropped out. These are amazing programs. I am so impressed with these brave young men and women who stand up and say: I have a problem. I have an addiction. For other students at this high school or at this college, who, like me, have this addiction, have this disease, I want to help you. We should work together and come together in support groups.

There did not use to be any of these hardly, as far as I know. Now there are a number of them. Ohio State University is one of the places that took the lead in this. I am so proud of those students who stood up and said: Despite the stigma around this, I am going to stand up and say that I have this problem, and I know many of you do too. If you do, come, and we can work together to work through this problem.

Again, what they say is, “We support a comprehensive approach to addressing this epidemic, which must include providing recovery supports that enable individuals to enter and sustain their recovery.” Again, CARA is comprehensive. No other bill comes close.

As this process moves forward, I hope we will insist that any final agreement represents a comprehensive approach because this epidemic has to be combated from all angles. The approach we took to writing CARA was to say we are going to take the best ideas regardless of where they come from. We don't care who brings them. We just care what the idea means to help address this problem.

We had ideas from Democrats. We had ideas from Republicans. We had ideas from House Members, from Senators, from experts in law enforcement, and from patients in recovery. We didn't ask who had the idea, we asked if it was a good idea. That is how you cobble together good legislation that makes a difference in our communities.

On Friday I was in Ohio chairing a hearing of the Homeland Security and Governmental Affairs Committee. It was at University Hospitals of Cleveland, OH. We heard from law enforcement experts such as the attorney general, Mike DeWine, and the acting U.S. attorney, Carole Rendon. She was great, as was Senator DeWine. Law enforcement, including the Fraternal Order of Police, has been strongly supportive of CARA because they believe this comprehensive approach works.

We also provide training for the administering of this naloxone we talked about, the Narcan, and being sure that law enforcement has what they need to be able to help combat this issue. We also create these law enforcement task forces to combat heroin and methamphetamines. They want better tools, law enforcement does, so they can save lives. We owe them that.

In Ohio I am that our first responders have used naloxone more than 16,000 times in the last year alone. Thank God for those first responders because they have saved thousands and thousands of lives.

On Friday we also heard from Tracy Plouck from the Ohio Department of Mental Health and Addiction Services. We heard from Dr. Nancy Young of Children and Family Futures and Dr. Margaret Kotz, who is the director of Addiction Recovery Services at University Hospitals in Cleveland, one of the experts we have relied on. They talked about the recovery process.

Their point was that probably 9 out of 10 people who need treatment are

not getting it. That is a clear sign the status quo is not working. Some of it is the stigma we talked about earlier, people are not coming forward. Some of it is not having treatment programs that are accessible. We heard about waiting lists, sometimes 3 or 4 days, sometimes 14 days, sometimes a couple of months—and people being at that point in their lives where they are willing to come forward and say: I need to solve this problem. Yet there is a waiting list.

Last night I had a tele-townhall meeting. We had 25,000 Ohioans on at any one time. It was a big group. People were talking about all kinds of issues, from the terrorist threat we face to energy and environment issues, to the jobs issue.

One guy called in and he asked: What are you doing about treatment for people who have drug problems?

So I told him about the CARA legislation and he seemed to have a quiver in his voice.

I asked him: You seem to have a lot of interest in this and some information about it. Can you tell us your background?

I thought perhaps he was a doctor or a treatment specialist.

Unfortunately, he said what you hear more and more from parents, which is: I lost my child to addiction. She had an overdose. She died. And the reason I am so focused on treatment, Senator PORTMAN, is because we got her to the place in her life where she was willing to go, finally, to a treatment center and get the treatment and recovery services she needed to deal with this disease that had gripped her—and there was no room at the inn. There was a waiting list. We couldn't get her in, and it was during that period that we couldn't get her into the treatment center that would have helped her that she overdosed.

This is a caller from last night who—on a call—was willing to say this in front of 25,000 people. I told him I appreciated the fact that he had the courage to call in and the courage to talk about it. Of course, I expressed my sympathy to him and his family but asked him to continue talking about it, to channel that grief into something positive.

Until we get more people into treatment, this is going to continue to be a huge problem in every one of our communities. Until we change the law, until we get legislation passed in Washington so we can be better partners, we are not going to be doing our part. Will Washington solve this problem? No. This problem is going to be solved in our communities, it is going to be solved in our families, and it is going to be solved in our hearts. We have to get people to pull away from this, to understand the dangers, better prevention and education.

In our legislation, we have a prevention program to build awareness about the connection with prescription drugs and heroin. I bet most people listening



right now didn't know about that connection, a lot of people don't. Why would you, if you hadn't faced this issue? That awareness alone is going to make people make better decisions for themselves, for their children.

Friday in Cleveland we had a man testify whose son died of an overdose. Do you know why? Because he had his molars—his wisdom teeth—taken out. When he had his wisdom teeth taken out, what happened?

You know where I am going.

They gave his son, a kid, Percocet—a narcotic, a painkiller. The rest of the story you know, which is he started taking more of those and more of those. Then he took some from the bathroom shelf of one of his relatives. He developed this addiction and eventually turned to heroin and overdosed.

Now his father, God bless him, is out there talking to high schoolers, talking to middle schoolers, talking to young people about the dangers.

We can address this issue. We know we can. There has been success with other awareness programs. Think of smoking and teen smoking. We have made great progress there. We have to make progress on this one. This is about life and death.

We heard testimony on Friday from Dr. Michele Walsh, the director of neonatology at University Hospitals. She talked about how she is increasingly seeing babies who are born with what is called neonatal abstinence syndrome. That is a fancy way of saying these poor babies are born with an addiction. She said the symptoms are the same you would see with an adult. It is the fidgeting. It is the sweats.

These are little babies. I have gone to these neonatal units, and I know some of my colleagues have. You see these babies. They are so small they can fit in the palm of your hand, and they are addicted. You have these doctors and nurses with incredible passion, such as Dr. Michele Walsh, who are taking care of them. In my home State of Ohio we have had a 750-percent increase in the last 12 years with babies born with neonatal abstinence syndrome—a 750-percent increase. Every single neonatal unit in Ohio is facing this.

I have been to Rainbow Babies & Children's in Cleveland, which is at this hospital. I have seen what they do. I have been to St. Rita's special care nursery in Lima, OH. I have been to Children's Hospital in my own hometown. They are doing great work, but wouldn't it be great if we didn't have to deal with this issue because we had better prevention and education to let mothers know what the danger is when they are pregnant and they could have better treatment and recovery to get those women out of this grip of addiction so their babies can be born without these issues.

Frankly, the long-term effects we talked about at our hearing, talking to experts and doctors, I don't think people know what the long-term effects are—and of course that is scary. They

basically take these babies through withdrawal. We have to provide babies with the medication at a lower level—but that you would provide an adult—to take them through the withdrawal process.

CARA, the legislation we are talking about, would help these women. It would help these babies by expanding treatment for expectant and postpartum women as well as awarding grants to evidence-based treatment services and residential treatment programs for pregnant women who are struggling with addiction. It would create a pilot program to provide family-based services to women who are addicted to opiates in a nonresidential outpatient setting. It is what we learn from experts—how to help address this problem—that is in this legislation.

I know there are other ideas out there, and that is great, but stripping out some of CARA's core provisions just didn't make any sense to me. Let's keep it comprehensive. Let's be sure and get this legislation done and then work on additional legislation.

The House could simply put CARA on the suspension calendar and have a vote on it. That is the calendar where you have to have a two-thirds vote, but something like this with all the co-sponsors and all the interest in this issues now, I think it would pass. That means we are one vote away of getting this help to our communities.

That is how close we are to a historic achievement to help begin to turn the tide, to make the Federal Government a better partner with our States, our local communities. Our great nonprofits are out there in the trenches doing the work and our families. There is no reason it couldn't happen today, tomorrow, or the next day before we go into another congressional recess.

After 3 years of work, it doesn't make sense to start from scratch and try to rewrite this. Let's work together to come up with additional ideas that are course appropriate. Nobody has a monopoly on good ideas around here.

Believe me, I know some of these House Members. They have the right intentions. They are trying to help. I appreciate that, but I also think we all need to appreciate the fact that this is a crisis. We are losing more and more Americans, 5,600 since CARA was passed in the Senate. Roughly every 12 minutes we lose someone else. People's lives are on the line. Communities are being impacted. Families are being torn apart. It is time for us to act and act quickly.

I appreciate the time today. I urge the House to move quickly on this legislation so we can begin to help our communities in need.

I yield back the remainder of my time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### "EL FARO" TRAGEDY

Mr. RUBIO. Madam President, I come to the floor today to discuss, first of all, the successful location of the *El Faro* voyage data recorder by the NTSB. As you all recall, that was the ship that had sailed from Jacksonville and was lost at sea and everyone perished. Today, the NTSB found the data recorder.

The U.S. Coast Guard, the U.S. Navy, and other search partners were also involved. That gives me hope that we will soon have more answers about this terrible disaster and how to prevent a similar one from happening again. So I want to thank the men and women of the investigative team who worked together to find this important piece of the *El Faro* puzzle.

Today we are also reminded of those who were lost on the *El Faro* and the loved ones they left behind. They remain in our thoughts and prayers.

#### ZIKA VIRUS

Madam President, on a different topic, I wanted to come to the floor today and talk again about the Zika virus. Once again there was an announcement that there had been additional cases identified in Florida.

Just to recap where we stand now, Zika has now spread to over 43 countries. There are 500 cases in U.S. territories, most of them on the Island of Puerto Rico. In my home State of Florida, there are now 93 cases—the most of any State—and the peak mosquito season is directly ahead.

A lot has happened regarding Zika. We have learned more and more about this disease. For example, we are now learning the virus has a direct link to Guillain-Barre syndrome, a very debilitating, often fatal, illness, and it is striking people affected with it. We are learning through recent science that it is not just the first trimester of pregnancy but also potentially in the second trimester that unborn children can be impacted by this, and the impacts are devastating.

We are learning that of the two species of mosquitoes that spread the disease, one of them has developed an immunity, a resistance to the most commonly used pesticide to remove them. So there is real concern as we head into the summer months and mosquitoes begin to appear that soon we will wake up to the news that there has now been a mosquito-borne transmission within the continental United States.

Here is the bottom line: We don't know everything about this disease. We already know it is bad, but we don't know how bad it is. Every day we find out more things. We know during these summer months it will be increasingly warm in many parts of the country where the two mosquito species that spread the virus can be found—in 30 out



of 50 States. We know those mosquitoes tend to grow even faster during warm seasons and when there is a lot of water on the ground. And we know one of the countries most impacted by it—Brazil—will soon host the Summer Olympic Games, which means there is going to be a tremendous amount of travel to and from Brazil, and, in fact, there already is. We know the disease is not just spread through mosquitoes, but it is also sexually transmitted.

The result of all this is that there is a real concern about what direction we are headed. The President has asked for \$1.9 billion in funding, and I am generally supportive of that request. I believe we need to deal with these issues on the front end as quickly as possible. We don't want to wake up one morning to the realization that we are now in the middle of summer, this has become an epidemic or a catastrophe, and we didn't do anything on the front end. Everyone here will have to explain what their position was at the time.

I also think you can be for Zika funding—you can even be for Zika funding at \$1.9 billion—and you can also ask questions about how this money is going to be spent and, if possible, how we are going to pay for it because we are facing a debt situation in this country. I believe we can find \$1.9 billion to pay for it. I have suggested some of my own.

What we don't want to do is to play political games with this. I think it is important. On the one side, you can't just say: Look, I am against anything they are asking for that comes up unless you prove otherwise. I think it is important that we now admit this is a serious issue that needs to be confronted. But it is also not being an obstructionist to ask: How is the money going to be spent? What programs will be funded? Where is the prioritization going to be? I think it is not too much to ask to have a level of detail about that \$1.9 billion.

What I am concerned about is some of the reports in the news that there are games being played with this. We have heard the news that the administration has redirected \$44 million in emergency preparedness grants promised to State and local governments this summer. Oftentimes in politics this is a very typical maneuver. What you do is, you cut money from an organization somewhere and you blame it on congressional inaction—or in the States, on legislative inaction. And they say the reason you are losing this money is that someone is not doing what we want, so you find the most painful, alarming cuts and use them as a leverage point to get pressure built on Congress. So I want to make sure that this is not part of some game. We shouldn't be playing games with this. I think it is also important to understand why, in addition to the \$1.9 billion, they are also saying on top of that we also have to repay the \$510 million in Ebola funds since the Ebola situation is now under control.

These are all legitimate issues that need to be confronted. But in the end, we have to do something about this. I know the Senate and the Congress were not meant to move at warp speed, to say the least. It is a place in which action takes time, and I understand that. But there are things we don't have time for. This issue has to be dealt with on the front end. Summer is here already. If you have been in South Florida, as I have on weekends, and back in my home State, as I will be again this Friday and into the weekend, it is already hot. That heat, combined with a wet season, means mosquitoes.

This is mosquito season. We have a disease that is already creating this catastrophic impact in countries neighboring us to the south. We know it is spread by mosquitoes. Mosquito season is rapidly approaching, and we have to get ahead of this. None of us wants to be in a position in June, July, and August where this thing breaks out and we start seeing cases in the continental United States, as we are already seeing in Puerto Rico and in Brazil, and we have no answer for why we did nothing during these months we were here.

I don't know what all the impediments are. I know there are conversations going on at the committee level, but I hope we can bridge this rather quickly. There are so many other issues we can argue about. There are so many other issues we can have debates about in the partisan season. But I don't think a disease of this magnitude, with this level of risk, is one we should be playing games with.

My hope is that cooler heads will prevail and that over the next few days we will find it within ourselves to find out how to appropriate the necessary money so we can begin to deal with this, at least on the front end. Maybe there is a chunk of money on the front end so we can begin to address it and then we can come back later and fund the rest of it. I think it is incumbent upon the administration and others to say "This is what the money is going to be spent on" so we can judge whether the money and the funds are actually going to things that work. But this needs to happen. This problem can't wait, and it shouldn't be a partisan fight.

Combating Zika is an appropriate use of public dollars. It is an appropriate use of public dollars. I am for limited government. I am for a very limited Federal Government. But one of the things the Federal Government is tasked with is keeping our people and country safe, particularly from external threats. Traditionally, what that means is an invading army or some military threat from abroad or whatever. In this case, this is a threat emerging from abroad, but it is coming toward the United States. There is nothing that prevents the United States from becoming like some of these other countries that have been impacted by this—nothing. Our people

are not genetically immune to Zika. It is a matter of time. It is not a question of if, it is a question of when there will be a mosquito-borne transmission of the Zika disease here in the United States. And when that happens, if the posture of the Congress has been that we did nothing—nothing has happened on this; we are still debating over \$200 million or \$50 million—people will not be satisfied with that answer.

So my hope is that this is dealt with according to the level of urgency it deserves. As I said, in my home State of Florida we already have 93 cases, with 2 new ones over the weekend. Those numbers are only going to grow. It is just a matter of time before there is a mosquito-borne transmission somewhere in the United States—the continental United States, because, as I said, this has already occurred in Puerto Rico—and I hope we get ahead of it before it is too late.

As I speak to the appropriators and those involved in this, my hope is that we can find our way forward on this rather quickly. There are so many other issues to argue about; this should not be one of them. The money needs to be spent the right way, but it needs to be spent and it needs to be appropriated, and we should endeavor to pay for as much of it, if not all of it, as we can. It needs to get quickly to the target. We need to move from this process and on to those programs so we can get ahead of it in May and June, before we get into the summer, before we get into mosquito season, and before we have an outbreak in the United States. If not, we then will have to answer to the people as to why nothing happened when we knew the risk was growing and the threat was emerging.

With that, Madam President, 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. FLAKE. 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.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. FLAKE. Mr. President, it has been nearly 9 months since the United States had an Ambassador to Mexico. The President's nominee to that post, Roberta Jacobson, is eminently qualified for the post.

The Arizona Republic noted in an editorial from March that "she's qualified, respected and needed to do an important job." They are right.

For more than 20 years, Ms. Jacobson has been immersed in the regional, political, economic, and security issues related to the Western Hemisphere. In fact, as part of her extensive background, she served for a time as Director of the Office of Mexican Affairs at the State Department. She is obviously

fluent in Spanish and has earned the respect of her colleagues. She served for 3 years as Deputy Assistant Secretary for Canada, Mexico, and NAFTA issues within the Bureau of Western Hemisphere—experience that would later serve the United States well given that Mexico is America's third largest trading partner, with bilateral trade totaling more than half a trillion dollars. However, she has been waiting for the Senate to confirm her nomination since the Senate Foreign Relations Committee reported it to the Senate in November of last year by a vote of 12 to 7.

It should be incomprehensible to anyone around the country to have a post of the top diplomat to one of our most important bilateral relations open for this long, but for Arizonans, it is particularly baffling. Arizona alone enjoyed a trade relationship with Mexico of nearly \$17 billion last year. On the export side, Arizona exports about \$9 billion in goods and services to Mexico every year, which, according to the Arizona Republic, "accounts for 41 percent of the state's exports, and four times more than our state exports to our next biggest trading partner, Canada."

According to the Arizona-Mexico Commission:

With an economy that now surpasses \$1.3 trillion, Mexico ranks as one of the top 20 economies in the world. Mexico's economy has been increasingly focused on manufacturing, particularly since the signing of the North American Free Trade Agreement (NAFTA) in 1994.

More than \$1 billion in goods are exchanged between the United States and Mexico every day. But the U.S.-Mexico relationship is about more than just our economies; transportation issues, security threats, and natural resource management are just some of the fronts on which we cooperate with Mexico.

The Arizona Republic notes that "the Arizona Department of Transportation recently signed a memorandum of understanding to study ways to improve the trade corridor that spans the border." Arizona alone shares six ports of entry with Mexico, and Phoenix's Sky Harbor Airport facilitates 122 flights a week to and from Mexico. All of this cooperation requires a close partnership between our two countries. The longer the United States goes without having an Ambassador to Mexico, the greater that partnership will suffer.

To my knowledge, the holdup in this process is not based on any concrete concerns with the qualifications of this specific nominee. She enjoys overwhelming support. There is no reason not to move forward with this nomination. If there is opposition, then Members should have the opportunity to express it. As such, I will be asking unanimous consent for a time agreement with a rollcall vote on her confirmation. There is simply no reason we should not have an Ambassador to Mexico when we have a candidate as qualified as Roberta Jacobson.

Mr. President, I ask unanimous consent that, at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 365; that there be 30 minutes for debate only on the nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. RUBIO. Mr. President, I agree that the U.S.-Mexico relationship is one of our most important bilateral relationships. We do need an ambassador in Mexico City who has a track record of effectively advancing U.S. interests. I do, however, have serious questions about the policies that Assistant Secretary Jacobson has pursued during her tenure in the Western Hemisphere Bureau. I have had conversations with the administration and others, such as Senator CORKER, about the concerns, and I remain hopeful that we can find a way to resolve this issue in the very near future, but until then, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I plan to return frequently for as long as it takes to shed a light on this nomination and to make sure it moves forward, so I expect to be here tomorrow to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### WORLD INTELLECTUAL PROPERTY DAY

Mr. GRASSLEY. Mr. President, the United States is one of the most dynamic and innovative countries in the world. Our Nation's success in areas such as agriculture, manufacturing, computer technology, and medicine can be traced in large measure to our respect for, and protection of, intellectual property.

Every year on this day, April 26, we have the opportunity to recognize the important role of intellectual property rights in the fabric of our society when we celebrate World Intellectual Property Day.

Nearly 230 years ago, our Founding Fathers recognized the importance of intellectual property and made provisions for its promotion and protection in the Constitution. Article I, section 8, clause 8 empowers Congress "to promote the Progress of Science and Useful arts, by securing, for limited Times, to Authors and Inventors, the exclusive Right to their respective Writings and Discoveries."

Since that time—and stemming from these values—intellectual property has

played a vital role in our economy, supporting jobs and advancing creative and scientific industries.

In our modern, innovation economy, patents, trademarks, copyrights, trade secrets, and other forms of IP are more critical than ever. As the Global Intellectual Property Center recently pointed out in their broad survey of Intellectual Property in America, IP-intensive industries employ over 40 million Americans, accounting for 38 percent of total U.S. gross domestic product. Workers in IP-intensive industries are paid better than the national average, earning an average salary of over \$50,000 compared to those in non-IP-intensive sectors where the average is roughly \$39,000. In fact, intellectual property is so important to the American economy that the collective worth of all of the intellectual property in the United States is now above \$5.8 trillion.

In Iowa, we have seen how intellectual property has become an integral part of our economy. Our system of strong intellectual property protection has led to \$11.2 billion in annual IP-related exports from the State, a total of 667,557 IP-related jobs, and 19.9 percent higher wages for direct IP workers than non-IP workers. Just as Iowans utilized strong IP laws 75 years ago when they were discovering how to feed the world through cutting-edge science, today's Iowans benefit from our system of IP protection as they start companies and create new tech success stories.

The Judiciary Committee plays an important role in protecting intellectual property. The committee exercises jurisdiction over our Nation's intellectual property laws including those governing patents, trademarks, and copyrights. We consider legislation that helps to ensure that intellectual property rights continue to promote jobs and innovation. The committee also exercises important oversight of the Patent and Trademark Office, ICANN, the Office of the Intellectual Property Enforcement Coordinator, and various law enforcement entities charged with protecting IP.

Some recent examples of important legislation that helps promote intellectual property rights are the PATENT Act of 2015 and the Defend Trade Secrets Act of 2016. The PATENT Act, which passed the committee by a vote of 16 to 4 last June, takes important steps to stop abusive patent litigation practices. As bad actors are exploiting the high costs of litigation and using deceptive tactics to prey on businesses, it is important that this legislation be considered in the Senate.

Just 3 weeks ago, the Senate unanimously passed the Defend Trade Secrets Act of 2016, sponsored by Senators HATCH and COONS. Building upon the bipartisan consensus generated in the Judiciary Committee, the bill passed on the Senate floor by a vote of 87 to 0. It is estimated that the American economy loses 2.1 million jobs and over

\$300 billion in economic losses every year because of trade secret theft. The Defend Trade Secrets Act brings much-needed uniformity to trade secret litigation. This will allow the creators and owners of trade secrets to more effectively address the growing problem of trade secret theft. The House of Representatives is expected to pass our bill this week and I hope it will be immediately signed by the President.

Tomorrow, the Judiciary Committee will hold a hearing on counterfeits and their impact on consumer health and safety. We will hear from a panel of experts, including witnesses from the Patent and Trademark Office, U.S. Immigration and Customs Enforcement, and industry. These businesses include companies that provide home health care products and equipment to our troops. They will discuss how counterfeits can harm consumers and what their impact is on the economy. We will hear how law enforcement is addressing this problem as well as how stakeholders are educating consumers to protect themselves from counterfeits.

The focus of this year's World Intellectual Property Day is "digital creativity." As the World Intellectual Property Organization notes, the current era of Internet connectivity is transforming how consumable culture such as films, TV, music, books, art, and other cultural works are created and distributed. This has led to radical changes in the way we access content and in how businesses operate. As challenges emerge as to how we protect intellectual property rights in these new economic models, we must continue to search for effective solutions that promote creativity across different mediums.

So on this World Intellectual Property Day, it is important to once again recognize the significance of our Nation's robust system of intellectual property protection and enforcement. This system has helped create the United States' enduring role as a leader in innovation and creativity. As the chairman of the Senate Judiciary Committee, I will continue to embrace my role as a promoter of intellectual property rights and American jobs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 138, H.R. 2577.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 138, H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Lamar Alexander, Cory Gardner, John Cornyn, Roy Blunt, Bill Cassidy, Johnny Isakson, Lisa Murkowski, Shelley Moore Capito, Mike Crapo, James E. Risch, Lindsey Graham, Thad Cochran, Roger F. Wicker, Steve Daines, Richard C. Shelby.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to the cloture vote.

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

#### MORNING BUSINESS

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

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

#### TRIBUTE TO BART ELLEFRITZ

Mr. DURBIN. Mr. President, I am not sure of the man's name, but I want to thank a public policy professor at Western Illinois University.

About a decade ago, this astute professor was talking with one of his best graduate students about his future.

The professor knew that the young man was hoping to put his talent and training to good use working as a city planner or city manager in a small Illinois town—maybe a town like the one in which the young man had grown up.

The professor suggested another possibility. He asked his student: "Have you ever considered going to Washington and working on Capitol Hill? I think you might like it, and you'd be good at it."

Fortunately for me and for countless others in my State of Illinois, that

young man Bart Ellefritz, loves new challenges and adventures, so he decided to trust his professor's advice.

He moved to Washington and landed a job as an intern in Senator HARRY REID's personal office. That is when my office first became aware of him.

Before long, I hired Bart to work as a staff assistant on my Judiciary Committee staff.

Bart mastered that job in no time flat and was ready for his next challenge, so he moved home to Illinois to work in my Springfield office doing casework.

For those who may be unfamiliar with that term, "casework" is a word we use to describe efforts by our staff members who work to help people with specific problems—to try to cut through red tape and make government work better for people.

Bart Ellefritz is a master of casework because he is smart and he believes that government can be a force for good. Most of all, he cares about people.

In 2009, Bart got an offer that was too good to turn down. It was the beginning of President Obama's first term. Former Illinois Congressman Ray LaHood was the new U.S. Secretary of Transportation, and he asked Bart to come work for him, so he left—with my blessing.

About 5 years ago, I succeeded in hiring Bart back to be the director of my Springfield office, which serves all of downstate Illinois.

Let me tell you, being my downstate director is no 9-to-5 job for Bart Ellefritz. Somedays, it is a 5-to-9 job—from 5 in the morning until 9 at night.

Bart is my representative—my eyes and ears—for a large part of my State. He drives hundreds of miles every week in his Mitsubishi Outlander Sport—made in Normal, IL—to meet with people on my behalf, listen to their ideas and concerns, and try to help them solve their problems.

I can't begin to count the number of people whom Bart has helped, but let me tell you about one of them.

Judy—I won't use her last name—works as a housekeeper at a motel where I often stay, and we have become friends.

Several years ago, Judy confided to me that she was 62 years old and had never in her whole life had health insurance—not for a single day. She had worked her whole life in manual labor, working as a cook, a waitress, a housekeeper, and she had never known the security of having health insurance.

I asked Bart to see if there was some way to help Judy. Bart spend hours and hours talking on the phone with Judy, driving to see Judy in person, talking with folks at Medicare and Medicaid.

A final hurdle came when Judy needed an email account to sign up for health care. Judy had never used email before, so Bart helped her set up her account.

Finally, at the age of 62, because of Bart's persistence and the Affordable

Care Act, Judy was able to afford health insurance. She was able to sleep more easily knowing that she was no longer just one bad illness or accident away from total financial ruin.

I am sorry to report that Bart Ellefritz is leaving my office again next month. He is off on another great challenge. He will be working for CTA, the Chicago Transit Authority, one of the largest transit systems in the world, in one of the greatest cities in the world.

I want to thank Bart publicly for the countless ways in which he has helped me and, more importantly, helped the people of Illinois.

I also want to thank Bart's wife, Ashley, and their son, Charley, who is just 21 months old, for sharing Bart with the people of Illinois.

Bart and Ashley are what some folks in Washington refer to as a mixed marriage.

Ashley Messick was working as assistant secretary of the Senate Republican caucus, helping Senator McCONNELL run the Senate floor, when she and Bart met.

Bart was sharing a house in Washington with some other young professionals—one of whom happened to be a close friend of Ashley's. They met at the house, and hit it off immediately.

I also want to thank Bart's parents, Keith and Terri Ellefritz, for raising two wonderful sons. Their other son, Bart's brother Ben, is a minister.

Keith and Terri raised their two boys in west central Illinois, in a town called Carthage, population 2,605.

Bart played on his high school football team, the Carthage Blueboys, in 1998, the year they won the State football championship.

Keith and Terri Ellefritz raised their boys to have big hearts and small-town values.

Somewhere along the way, Bart also developed a passion for traveling, meeting new people, and seeing the world through their eyes.

He has visited all seven Wonders of the World.

He took 3 months off after he left the Department of Transportation to hike through sub-Saharan Africa. He ended that trip in Tanzania, where Ashley met up with him and together, they climbed more than 19,000 feet to the top of Mount Kilimanjaro.

Bart once took his mom skydiving in Australia.

This past October he spent 2 weeks hiking in Ethiopia.

When Charley was born 21 months ago, his parents got him a passport, along with his birth certificate. At 7 months old, Charley got his passport stamped for the first time—for a trip to Colombia, South America.

Bart Ellefritz pours his whole heart into whatever he does, whether he is riding a camel in the desert, spending time with Ashley and Charley, or listening to people of my State and helping to solve problems. And he is almost always smiling.

In closing, I want to thank Bart again for the great skill, caring, and tenacity he has always brought to his job as a member of my staff, and I want to wish him the best of luck as he begins his next professional adventure with CTA in Chicago.

#### TRIBUTE TO PAUL DETTMAN

Mr. LEAHY. Mr. President, after decades of committed service to the important cause of providing public housing for those in need, Paul Dettman is retiring this month as executive director of the Burlington Housing Authority.

Throughout Paul's career, he has worked tirelessly in the field of public service. Public housing has not been a fashionable cause for many years, and our communities have certainly seen the effects of this sometimes forgotten priority. Paul Dettman was never deterred by these attitudes, however, and has been dedicated to finding creative solutions to provide for our most vulnerable friends and neighbors.

Paul's leadership has resulted in a series of public-private partnerships and innovative initiatives have helped revitalize communities across the Green Mountain State. Before joining the Burlington Housing Authority as its executive director in November 1995, Paul served for many years with the Vermont State Housing Authority. It was here that Paul created the State's first lead hazard reduction program, which now stands as a model for providing families of all incomes with safe housing.

Since the beginning of Paul's tenure at Burlington Housing Authority 20 years ago, Vermont's oldest and largest municipally based housing authority, the organization has grown vastly in size and scope. The Burlington Housing Authority has taken on new development projects, improved homebuyer education, and negotiated critical agreements to prevent homelessness in recent years. Under Paul's direction, the Burlington Housing Authority has upheld a strong mission to support all residents, including refugees, those in transition, or in need of long-term supportive services.

Paul's commitment also resulted in a critical partnership with another local organization, Women Helping Battered Women, to create Sophie's Place. Together, these two organizations devised a plan to provide victims of domestic violence easier access to public housing subsidies so that they could move directly from violent homes into safe transitional housing. This solution simultaneously eased suffering, streamlined services, and saved money. This program now functions as a key component of the local economic justice and housing plans and serves as a model for valuable partnerships in my home State. This program is only one of many that I could provide as reference to Paul's great work in Burlington and beyond.

Like his many colleagues and friends, I know that the Burlington Housing Authority and the greater housing community will miss Paul's expertise, spirit, and compassion. Marcelle and I extend our best wishes as Paul begins his retirement after a long and distinguished career. I surely hope that Paul will take time to enjoy one of his greatest hobbies in the years ahead—sugarmaking among the sweet sugarbush.

Paul Dettman's standard of distinction should be an inspiration to others, just as it has been to the city of Burlington and the State of Vermont.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. WARNER. Mr. President, I was unable to vote today on three amendments to the Energy and Water Development Appropriations bill, H.R. 2028.

Had I been present, I would have voted yes on Senator MERKLEY's amendment No. 3812, to provide additional funding for wind energy projects, and yes on Senator REID's amendment No. 3805, to fund water conservation programs in the Colorado River Basin.

Lastly, I would have voted no on Senator FLAKE's amendment No. 3820, as it decreases funding for Army Corps of Engineers construction projects, which include flood and storm damage reduction, shore protection, and ecosystem restoration projects that are vital to numerous areas in Virginia. •

#### AMENDMENT NO. 3202 TO THE ENERGY POLICY MODERNIZATION BILL

Mr. BENNET. Mr. President, I am very pleased with the Senate's show of support for the Isakson-Bennet amendment, which was a modified version of the Sensible Accounting to Value Energy Act. We have been working on this bill together for more than five years.

The SAVE Act simply creates a voluntary program to encourage people to include energy efficiency in the purchase price of a new or existing home. It allows sellers the option of providing a HUD-qualified energy efficiency report to prospective buyers who are applying for a home mortgage. If that loan is backed by FHA, the energy efficiency of the home and the cost of a borrower's future energy bills will be taken into account by the mortgage lender.

Builders and manufacturers are constantly creating new energy efficient products and features, but the enhanced value and energy savings achieved by these innovations are not fully realized by the market. The passage of this amendment will for the first time provide a mechanism to account for those saving and unlock demand for new energy efficient products

and significantly reduce homeowner's utility bills.

Mr. BROWN. Mr. President, would the Senator yield for a question?

I would like to commend my colleagues for their support for energy efficiency programs that reduce residential energy consumption. Expanding the use of these technologies in our everyday lives is a commitment to our future and will create jobs in Ohio.

However, I am also concerned that adjusting underwriting or appraisal requirements without sufficient protections to ensure a family has the ability to repay their loan could have unintended consequences that put our housing market at risk, which I know is not the intention of the sponsors.

Mr. REED. Mr. President, I would like to associate myself with the comments made by the Senator from Ohio. I also support the need for greater energy efficiency and applaud the sponsors of this amendment for promoting greater energy efficiency. At the same time, I do have some concerns.

Specifically, I am concerned about whether and how potential energy savings can safely be incorporated as part of the mortgage underwriting process at the FHA, especially when there may not be a consensus on how to define and accurately quantify future energy savings.

Another concern is the interaction of estimated energy savings in the underwriting and appraisal processes. This could happen because the SAVE Act requires expected energy cost savings to be used as an offset to certain regular expenses, such as property taxes, while also requiring the estimated energy savings of a home to be added to the home's appraisal. While not the intent of the authors, I am concerned that this could tilt the mortgage market towards more expensive products without adequate safeguards to protect borrowers.

Mr. BROWN. Mr. President, we would ask the sponsors of this amendment to work with us to ensure that we can accomplish our shared goals of encouraging investment in energy efficient homes while also maintaining a safe and sound mortgage market for homebuyers.

Mr. BENNET. Mr. President, moving forward, we intend to work with the Senate Banking Committee and HUD to address any technical or substantive concerns that have arisen. Specifically, it is our intention to ensure that FHA has the ability to insure loans for energy efficient homes while also including protections to maintain accurate evaluations of a borrower's ability to repay.

Additionally, as this amendment is being implemented, we understand that HUD's ability to test and modify the savings that may be counted should be considered. In fact, we considered these concerns while drafting this legislation. The methodology we included for measuring energy efficient savings is an ANSI certified standard and the

most widely accepted technology in today's marketplace. Over 1 million homes have already been energy rated using this technology. And this is the same underlying technology successfully utilized by the EPA's Energy Star program.

Again, we are pleased that the Senate passed our amendment, and we look forward to working with the Banking Committee and HUD on improvements.

#### JUDICIAL NOMINATIONS

Mrs. BOXER. Mr. President, I am deeply disappointed that my Republican colleagues continue to play politics with our judicial system.

There are currently 79 judicial vacancies in this country—28 of which are judicial emergency vacancies. In each of these districts across the country, Americans are waiting for their cases to be heard, but instead of justice, they are left hanging in the lurch.

I have said it before, and I will say it again: Justice delayed is justice denied.

Senate Republicans refuse to act to confirm Judge Merrick Garland—who has more Federal judicial experience than any other Supreme Court candidate in history—to the Supreme Court, and they refuse to act on the 20 judicial nominees who were reported out of the Judiciary Committee by voice vote. It is outrageous that Senate Republicans stubbornly refuse to move these nominations forward, letting these accomplished and qualified nominees languish.

One of those judges is Mark Young, an excellent nominee for the Central District Court of California, which is ranked 11th in the Nation in weighted case filings per judgeship.

We need to fill this seat as soon as possible, and Judge Young is an extraordinary candidate. I was honored to introduce him at his nomination hearing before the Senate Judiciary Committee last October and go over his impeccable resume.

He has served as a Los Angeles County Superior Court judge since 2008 and has 10 years of experience as a prosecutor in the U.S. attorney's office in Los Angeles.

He holds degrees from the University of California, Los Angeles, and the University of Southern California Gould School of Law; and he has won numerous awards from organizations including the Federal Bureau of Investigation, Drug Enforcement Administration, and the Attorney General's Distinguished Service Award—one of the Department of Justice's highest honors.

The people of the Central District of California need his leadership, and the overworked judges of the Central District need his help.

We also have two additional candidates from California who are awaiting Judiciary Committee hearings.

Judge Paul L. Abrams was nominated by President Obama in December

2015 to serve as the U.S. District Court Judge for the Central District. Judge Abrams is currently a U.S. magistrate judge for the Central District, a post he has held since 2002.

He began his career in private practice and then worked as a legal aid lawyer before serving in the Federal public defender's office, eventually becoming a supervising deputy Federal public defender. He holds degrees from the University of California, Berkeley, and Boalt Hall School of Law.

Judge Lucy Koh, currently serving in the Northern District, was nominated by President Obama for the Ninth Circuit Court in February of this year. The daughter of Korean immigrants and a Harvard graduate, Judge Koh began her legal career as a Women's Law and Public Policy Fellow for the Senate Judiciary Committee.

At the U.S. Department of Justice, she served as a special assistant to the Deputy Attorney General before spending 3 years as a Federal prosecutor in Los Angeles, where she was awarded the Federal Bureau of Investigation Director Louis J. Freeh Award for Demonstrated Excellence in Prosecuting a Major Criminal Case. She then spent 9 years in private practice. She served on the Superior Court for Santa Clara County until 2010, when she was appointed to the Northern District, becoming the first Korean American woman to serve as a Federal district court judge.

Each of these excellent candidates has flawless credentials, broad support, and they are ready to serve. So what are we waiting for? The American people cannot wait for justice—and they shouldn't have to.

Let's move forward with giving each of these excellent judicial candidates the consideration and vote that they deserve.

#### 40TH ANNIVERSARY OF THE RELEASE OF THE CHURCH COMMITTEE REPORT

Mrs. FEINSTEIN. Mr. President, I wish to commemorate the 40th anniversary of the release of the report by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, better known as the Church Committee.

On this day in 1976, the first of five books detailing egregious abuses of power by the intelligence community was released by the Church Committee. The report was the first ever comprehensive oversight study of the intelligence community, which had operated largely without any oversight since its founding during World War II. Prior to this study, the Intelligence Committees did not exist in either the Senate or the House, and there was no formal apparatus to check the actions of the Nation's intelligence community.

The Church Committee truly was the first of its kind. It grew out of extraordinary circumstances during a period

of national soul-searching in the shadow of the Vietnam war and Watergate scandal. In the early 1970s, a series of abuses were revealed in the press, including an expose alleging that the CIA had been spying on antiwar activists around the country.

The American people were understandably outraged, and in response, the Senate convened a committee to conduct a comprehensive review of all intelligence activities.

The committee—under the chairmanship of Idaho Senator Frank Church, with Texas Senator John Tower as vice chairman—was comprised of 11 Senators and 133 dedicated staff members. Over the next 15 months, the staff poured over millions of CIA and FBI records to produce a 2,500-page report broken into 6 unique books, each covering a different topic including foreign assassinations, domestic spying, and an investigation into the killing of President Kennedy.

What they discovered was shocking, including vast abuses both domestic and abroad that showed the intelligence community operated outside the framework of the Constitution and undermined the Bill of Rights.

The committee found that, in the decades leading up to and including the 1970s, the CIA and FBI had been conducting a massive, illegal domestic spying operation, which included the following: The CIA opened and photographed over one-quarter million pieces of domestic mail, the FBI maintained extensive files on over half a million American citizens, and the NSA wiretapped all international calls from the United States and documented the callers.

In addition to mass data collection, the agencies conducted targeted operations as well. Civil rights leader Martin Luther King, Jr., was the subject of an aggressive surveillance program overseen by FBI Director J. Edgar Hoover. Hoover sought to compile a detailed record of King's personal life in order to blackmail and delegitimize him as a public figure. King's phone was tapped without a warrant, for example.

The NAACP, Black Panthers, and antiwar groups were also all spied upon. In fact, President Eisenhower on several occasions received advanced copies of NAACP speeches from informants.

The abuses didn't stop at our border. The Church Committee uncovered evidence that the CIA had plotted or engaged in assisting in the assassination plots of the leaders of Cuba, the Congo, the Dominican Republic, Chile, and South Vietnam.

In the Congo, the CIA reached the final stages of a plot to assassinate Patrice Lumumba and had even delivered poison to its agents. However, before the plan was carried out, Lumumba was executed following a coup.

Most infamously, the United States conspired in numerous plots against

Fidel Castro, though none were ever carried out.

The public airing of these—and other—allegations shook our country and our partners abroad and prompted swift action by Congress and the executive branch.

On February 18, 1976, President Ford issued Executive Order No. 11905, banning all assassinations. The order has stood ever since.

Within months of the release of the Church Committee report, the Senate Select Committee on Intelligence was formed by a vote of 72 to 22. The committee was established to conduct constant and vigorous oversight over the intelligence community.

In addition, in 1978, Congress passed the Foreign Intelligence Surveillance Act which established the FISA Court to oversee requests for intelligence warrants within the United States.

The Church Committee study revealed to the world the danger of allowing intelligence agencies to operate in the shadows and with unchecked power.

Our duty to conduct oversight is one I take very seriously. As the chairman of the Intelligence Committee from 2009 to 2015 and as vice chairman since 2015, I have undertaken this responsibility with the awareness that, without the efforts of the Church Committee, congressional oversight of the intelligence community would never have been possible. We must also remember that the Church Committee and its reports had their vocal and adamant opponents. Oversight is, at times, resisted, a fact we discovered firsthand in completing and declassifying as the Committee's Study of the CIA's Detention and Interrogation Program.

The legacy of the Church Committee report lives on in the study the Intelligence Committee released in 2014.

The study reviewed over 6.3 million cables, emails, memoranda, and transcripts. It is a documentary history of the CIA's words and actions in the years during which the CIA conceived of, carried out, and made representations about its Detention and Interrogation Program. The public is familiar with the report's 500-page executive summary and findings and conclusions that were declassified and released. The full study is over 6,700 pages long and includes 38,000 footnotes. To this day, critics of the study have not demonstrated a single factual inaccuracy.

Among many revelations, the study showed that, contrary to the CIA's claims, the use of torture was brutal and did not result in otherwise unavailable intelligence that "saved lives." It also demonstrated that the CIA provided inaccurate information about the program to the White House, the Department of Justice, to Congress, and the public.

Much like the Church Committee report before it, the study demonstrated the important role oversight plays in securing our country's commitment to the rule of law.

The importance of the work the Church Committee did back in 1975 and 1976 cannot be understated. Our government operates on the basis of trust from the American people. The oath each of us take in public service is to protect and defend the Constitution of the United States.

The actions of the intelligence community leading up to the Church Committee violated that trust and must never be repeated.

Senator Church and his committee, in shedding light on these dark times, helped right the ship of American democracy and set an important example for all future Members of this body of how to conduct vigilant and thorough oversight.

#### 101ST ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, today I wish to recognize the 101st anniversary of the Armenian genocide.

Between 1915 and 1923, the Ottoman Empire executed a deliberate massacre of more than 1.5 million Armenians. Over the course of 8 years, Armenians were marched to their deaths in the deserts of the Middle East, murdered in concentration camps, drowned at sea, and forced to endure unimaginable acts of brutality. These barbaric acts were systematic, methodical, and intentional.

More than 100 years have passed since the start of that horrific massacre, which an overwhelming number of academics and institutions have recognized as genocide, and there are countless testimonies from victims who lived to tell of their harrowing experiences.

Pope Francis called the massacre against the Armenians "the first genocide of the 20th century," declaring that "concealing or denying evil is like allowing a wound to keep bleeding without bandaging it."

However, despite an irrefutable body of evidence, the U.S. Government has refused to call the deliberate massacre of the Armenians by its rightful name: genocide.

For years, I have urged both Democratic and Republican administrations to acknowledge the truth of the Armenian genocide. Today I reiterate my call, and I hope that, this year, the United States will finally correct this century-old injustice.

By affirming the Armenian genocide, the United States would join more than 20 countries across the globe—including Russia, France, and Germany—as well as the Vatican and 43 U.S. States standing on the right side of history.

Recognizing the Armenian genocide is much more than a symbolic gesture. It will provide solace and relief to the descendants of the victims, particularly the hundreds of thousands of Armenian American citizens and residents. It will support a more equitable reconciliation between the Turkish and



Armenian people. And most importantly, it will reaffirm U.S. leadership in preventing and responding to similar atrocities and in advancing the rights of vulnerable populations around the world.

This year, as we take time to remember and honor the victims of the Armenian genocide, I hope the United States will finally stand on the right side of history and affirm the incontestable fact of the Armenian genocide.

#### TRIBUTE TO REAR ADMIRAL STEPHEN P. METRUCK

Mr. COONS. Mr. President, I wish to honor U.S. Coast Guard RADM Stephen P. Metruck and highlight his service to country and his contribution to the State of Delaware. Rear Admiral Metruck retired on April 22 from commanding the Fifth Coast Guard District after 34 years in the U.S. Coast Guard. The fifth district includes North Carolina, Virginia, Maryland, New Jersey, Delaware, Washington, DC, and much of Pennsylvania. Rear Admiral Metruck led 67 units made up of 2,475 Active Duty members, 1,010 Reservists, 6,800 auxiliary members, and 120 civilians.

One of Rear Admiral Metruck's most notable accomplishments occurred during his tenure at both Sector San Diego and Sector Seattle. In these dual roles, Rear Admiral Metruck was responsible for advancing Coast Guard operations in a post-9/11 environment. He forged interagency partnerships to enhance safety and security measures in each port and coordinated the sensors and systems into a common operational picture to allow all agencies to coordinate and understand potential threats in the maritime environment.

Rear Admiral Metruck and I got to know each other well during harsh, back-to-back winters that damaged navigation aids along the Delaware River, which assisted ships traveling to and from Wilmington, DE. From this experience, I learned that it is not easy budgeting for ice flows. Being an expert at budgeting and solving problems, he and his team forged solutions that replaced damaged buoys and aids to navigation without a huge burden on taxpayers. The result was ships could again travel safely to ports in Pennsylvania, New Jersey, and Delaware.

Rear Admiral Metruck is a very humble man, and he will be the first to understate his contribution to the U.S. Coast Guard and leadership of the men and women under his command. Nevertheless, I have found him to be an extremely devoted public servant and skilled at working with other agencies, solving problems, and being responsive to inquiries from Senators.

Rear Admiral Metruck also spent 2½ years serving this great institution as a fellow with then-Senator John Kerry. He worked on policy issues related to the Commerce Subcommittee on Oceans and Fisheries and also supported Senator Kerry's staff on envi-

ronmental, maritime, and Coast Guard issues and legislation.

Prior to arriving at the Fifth Coast Guard District, he was the assistant commandant for resources and chief financial officer for the U.S. Coast Guard. During this assignment, he was responsible for all Coast Guard financial management and resource activities including planning, programming, budgeting, and execution of the service's \$10 billion annual appropriation.

While he has been a friend of commerce and the environment on the Delaware River, his career has resulted in him living in and serving a number of other States. He has served in Coast Guard Headquarters; Portsmouth, VA; Brownsville, TX; Tampa, FL; Buffalo, NY; San Diego, CA; and Puget Sound, WA. Rear Admiral Metruck also helped oversee Coast Guard missions across waterways encompassing the states of California, Arizona, Nevada, Utah, and the offshore waters of Mexico and Central America. Additionally, he served as U.S. Coast Guard Liaison to the U.S. Mission to the United Nations in New York City.

Rear Admiral Metruck is from Massena, NY, and graduated in 1982 from the U.S. Coast Guard Academy, where he earned a bachelor of science degree in ocean engineering. He was awarded a master's degree in public administration from Harvard University's John F. Kennedy School of Government. He has also served as a military fellow at the Center for Strategic and International Studies in Washington, DC, and the Coast Guard fellow on the Chief of Naval Operations' Strategic Studies Group based in Newport, RI.

There are many of us in this Chamber who have worked with him and his staff on important issues over the years. Today I express our collective gratitude to him for devoting his career to keeping us safe. I speak for many in the Senate, in Delaware, and around our Nation in wishing Rear Admiral Metruck and his wife Peggy Duxbury a great next chapter in their lives.

#### TRIBUTE TO COLONEL MICHAEL FRANCIS

Mr. BLUNT. Mr. President, today I wish to honor a man who has served faithfully for 27 years in the U.S. Air Force, with the vast majority of that service in the Missouri Air National Guard. It is a big loss, but Col. Michael Francis is scheduled to depart the 131st Bomb Wing at Whiteman Air Force Base on May 15, 2016, after a long and distinguished record of service in the unit beginning July 28, 1998.

I think it is important to note that Colonel Francis has been associated with a unit whose history has spanned over nine decades and whose former members have included the likes of aviation pioneer Charles Lindbergh.

Colonel Francis commissioned in the U.S. Air Force in 1989 as a graduate of

the U.S. Air Force Academy and, after almost a decade, transitioned from Active Duty to the Air National Guard, continuing his dream of a career as a fighter pilot in the F-15 Eagle.

Throughout Colonel Francis's service at the 131st, he has seen the unit transition from the F-15, the Nation's premier homeland defense and air superiority aircraft, to the B-2, the Nation's lethal stealth bomber involved in global missions. Since being chosen to command the first B-2 Operations Group in the Air National Guard when the 131st transitioned from the F-15 Eagle to the B-2 Spirit, Colonel Francis has been a standout leader in the nuclear community. His achievements boast nothing less than perfection. As the present wing commander, Colonel Francis paved a new path for the National Guard by leading his unit to be the first bomb wing certified for full-spectrum nuclear operations and was entrusted with strategic nuclear deterrent operations for our country.

Throughout his long career at the 131st, Colonel Francis remained dedicated to the vital missions of the Air National Guard. However, he also never forgot his commitment to his wife, Jane, and sons, Greg and Brian.

While Colonel Francis might be leaving the 131st Bomb Wing, he will continue his selflessness in service to this great country. Colonel Francis will be reassigned to the Missouri National Guard Headquarters and promoted to brigadier general.

Again, I wish to extend Col. Michael J. Francis my sincere congratulations upon his new assignment and thanks for the years of service he has rendered to the 131st Bomb Wing, the State of Missouri, and the Nation.

#### ALASKA MISSION 6 HONOR FLIGHT

Mr. SULLIVAN. Mr. President, today I wish to recognize six veterans from Alaska who are in Washington this week as part of the Alaska Mission 6 Honor Flight. These veterans are here to witness and experience our Nation's most hallowed memorials—built to honor their service and sacrifice and that of their brothers and sisters in arms.

On behalf of Alaska's congressional delegation, our State, and our country, I welcome these heroes to Washington and extend to them my sincere gratitude for their service.

Participating in the Alaska Mission 6 Honor Flight are John J. Boulette and William K. Zimmer, U.S. Navy veterans of the Korean war; Alexander Crockett Blanchard and Alfred Dawkins, U.S. Army veterans of the Vietnam war; Neal Henry Dallman, a U.S. Navy veteran of the Vietnam war; and Arnold Patrick McDonald, a U.S. Marine Corps veteran of the Vietnam war.

Without the sacrifices of these six men and so many others, defending peace and liberty in some of the most dangerous corners of the world during



harrowing and dark times, we would not be able to enjoy the prosperity and freedom that are hallmarks of our great Nation to this day.

Since 2005, more than 170,000 veterans have participated in Honor Flights to Washington. Giving veterans the opportunity to make this trip is a small endeavor in comparison to the gravity of the challenges they faced, but it is an important gesture to let them know that their fellow Americans have not forgotten the hardships they endured on our behalf, nor the many men and women in uniform who made the ultimate sacrifice for our freedom. Honor Flights are made possible principally thanks to the generous donations of patriotic Americans who want to give veterans the honor they deserve.

On behalf of all Alaskans, I wish to extend my sincerest thanks to the Alaska Mission 6 veterans, for the selfless dedication they have shown to our country, the often unheralded sacrifices of their families, and the enduring example they have given to future generations. May God bless these veterans, the great State of Alaska, and the United States of America.

#### TRIBUTE TO CRAIG BOBZIEN

Mr. THUNE. Mr. President, today I wish to recognize the outstanding service of Black Hills National Forest supervisor, Craig Bobzien, as he retires from the U.S. Forest Service. Craig was placed in charge of managing the Black Hills National Forest in May 2005, and for more than 10 years, the Black Hills National Forest has been under Craig's direct supervision.

Craig began his path to South Dakota as a 1973 graduate of Raytown South High School in Raytown, MO. After high school, he pursued his bachelor's degree in forest science at Colorado State University and then went on to serve in many roles in conservation and forestry. Previous to his appointment at the Black Hills National Forest, he served in other capacities for the U.S. Forest Service in Idaho, Montana, Washington State, and at the U.S. Forest Service headquarters in Washington, DC.

Since being appointed to oversee the Black Hills National Forest, Craig has been its longest serving supervisor. Over his tenure of almost 11 years, Craig has done an exceptional job as a steward of the Black Hills National Forest's 1.2 million acres in South Dakota and Wyoming. He managed those 1.2 million acres of forestland during some of the toughest fire seasons in recent memory.

Craig's leadership during the Rocky Mountain Region's devastating pine beetle epidemic has been instrumental as he coordinated with other Federal, State, and private stakeholders to combat one of the largest epidemics of this pest since the 1900s. Craig initiated the first large-landscape management area in the Black Hills National Forest for mountain pine beetle treatment,

which has set an example of topline management others are now following.

Over the years, I have appreciated the cooperation of Craig and his team of over 300 employees in our efforts to assess and address the many threats to the health of the Black Hills.

Craig, thank you for your service to South Dakota and our Nation.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO HUGH McDONALD

• Mr. BOOZMAN. Mr. President, today I wish to recognize Hugh McDonald, president of Entergy Arkansas, as he prepares to retire.

Hugh McDonald is a resident of Little Rock and has been with Entergy since 1982. He holds a bachelor's of science degree in construction management from North Dakota State University and a master of business administration degree from the University of New Orleans.

Hugh began his career at Entergy over 30 years ago in Louisiana, where he rose through the ranks before being promoted to director of regulatory affairs for Entergy Texas and then senior vice president of energy retail operations. He came to Arkansas 16 years ago to accept his current position.

Entergy Arkansas provides electricity to approximately 700,000 customers in 63 counties and is a subsidiary of Entergy Corporation. As the head of Arkansas' largest utility, McDonald demonstrated excellent leadership during his 16-year tenure. He led its decision to withdraw from the system agreement that forced Arkansas ratepayers to partially bear the cost of producing electricity in other Entergy States.

He also spearheaded the movement to join the Midcontinent Independent System Operator, which allowed greater access to economic generation resources and saved Arkansas customers \$46 million in the first year of participation.

Hugh is a past board member and board chair of the U.S. Chamber of Commerce. He also serves on the boards of the Arkansas State Chamber of Commerce, the Arkansas Research Alliance Board, the Little Rock Regional Chamber of Commerce, and Fifty for the Future. In addition, Hugh serves on the boards of the University of Arkansas Sam Walton College of Business Advisory Board, the UALR College of Business Advisory Council, the UAMS BioVentures Advisory Board, and the Nature Conservancy of Arkansas.

Let me reiterate how grateful I am for Hugh McDonald's management and vision during his time at the helm of Entergy Arkansas. His guidance and stewardship of the company has resulted in vital, reliable electricity for thousands of Arkansans across the State. I thank Hugh for his distinguished career and wish him well in retirement.●

##### TRIBUTE TO MARY LORRAINE WOOD BORMAN

• Mr. COTTON. Mr. President, I would like to honor Mary Lorraine Wood Borman of Fayetteville, AR, as this week's Arkansan of the Week for her commitment to the National Down Syndrome Society as a self-advocate ambassador for the great State of Arkansas. Her advocacy to improve the quality of life for those living with down syndrome is noteworthy, and she is a joy and inspiration to many across the state.

Outside of her work as an activist, Mary is an involved and multitasking junior at Fayetteville High School in Fayetteville, AR. Not only does she excel academically—as indicated by her track record as an honor roll student—but she is also a gifted athlete and has won awards in swimming events at the Arkansas State Special Olympic Games for 3 years. Mary is also a talented dancer and actress, specializing in hip-hop, jazz, and the waltz.

I recently had the pleasure of meeting Mary when she visited my Washington, DC, office while in town for the Buddy Walk hosted each year by the National Down Syndrome Society. Because of Mary's advocacy and compelling reasoning, I cosponsored the ABLE to Work Act of 2016 shortly after our meeting. This bill will help persons with disabilities save additional amounts in their ABLE accounts.

Mary has big dreams, and I am confident she will achieve them. I look forward to keeping track of her many accomplishments.

Arkansas is lucky to have someone like Mary Borman fighting to make our State a better place, and I applaud her for her work. Her story is a testimony of the spirit of Arkansans, and I am certain it will inspire others to take action on causes that they believe in.●

##### RECOGNIZING THE BUFFALO NATIONAL RIVER

• Mr. COTTON. Mr. President, in honor of the National Park Service's 100th birthday year, I want to recognize the Buffalo National River, America's first national river. The Buffalo, nestled in within the picturesque Ozark Mountains, runs across four Arkansas counties and remains one of the few undammed rivers in the entire United States. It spans 135 miles and boasts many outdoor trails along which visitors experience beautiful bluffs, adventurous rapids, and have the opportunity to take part in a whole host of outdoor recreational activities. Undoubtedly, visitors to the Buffalo National River leave with an understanding of why Arkansas is proudly billed as "the Natural State."

This year the Buffalo National River has planned several celebratory events to commemorate the National Park Service's 100th birthday. These include

the Centennial Iron Ranger Challenge 2016, which is taking place in all Arkansas national parks this year. The challenge seeks to encourage good health and fitness by asking people to take up a physical activity of their choice and complete 100 miles of that activity in any of Arkansas' National Parks. If you need a place to begin your centennial year challenge, I highly recommend the Buffalo National River.

In the spirit of the National Park Service's centennial motto, "Find Your Park," I encourage everyone to find the Buffalo National River and enjoy the outdoor adventures and relaxation that awaits in the Natural State.●

#### 50TH ANNIVERSARY OF ASSOCIATED LOGGING CONTRACTORS, INC., OF IDAHO

● Mr. CRAPO. Mr. President, today I wish to recognize the 50th Anniversary of the Associated Logging Contractors of Idaho.

The Associated Logging Contractors, Inc., of Idaho, ALC, have an important voice in advocating for policies that support an essential sector of Idaho—the logging and wood-hauling industry. Throughout the past 50 years since its organization, the association has worked to serve its purpose of "developing programs that are instrumental in helping members to reduce costs of operation and to craft creative solutions to problems confronting the industry." ALC represents nearly 400 independent logging contractor businesses from across Idaho.

From Endangered Species Act reform, to boosting rural economies, to addressing forest health and much more, the ALC has been involved in a wide range of discussions central to Idaho. I value the organization's and its members' input and involvement in shaping solutions to our natural resources challenges. We have much work ahead, but progress is being made on public lands issues to the benefit of Idahoans and our economy. Positive developments in job opportunities and more timber identified for harvest for the betterment of forest health are the result of the State and Federal Government working more closely with private landowners and the logging community to make progress toward the removal of salvage timber from last year's fires.

While challenging, collaboration is working, and ALC members have been instrumental in advancing this effort. The organization has much to be proud of for its efforts in bringing folks together to achieve solutions and working toward their implementation. Collaboration is difficult but indispensable work, as it brings lasting advancements for habitats, recreation, rural economies, and job production. I have greatly valued ALC member's support of local collaborative efforts.

Congratulations to the members of the Associated Logging Contractors of

Idaho on 50 years of accomplishments. Thank you for your hard work building up our great State and Nation. I wish you all the best for continued success.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5223. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-5224. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-5225. A communication from the Regulations Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska; Rural Determination Process" (RIN1018-BA62) received in the Office of the President of the Senate on April 20, 2016; to the Committee on Energy and Natural Resources.

EC-5226. A communication from the Regulations Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska; Rural Determinations, Nonrural List" (RIN1018-BA82) received in the Office of the President of the Senate on April 20, 2016; to the Committee on Energy and Natural Resources.

EC-5227. A communication from the Regulations Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska; Rural Determinations, Nonrural List" (RIN1018-BA82) received in the Office of the President of the Senate on April 20, 2016; to the Committee on Energy and Natural Resources.

EC-5228. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible

affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2016-0544); to the Committee on Foreign Relations.

EC-5229. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2016-0559); to the Committee on Foreign Relations.

EC-5230. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2016-0543); to the Committee on Foreign Relations.

EC-5231. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2016-0538); to the Committee on Foreign Relations.

EC-5232. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-131); to the Committee on Foreign Relations.

EC-5233. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 15-145); to the Committee on Foreign Relations.

EC-5234. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-001); to the Committee on Foreign Relations.

EC-5235. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-131); to the Committee on Foreign Relations.

EC-5236. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-143); to the Committee on Foreign Relations.

EC-5237. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0055 - 2016-0063); to the Committee on Foreign Relations.

EC-5238. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress Federal Traumatic Brain Injury Program, Fiscal Years 2014-2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-5239. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2015 for the Prescription Drug User

Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-5240. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2015 for the Generic Drug User Fee Amendments; to the Committee on Health, Education, Labor, and Pensions.

EC-5241. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2015 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-5242. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Personal and Home Care Aide State Training (PHCAST) Demonstration Program Evaluation; to the Committee on Health, Education, Labor, and Pensions.

EC-5243. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year (FY) 2015 Performance Report to Congress for the Medical Device User Fee Amendments"; to the Committee on Health, Education, Labor, and Pensions.

EC-5244. A communication from the Chairman, Privacy and Civil Liberties Oversight Board, transmitting, pursuant to law, the Board's fiscal year 2015 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5245. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense's Evaluation of the TRICARE Program for fiscal year 2016; to the Committee on Armed Services.

EC-5246. A communication from the Chairman of the Nuclear Weapons Council, transmitting, pursuant to law, a report relative to the President's budget requests for the National Nuclear Security Administration for fiscal year 2017; to the Committee on Armed Services.

EC-5247. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Commercial Fishing Vessels Dispensing Petroleum Products" ((RIN1625-AC18) (Docket No. USCG-2014-0195)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5248. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Tonnage Regulations Amendments" ((RIN1625-AB74) (Docket No. USCG-2011-0522)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5249. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; John Joseph Moakley United States Courthouse" ((RIN1625-AA87) (Docket No. USCG-2014-0246)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5250. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Columbia River, Kalama, WA" ((RIN1625-AA11) (Docket No. USCG-2016-0237)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5251. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Wy-Hi Rowing Regatta; Detroit River, Trenton Channel; Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2016-0209)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5252. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Charleston Race Week, Charleston Harbor, Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2015-1055)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5253. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Chesapeake Bay, between Sandy Point and Kent Island, MD" ((RIN1625-AA08) (Docket No. USCG-2015-1126)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5254. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Hebda Cup Rowing Regatta; Detroit River; Trenton Channel; Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2016-0208)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5255. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Daytona Beach Grand Prix of the Seas; Atlantic Ocean, Daytona Beach, FL" ((RIN1625-AA08) (Docket No. USCG-2015-1108)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5256. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District" ((RIN1625-AA00 and RIN1625-AA08) (Docket No. USCG-2015-0854)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5257. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Urbanna Creek, Urbanna, VA" ((RIN1625-AA00) (Docket No. USCG-2016-0174)) received during adjournment of the Senate in the Office of the President of the

Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5258. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sunken Vessel, North Channel, Boston, MA" ((RIN1625-AA00) (Docket No. USCG-2016-0127)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5259. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Intracoastal Waterway; Lake Charles, LA" ((RIN1625-AA00) (Docket No. USCG-2015-1086)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5260. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Newtown Creek, Queens, NY" ((RIN1625-AA00) (Docket No. USCG-2016-0100)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5261. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River 321.4 to 321.6; Quincy, IL" ((RIN1625-AA00) (Docket No. USCG-2016-0155)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5262. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Santa Cruz Harbor Shoaling, Santa Cruz County, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0194)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5263. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hudson River, Tarrytown, NY" ((RIN1625-AA00) (Docket No. USCG-2016-0226)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5264. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Little Calumet River, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2016-0148)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5265. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lower Mississippi River Mile 95.7 to 96.7; New Orleans, LA" ((RIN1625-AA00) (Docket No. USCG-2016-0189)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5266. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Drawbridge Operation Regulation; Chincoteague Bay, Chincoteague, VA" (RIN1625-AA09) (Docket No. USCG-2014-0483) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5267. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Victoria Barge Canal, Bloomington, TX" (RIN1625-AA09) (Docket No. USCG-2014-0952) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5268. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Saginaw River, Bay City, MI" (RIN1625-AA09) (Docket No. USCG-2015-0934) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5269. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Connecticut River, Old Saybrook, CT" (RIN1625-AA01) (Docket No. USCG-2012-0806) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5270. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Port of New York" (RIN1625-AA01) (Docket No. USCG-2015-0038) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2016; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-159. A joint resolution adopted by the Legislature of the State of Tennessee urging the United States Congress to mandate, and provide an adequate budget for, the Department of Energy and the Nuclear Regulatory Commission to establish rules for manufacturing, siting, and licensing of small modular reactors and liquid core molten salt reactors to be built and operated in the United States by private industry for the production of energy and medical isotopes; to the Committee on Energy and Natural Resources.

### HOUSE JOINT RESOLUTION NO. 507

Whereas, Tennessee has many finite natural energy resources; and

Whereas, world energy demand and usage are expected to increase; and

Whereas, is vital to the country's energy future to provide abundant base-load power and peaking energy-on-demand power affordably; and

Whereas, extending Tennessee's current energy boom will require the creation of a long-term energy plan and the development of clean and affordable energy technologies

such as liquid core molten salt reactors and small modular reactors; and

Whereas, the United States of America possesses a nearly inexhaustible supply of thorium and uranium (more than a billion years' supply of energy) that dramatically exceeds all known potential energy reserves; and

Whereas, the elements thorium and uranium have the practical potential to provide unlimited energy resources for Tennesseans and Americans on demand in the near future and to provide many other tangible benefits; and

Whereas, better utilization of thorium and uranium in specially designed reactors such as molten salt reactors, including liquid fluoride thorium reactors, can provide energy security from other nations by utilizing Tennessee coal and a reactor's nuclear heat energy to produce an abundance of synthetic liquid transportation fuels. These synthetic fuels can be produced for many future generations of Tennesseans in a safe, affordable, and most environmentally friendly manner; and

Whereas, the efficient use of thorium or uranium in a specially designed molten salt reactor allows for greatly increased environmentally friendly energy production that improves the economics of many recycling technologies and raises the standard of living; and

Whereas, it is incumbent upon this body to be forward-thinking in addressing the future energy challenges for the next generation of Tennesseans; and

Whereas, Tennessee is uniquely capable to commercialize small modular reactors, liquid core molten salt reactors, and integral fast reactors with its research and development assets of the Oak Ridge National Laboratory, where such technology was first developed, and other private companies and nonprofit organizations that specialize in nuclear technology development in Tennessee; and

Whereas, the academic, scientific, manufacturing, and business communities in Tennessee have some of the best talent and research and development records in the world. Development of this groundbreaking and economic game-changing technology would serve Tennessee's and America's economics better than current federal efforts to develop this technology in partnership with China; and

Whereas, advanced technology using thorium and uranium can affordably provide medical isotopes of materials for medical uses such as treating cancer and HIV/AIDS, diagnostic procedures, and improved health care; and

Whereas, S.99, the "American Medical Isotopes Production Act of 2011," was signed into law by President Barack Obama on January 2, 2013, and mandates a reliable domestic supply of molybdenum-99 for medical imaging and diagnostics; and

Whereas, molybdenum-99 is used in more than sixteen million medical procedures annually in the United States; and

Whereas, no domestic supply of molybdenum-99 currently exists, and present suppliers use old reactors that result in frequent supply disruptions; and

Whereas, the Nuclear Regulatory Commission, charged with licensing nuclear reactors, is not well-funded for establishing procedures for new, advanced reactor designs based on different architectures from today's fleet of light water reactors; and

Whereas, small modular reactors and liquid core molten salt reactors represent a business opportunity that Tennessee's manufacturing base is well-suited to exploit. This could potentially result in creating forty thousand manufacturing jobs in total within

Tennessee, because these jobs have the ability to complement Tennessee's coal industry, oil industry, and natural gas hydraulic fracturing industry by increasing jobs in those industries: Now, therefore, be it

*Resolved by the House of Representatives of the One Hundred Ninth General Assembly of the State of Tennessee, the Senate Concurring,* That the General Assembly supports the creation of a long-term energy plan that addresses the long-term energy needs of the state; and be it further

*Resolved,* That the General Assembly encourages and supports the research and development of liquid-core-molten-salt-reactor and small-modular-reactor technologies as a long-term solution to Tennessee's energy needs; and be it further

*Resolved,* That the General Assembly urges the Congress of the United States to mandate, and provide an adequate budget for, the Department of Energy and the Nuclear Regulatory Commission to establish rules for manufacturing, siting, and licensing of small modular reactors and liquid core molten salt reactors to be built and operated in the United States by private industry for the production of energy and medical isotopes; and be it further

*Resolved,* That the General Assembly supports investing in, acquiring grants for, implementing programs for, encouraging Tennessee institutions of higher learning to conduct research into, and attracting companies for the development of future technologies that will provide greater energy resources more affordably, abundantly, and in a more environmentally friendly manner than is being done at present; and be it further

*Resolved,* That the Clerk of the House of Representatives transmit certified copies of this resolution to the President of the United States, the Secretary of the United States Department of Energy, the Commissioners of the Nuclear Regulatory Commission, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, and each member of the Tennessee Congressional delegation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2680. A bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. McCain for the Committee on Armed Services.

Air Force nomination of Col. Mark A. Baird, to be Brigadier General.

Army nomination of Col. Thomas F. Spencer, to be Brigadier General.

Air Force nomination of Brig. Gen. Gregory S. Champagne, to be Major General.

Air Force nomination of Lt. Gen. Marshall B. Webb, to be Lieutenant General.

Air Force nomination of Col. Daniel J. Swain, to be Brigadier General.

Air Force nomination of Col. James J. Keefe, to be Brigadier General.

Air Force nomination of Col. Andrea D. Tullios, to be Brigadier General.

Air Force nomination of Col. Bradley C. Saltzman, to be Brigadier General.

Air Force nomination of Col. Andrew E. Salas, to be Brigadier General.

Air Force nomination of Col. Craig D. Wills, to be Brigadier General.

Air Force nomination of Col. Tamhra L. Hutchins-Frye, to be Brigadier General.

\*Army nomination of Gen. Curtis M. Scaparrotti, to be General.

Army nomination of Col. William J. Prendergast IV, to be Brigadier General.

Army nominations beginning with Brig. Gen. William P. Barriage and ending with Col. Stephen E. Strand, which nominations were received by the Senate and appeared in the Congressional Record on March 14, 2016.

Navy nomination of Rear Adm. (lh) Paul J. Verrastro, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Timothy J. White, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Kyle J. Cozad and ending with Rear Adm. (lh) Timothy G. Szymanski, which nominations were received by the Senate and appeared in the Congressional Record on March 15, 2016.

\*Army nomination of Gen. Vincent K. Brooks, to be General.

Air Force nomination of Lt. Gen. Bradley A. Heithold, to be Lieutenant General.

Air Force nomination of Maj. Gen. Leon S. Rice, to be Lieutenant General.

\*Air Force nomination of Gen. Lori J. Robinson, to be General.

Army nomination of Maj. Gen. Stephen M. Twitty, to be Lieutenant General.

Army nomination of Maj. Gen. John G. Rossi, to be Lieutenant General.

Army nomination of Lt. Gen. Robert B. Brown, to be General.

Army nomination of Brig. Gen. Kenneth D. Jones, to be Major General.

Army nomination of Brig. Gen. Arlan M. DeBlick, to be Major General.

Army nomination of Col. Rodney L. Faulk, to be Brigadier General.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Martin T. Mitchell, to be Colonel.

Air Force nominations beginning with Laura S. Barchick and ending with Kevin J. Wilkinson, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 2016.

Air Force nominations beginning with Michelle D. Aastrom and ending with Cynthia J. Weidman, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 2016.

Air Force nominations beginning with Laird S. Abbott and ending with Christopher J. Zuhlke, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 2016.

Air Force nomination of Albert E. White, to be Major.

Air Force nomination of Jonathan M. Letsinger, to be Colonel.

Air Force nominations beginning with Lloyd Travis A. Arnold and ending with Konstantina Zuber, which nominations were received by the Senate and appeared in the Congressional Record on April 14, 2016.

Air Force nomination of Kristie L. Partin, to be Major.

Air Force nomination of Aimee D. Safford, to be Major.

Air Force nomination of Tracey A. Gosser, to be Lieutenant Colonel.

Air Force nomination of Todd R. Howell, to be Lieutenant Colonel.

Army nominations beginning with Larss G. Celtnieks and ending with Paulette V. Burton, which nominations were received by the Senate and appeared in the Congressional Record on March 14, 2016.

Army nomination of Eric Danko, to be Lieutenant Colonel.

Army nominations beginning with Steven N. Carozza and ending with Noah C. Cloud, which nominations were received by the Senate and appeared in the Congressional Record on March 14, 2016.

Army nomination of Ramit Ring, to be Lieutenant Colonel.

Army nomination of Geoffrey E. Anderson, to be Major.

Army nomination of Bruce H. Robinson, to be Major.

Army nominations beginning with Matthew B. Booth and ending with Donald W. Moyer, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 2016.

Army nomination of Robert L. Cronyn, to be Colonel.

Army nomination of Darrell W. Collins, to be Colonel.

Army nomination of Devon D. Nudelman, to be Colonel.

Army nomination of Calvin C. Thomas, to be Colonel.

Army nominations beginning with Stephen G. Cruys and ending with Gregory J. Long, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with Edward S. Barnett and ending with Lynn J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with Timothy G. Bonner and ending with James S. Welch, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with Krystal D. Bean and ending with Justin R. Schlanser, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with George A. Barbee and ending with D013078, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with Gabrielle M. Andreanifabroni and ending with Young J. Yauger, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nominations beginning with Terry L. Aitken and ending with D010908, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Army nomination of Travis H. Owen, to be Major.

Army nominations beginning with Joshua T. Ade and ending with D012875, which nominations were received by the Senate and appeared in the Congressional Record on April 7, 2016.

Army nomination of Timothy R. Teague, to be Colonel.

Army nomination of Eric E. Halstrom, to be Lieutenant Colonel.

Army nominations beginning with Brian D. Bobo and ending with Anthony D. Fournier, which nominations were received by the Senate and appeared in the Congressional Record on April 7, 2016.

Army nomination of Dennis N. Snelling, to be Colonel.

Army nomination of Kodjo S. Knoxlimbacker, to be Colonel.

Army nomination of Lori R. Schanhals, to be Colonel.

Army nomination of Drew R. Conover, to be Lieutenant Colonel.

Army nomination of Bradley D. Osterman, to be Colonel.

Army nomination of Francisco J. Lopez, to be Lieutenant Colonel.

Army nominations beginning with Timothy D. Aiken and ending with James R. Weakley, which nominations were received by the Senate and appeared in the Congressional Record on April 14, 2016.

Army nomination of George A. Rollins, to be Colonel.

Army nomination of McArthur Walker, to be Colonel.

Army nominations beginning with Timothy D. Covington and ending with Eric A. Kennedy, which nominations were received by the Senate and appeared in the Congressional Record on April 14, 2016.

Army nomination of Nilson Orozcooviedo, to be Major.

Army nomination of Pierre E. Saintfleur, to be Colonel.

Marine Corps nomination of John A. Yukica, to be Major.

Marine Corps nominations beginning with Matrix W. Elias and ending with Nicholas J. Tazza, which nominations were received by the Senate and appeared in the Congressional Record on January 28, 2016.

Navy nomination of Brian D. Hennessy, to be Captain.

Navy nomination of Donald C. King, to be Captain.

Navy nomination of Stephanie M. Simoni, to be Lieutenant Commander.

Navy nomination of Jennifer L. Shafer, to be Lieutenant Commander.

Navy nominations beginning with Justin K. Conroy and ending with Rebecca L. Young, which nominations were received by the Senate and appeared in the Congressional Record on March 17, 2016.

Navy nomination of Brice A. Goodwin, to be Captain.

Navy nomination of Brian J. Hamer, to be Lieutenant Commander.

Navy nomination of Scott F. Gruwell, to be Lieutenant Commander.

Navy nomination of Shannon D. Lorimer, to be Lieutenant Commander.

Navy nominations beginning with Danielle M. Barnes and ending with Mark R. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on April 5, 2016.

Navy nomination of William A. Hlavin, to be Commander.

Navy nomination of Phillip G. Cyr, to be Captain.

Navy nomination of Donald E. Speights, to be Lieutenant Commander.

Navy nomination of Luis A. Bencomo, to be Commander.

\*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. FISCHER (for herself, Ms. AYOTTE, Mr. PETERS, Mr. COONS, and Mrs. SHAHEEN):

S. 2850. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. THUNE (for himself and Mr. SCHATZ):

S. 2851. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHATZ (for himself and Mr. SASSE):

S. 2852. A bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN:

S. 2853. A bill to provide for the repair, recapitalization, and certification of dry docks at Naval shipyards; to the Committee on Armed Services.

By Mr. BURR (for himself, Mrs. MCCASKILL, Mr. LEAHY, and Mr. BLUNT):

S. 2854. A bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007; to the Committee on the Judiciary.

By Mr. PETERS:

S. 2855. A bill to increase outreach for women and minority-owned businesses under the Small Business Innovation Research and Small Business Technology Transfer programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRASSLEY (for himself, Mr. CARDIN, Mr. WICKER, and Mr. WHITEHOUSE):

S. Res. 440. A resolution expressing the sense of the Senate about the importance of effective civic and government education programs in schools in the United States; considered and agreed to.

By Ms. HEITKAMP (for herself, Mr. LANKFORD, Mr. CARPER, Mr. JOHNSON, Mr. TESTER, Ms. AYOTTE, Mr. PETERS, Mr. CARDIN, Mr. COONS, Mr. BOOKER, Ms. BALDWIN, Mr. SANDERS, Mr. LEAHY, Mrs. FEINSTEIN, Mr. BROWN, Mrs. MURRAY, Mr. BLUMENTHAL, Mr. KING, Ms. MIKULSKI, and Mrs. SHAHEEN):

S. Res. 441. A resolution expressing the sense of the Senate that, during Public Service Recognition Week, public servants should be commended for their dedication and continued service to the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 298, a bill to amend titles XIX and

XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 386

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 430

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 430, a bill to prohibit the marketing of electronic cigarettes to children, and for other purposes.

S. 629

At the request of Mr. PORTMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of 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.

S. 677

At the request of Mrs. BOXER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 677, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Wis-

consin (Ms. BALDWIN) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1566

At the request of Mr. KIRK, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 2056

At the request of Ms. MURKOWSKI, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2056, a bill to provide for the establishment of the National Volcano Early Warning and Monitoring System.

S. 2068

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2068, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 2120

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 2120, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to carry out a program to support veterans in contact with the criminal justice system by discouraging unnecessary criminalization of mental illness and other non-violent crimes, and for other purposes.

S. 2205

At the request of Mr. TESTER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2205, a bill to establish a grant program to assist tribal governments in establishing tribal healing to wellness courts, and for other purposes.

S. 2219

At the request of Mrs. SHAHEEN, the names of the Senator from Colorado



(Mr. BENNET) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2219, a bill to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes.

S. 2448

At the request of Mr. COONS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2448, a bill to provide for the appointment of additional Federal bankruptcy judges, and for other purposes.

S. 2487

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2598

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2679

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 2679, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

S. 2702

At the request of Mr. BURR, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2702, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 2707

At the request of Mr. SCOTT, the names of the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mrs. FISCHER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Montana (Mr. DAINES), the Senator from Alabama (Mr. SESSIONS) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding

defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, non-profit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2708

At the request of Mr. COTTON, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2708, a bill to provide for the admission to the United States of up to 10,000 Syrian religious minorities as refugees of special humanitarian concern in each of the fiscal years 2016 through 2020.

S. 2756

At the request of Mr. ROUNDS, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2756, a bill to impose sanctions with respect to Iranian persons responsible for knowingly engaging in significant activities undermining cybersecurity, and for other purposes.

S. 2765

At the request of Mr. BOOKER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2765, a bill to provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, and for other purposes.

S. 2790

At the request of Mr. PAUL, his name was added as a cosponsor of S. 2790, a bill to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

S. 2794

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2794, a bill to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

S. 2838

At the request of Mr. VITTER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from New Hampshire (Mrs. SHAHEEN) were

added as cosponsors of S. 2838, a bill to improve the HUBZone program.

S. 2843

At the request of Mr. NELSON, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Michigan (Ms. STABENOW), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Ohio (Mr. BROWN), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2843, a bill to provide emergency supplemental appropriations to address the Zika crisis.

S. 2846

At the request of Mr. PETERS, the names of the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2846, a bill to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S.J. RES. 33

At the request of Mr. ISAKSON, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S.J. Res. 33, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to the definition of the term "fiduciary" and the conflict of interest rule with respect to retirement investment advice.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

AMENDMENT NO. 3861

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 3861 intended to be proposed to H.R. 2028, a bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR (for himself, Mrs. MCCASKILL, Mr. LEAHY, and Mr. BLUNT):

S. 2854. A bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007; to the Committee on the Judiciary.

Mr. BURR. Mr. President, today I, along with Senator LEAHY, Senator MCCASKILL, and Senator BLUNT, will introduce the reauthorization of the Emmett Till Unsolved Civil Rights Crime Act.



To give a little bit of history for my colleagues on this, this really stems from 1955, and it was the summer of 1955 when a young 14-year-old left Chicago, IL, and traveled to Mississippi to visit relatives. While on that trip, he made a grave mistake. He whistled at a White woman. Because of that, Emmett Till was killed. The investigation that resulted from his death culminated in a 67-minute deliberation by a jury that found both men and acquitted them. Both individuals, Roy Bryant and J.W. Milam confessed to the murder in 1956. In our criminal justice system, when you are found not guilty, you can't be retried. There was an injustice that was done. In this particular case, the injustice was done to Emmett Till, a 14-year-old.

Without an understanding of how many people might have been affected by the same lack of justice applied equally, there was a self-taught individual that became an activist. His name was Alvin Sykes. Alvin Sykes became a civil rights advocate. He was a cold case researcher. Through the frustration of trying to get a bill to the U.S. Senate that my good friend Tom Coburn held up, Alvin Sykes did what most people don't do in this town. Rather than hold a press conference to talk about a civil rights bill, he called Tom Coburn and said: I would like to see you.

He sat down with Tom Coburn, and Tom said: What is it you are trying to do?

The two bonded at that point, and they rewrote the bill to reflect what Tom felt was the right legislative approach to create in this country—and fund, I might add—an effort to look back at all potential civil rights cases that were pre-1969.

Since the bill's passage, I think in 2008, the Department of Justice, along with the Federal Bureau of Investigation, along with local law enforcement, has gone through 113 cases. I might add that 15 are still open, and in one they found a reason to convict an individual in the year 2010 from a case pre-1969.

So let me say for my colleagues, we will introduce a bill to reauthorize this act. Why? Very simply, because just last year, the Cold Case Justice Initiative at Syracuse University identified 196 potential cases that weren't caught when the Justice Department and the FBI looked at their cold case files.

Now, when Senator Coburn and Alvin Sykes put this legislation together, they funded the effort with a mere \$13 million. With that \$13 million, it created an effort within the Justice Department in the Civil Rights Division and in the FBI. What we found is that it is never too late to go back and fix mistakes that you make.

So I will ask my colleagues at some point in the not too distant future, probably by unanimous consent, to pass the Emmett Till Civil Rights Crime Reauthorization Act of 2016. What this does differently than what the original piece of legislation did

that Tom Coburn and Alvin Sykes hammered out is that it reauthorizes within the existing offices of the FBI and the Department of Justice and it more clearly delineates the responsibility of the deputy crime chief of the DOJ Civil Rights Division and provides for a joint task force for enhanced collaboration. It eliminates the pre-1970 date, and says that if the law was applied unequally, it doesn't matter when it was, and we should look at it. It eliminates the sunset provision on the Emmett Till law.

This is a permanent piece of legislation, where the DOJ and FBI will consult with civil rights organizations, universities, and other entities to reach out and pull in potentially any other cases that should be reviewed. Of course, it allows for the Department of Justice to reopen certain cold cases that merit a second review as necessary, and it maintains the current funding levels. It is a very worthy bill to support.

As much as I would really like to make my comments about Emmett Till, I can fill in a number of potentially different names. But the name I want to come to the floor to talk about is Alvin Sykes. Alvin Sykes is a self-taught civil rights advocate, a person who taught himself how to do these investigations into civil rights cases, a guy who is passionate about trying to bring justice to individuals who are no longer here.

We are lobbied on Capitol Hill all the time by people who have an interest—it could be personal or it could be professional—in a particular issue. Alvin Sykes had nobody lobbying. They were dead. Alvin Sykes saw a potential injustice in our judicial system and spent a lifetime passionately pursuing how he as one individual could make this right.

This is a tremendous success story about something that Congress has done that is good. What we need to do is extend the good work of Tom Coburn and, more importantly, the passion of Alvin Sykes to say that not only was this needed then but it is needed now and into the future.

So I come to you today to give you a preview before this bill is presented and to thank my cosponsors, Senator LEAHY, Senator MCCASKILL, and Senator BLUNT, but more importantly, to thank Alvin Sykes. Without Alvin Sykes' passion and commitment, this injustice wouldn't have been brought to the attention of Tom Coburn, and Tom Coburn wouldn't have used his incredible passion to pass this bill originally.

It is my hope that we can make not only Alvin Sykes proud of the work of the Senate but that, in a small way, it might send a message to those who are related to Emmett Till and to the hundreds of others who might have been served an injustice and so that their relatives can understand that they did have value and that value is for others—that they may not be exposed to an injustice in the future.

Mr. LEAHY. Mr. President, I am proud to be part of the bicameral and bipartisan introduction for the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016. There has been no stronger advocate on this bill than my friend, JOHN LEWIS, and I am proud to stand with him on this effort. In 2008, we passed this bill to strengthen the Federal Government's ability to investigate and prosecute unsolved murders from the civil rights era. The bill expires in fiscal year 2017, but it is important that we reauthorize the bill prior to its expiration so that the Department of Justice can continue its work on these unsolved cases, uninterrupted.

More than 60 years ago, Emmett Till, a 14-year-old African-American teenager, was brutally murdered, but no one was ever punished for it. His death was a pivotal—and tragic—moment in the Civil Rights era, and it continues to serve as a reminder that too many families suffer from the unsolved murders of their loved ones during the civil rights era without receiving justice. The way to best serve these families is to provide our Federal Government with the tools it needs to investigate these unsolved crimes, and to hopefully, bring some sense of closure for these families. The bill we are introducing today does just that.

Since the bill's passage in 2008, the Justice Department and others have been assisting families in their quest for justice in resolving these unsolved murders. Specifically, the Civil Rights and Restorative Justice Project of Northeastern University and the Cold Case Justice Initiative at the Syracuse University College of Law have both served as invaluable resources and guides for these families. I thank them for their work on these cases, as well as their input in improving this bill. Besides reauthorizing the bill, we have made some changes to address the issues that the families and the organizations have raised. This bill will improve coordination between the various law enforcement branches and the organizations involved; increase transparency and accountability; and continue to resolve these cases without concern of the legislation sunset.

I thank Congressman LEWIS for his tireless work on behalf of the families of these victims of unsolved murders from the civil rights era. I also thank Senator MCCASKILL of Missouri, Senator BURR of North Carolina, and Senator BLUNT of Missouri, who have joined us in introducing this bipartisan bill. I hope that Senators BURR and BLUNT can convince the Republican Chairman to move this bill through the Judiciary Committee and Republican Leadership to give this bill a vote on the floor.

The road to justice can be long and winding, but we must continue to do our part to help these families obtain justice and closure for their losses.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 440—EX-PRESSING THE SENSE OF THE SENATE ABOUT THE IMPORTANCE OF EFFECTIVE CIVIC AND GOVERNMENT EDUCATION PROGRAMS IN SCHOOLS IN THE UNITED STATES

Mr. GRASSLEY (for himself, Mr. CARDIN, Mr. WICKER, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 440

Whereas civic and government education is essential to the preservation and improvement of the constitutional government of the United States;

Whereas civic and government education programs foster understanding of the history and principles of the constitutional government of the United States, including principles that are embodied in certain fundamental documents and speeches, such as the Declaration of Independence, the Constitution of the United States, the Bill of Rights, the Federalist Papers, the Gettysburg Address, and Dr. Martin Luther King, Jr.'s "I Have a Dream" speech;

Whereas research shows that too few people in the United States understand basic principles of the constitutional government of the United States, such as the natural rights set forth in the Declaration of Independence, the existence and functions of the 3 branches of the Federal Government, checks and balances, and other concepts fundamental to informed citizenship;

Whereas, since the founding of the United States, schools in the United States have had a strong civic mission to prepare students to be informed, rational, humane, and involved citizens who are committed to the values and principles of the constitutional government of the United States;

Whereas a free society relies on the knowledge, skills, and virtue of the citizens of the society, particularly the individuals elected to public office to represent the citizens;

Whereas, while many institutions help to develop the knowledge and skills and shape the civic character of people in the United States, schools in the United States, including elementary schools, bear a special and historic responsibility for the development of civic competence and civic responsibility of students;

Whereas student learning is enhanced by well-designed classroom civic and government education programs that—

(1) incorporate instruction in government, history, law, and democracy;

(2) promote discussion of current events and controversial issues;

(3) link community service and the formal curriculum; and

(4) encourage students to participate in simulations of democratic processes; and

Whereas research shows that the knowledge and expertise of teachers are among the most important factors in increasing student achievement: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) civic and government education is essential to the well-being of the constitutional government of the United States;

(2) comprehensive and formal instruction in civic and government education would provide students a basis for understanding the rights and responsibilities of citizens in the constitutional government of the United States;

(3) elementary and secondary schools in the United States are encouraged to offer courses on the history and theories of the constitutional government of the United States, using—

(A) innovative programs and curricula; or

(B) programs and curricula with a demonstrated effectiveness in fostering civic competence, civic responsibility, and a reasoned commitment to the fundamental values and principles underlying the constitutional government of the United States; and

(4) all teachers of civics and government are well served by having access to adequate opportunities to enrich teaching through professional development programs that enhance the capacity of teachers to provide effective civic and government education in the classroom.

## SENATE RESOLUTION 441—EX-PRESSING THE SENSE OF THE SENATE THAT, DURING PUBLIC SERVICE RECOGNITION WEEK, PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE UNITED STATES

Ms. HEITKAMP (for herself, Mr. LANKFORD, Mr. CARPER, Mr. JOHNSON, Mr. TESTER, Ms. AYOTTE, Mr. PETERS, Mr. CARDIN, Mr. COONS, Mr. BOOKER, Ms. BALDWIN, Mr. SANDERS, Mr. LEAHY, Mrs. FEINSTEIN, Mr. BROWN, Mrs. MURRAY, Mr. BLUMENTHAL, Mr. KING, Ms. MIKULSKI, and Mrs. SHAHEEN) submitted the following resolution; which was considered and agreed to:

S. RES. 441

Whereas the week of May 1 through 7, 2016, has been designated as "Public Service Recognition Week" to honor employees of the Federal Government and State and local governments and members of the uniformed services;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and to honor the diverse men and women who meet the needs of the United States through work at all levels of government and as members of the uniformed services;

Whereas millions of individuals work in government service, and as members of the uniformed services, in every State, county, and city across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the ability of the Federal Government and State and local governments to be responsive, innovative, and effective depends on the outstanding performance of dedicated public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of the highly trained individuals who work in public service;

Whereas public servants—

(1) defend the freedom of the people of the United States and advance the interests of the United States around the world;

(2) provide vital strategic support functions to the Armed Forces and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver benefits under the Social Security Act (42 U.S.C. 301 et seq.), including benefits under the Medicare program under title XVIII of that Act (42 U.S.C. 1395 et seq.);

(6) fight disease and promote better health;

(7) protect the environment and parks in the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve knowledge on how the world changes;

(13) improve and secure transportation systems;

(14) promote economic growth; and

(15) assist veterans of the Armed Forces;

Whereas members of the uniformed services and civilian employees at all levels of government—

(1) make significant contributions to the general welfare of the United States; and

(2) are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the individuals serving in the uniformed services, as well as the skilled trade and craft employees of the Federal Government who provide support to their efforts—

(1) are committed to doing their jobs regardless of the circumstances; and

(2) contribute greatly to the security of the United States and the world;

Whereas public servants have bravely fought in armed conflicts in the defense of the United States and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas public servants—

(1) have much to offer, as demonstrated by their expertise and innovative ideas; and

(2) serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 1 through 7, 2016, marks the 32nd anniversary of Public Service Recognition Week: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of the week of May 1 through 7, 2016, as "Public Service Recognition Week";

(2) commends public servants for their outstanding contributions to the United States during Public Service Recognition Week and throughout the year;

(3) salutes government employees, and members of the uniformed services, for their unyielding dedication to, and enthusiasm for, public service;

(4) honors government employees and members of the uniformed services who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at every level of government.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3875. Ms. KLOBUCHAR submitted an amendment intended to be proposed to

amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3876. Mr. FLAKE (for himself and Mr. McCain) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3877. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3875.** Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, line 15, strike the period at the end and insert the following: “: *Provided further*, That of such amount \$10,000,000 shall be available to carry out an energy efficiency materials pilot program.”

**SA 3876.** Mr. FLAKE (for himself and Mr. McCain) submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 22, strike the period at the end and insert the following: “: *Provided further*, That of the funds provided herein, for any Corps of Engineers project located in a State in which a Bureau of Reclamation project is also located, any non-Federal project regulated for flood control by the Secretary of the Army located in a State in which a Bureau of Reclamation project is also located, or any Bureau of Reclamation facilities regulated for flood control by the Secretary of the Army, the Secretary of the Army shall fund all or a portion of the costs to review or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities, and any associated environmental documentation.”

**SA 3877.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3801 proposed by Mr. ALEXANDER (for himself and Mrs. FEINSTEIN) to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:  
SEC. 3. The Wind and Water Power Technologies Office of the Department of Energy shall—

(1) collaborate with industry to support the development of main shaft and gearbox bearing technologies used in wind turbines; and

(2) consider providing funds for the development of new technologies that advance critical bearing and gearbox technologies used in wind turbines.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2016, at 10 a.m.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to hold a hearing on April 26, 2016, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

##### COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 26, 2016, at 9:30 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Navigating Business Tax Reform.”

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

##### COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 26, 2016, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Need for More Timeliness and Transparency: Oversight of the Public Safety Officers’ Benefits (PSOB) Program.”

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 26, 2016, at 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

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

##### SUBCOMMITTEE ON WESTERN HEMISPHERE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Western Hemisphere be authorized to meet during the session of the Senate on April 26, 2016, at 10 a.m., to conduct a hearing entitled “Review of Resources, Priorities and Programs in the FY 2017 State Department Budget Request.”

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

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Ricky Gandhi, have privileges of the floor for the remainder of today.

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

#### EXPRESSING THE SENSE OF THE SENATE ABOUT THE IMPORTANCE OF EFFECTIVE CIVIC AND GOVERNMENT EDUCATION PROGRAMS IN SCHOOLS IN THE UNITED STATES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 440, 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. 440) expressing the sense of the Senate about the importance of effective civic and government education programs in schools in the United States.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be 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. 440) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### EXPRESSING THE SENSE OF THE SENATE REGARDING PUBLIC SERVANTS’ DURING PUBLIC SERVICE RECOGNITION WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 441, 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. 441) expressing the sense of the Senate that, during Public Service Recognition Week, public servants should be commended for their dedication and continued service to the United States.

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

Mr. McCONNELL. I further 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. 441) was agreed to.

The preamble was agreed to.

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

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#### ORDERS FOR WEDNESDAY, APRIL 27, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, April 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the

two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate then resume consideration of H.R. 2028, with the time until 11 a.m. equally divided between the two managers or their designees; finally, that the filing deadline for all second-degree amendments to both the substitute amendment No. 3801 and the underlying bill, H.R. 2028, be at 10:30 a.m., Wednesday, April 27.

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

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#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

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.

There being no objection, the Senate, at 6:16 p.m., adjourned until Wednesday, April 27, 2016, at 10 a.m.

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#### NOMINATIONS

Executive nominations received by the Senate:

##### 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*

MAJ. GEN. DARRYL A. WILLIAMS

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. THOMAS D. WALDHAUSER