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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal God, You are our strength and shield. We are grateful for Your great and precious promises that provide us with inspiration and hope. Daily, You have provided for our needs, leading us along the road toward abundant living. We continue to be sustained by the promise of Your eternal presence. Lord, forgive us when we surrender to those influences that draw us downward.

Bless the Members of this body. Teach them that Your hand is on the helm of human affairs and that You still guide Your world. Renew their strength and give them the courage to persevere in doing what is right.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MINORITY LEADER

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

### OBAMACARE

Mr. REID. Mr. President, it is a hard thing to admit you are wrong. It is always very difficult. It is not very pleasant to look back and say to yourself: Oh, I wish I wasn't so far off; I was way off.

But as public servants, we have to accept reality, regardless of where we may have stood or what we may have said in the past.

Unfortunately, Republicans in Congress are trying their utmost to escape the reality that ObamaCare is a smashing success.

Just consider a few of the facts—and these are only a few of them: 16.4 million Americans now have quality health coverage, many for the first time in decades, many for the first time in their lives.

Since 2013, the United States has seen the largest decline in the uninsured rate—ever. Nine in ten Americans have health insurance. In the last 18 months, the uninsured rate for non-elderly adults has fallen by 35 percent. Health care costs have grown at their slowest rate in 50 years.

Since 2011, the number of preventable deaths at hospitals and care centers has dropped by 50,000. That is 50,000 lives—50,000 people are alive today who wouldn't have been but for ObamaCare, and ObamaCare enrollees are overwhelmingly satisfied with their coverage.

Those are the facts. No matter how hard my Republican colleagues try, they cannot wish those numbers away. All of the doomsday reports are wrong.

I understand that many Senate Republicans have worked hard to make their opposition to ObamaCare their legacy.

In June of 2009, the Republican leader—the majority leader—was on the Senate floor decrying health care reform more than 3 months before the bill even passed. His mind was made up before he even saw the bill.

And so it has been with too many other Republicans in this body, and certainly in the other body where they voted—I lost track of it—65 times to repeal it. Each time it has been a colossal flop.

The junior Senator from Wyoming, for example, has been relentless in his

condemnation of ObamaCare. He comes to the floor all the time with his charts and everything, but he avoids the facts. He has been relentless in his condemnation of ObamaCare—before and after the bill was passed. But he is wrong. I don't say so, the facts say so.

For example, Paul Krugman's piece in the New York Times today effectively lays out the options congressional Republicans have with respect to ObamaCare. Remember, this isn't some high school teacher talking about the merits of ObamaCare, it is a Nobel laureate in economics.

This is what he said today, and I quote part of what he said—simply put, Republicans were wrong on ObamaCare. In this body, it is understandable for a Senator to be dead wrong on some piece of policy from time to time. It happens. But what is not understandable and what is not acceptable is for the entire Republican Party to double down on its opposition after they have already been proven wrong. It says a lot about their inability to govern and, quite frankly, their grasp on reality—that Republicans refuse to acknowledge facts.

That is a reality.

I ask unanimous consent to have printed in the RECORD the full piece from the New York Times written by Paul Krugman.

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

[From the New York Times, Apr. 27, 2015]

NOBODY SAID THAT

(By Paul Krugman)

Imagine yourself as a regular commentator on public affairs—maybe a paid pundit, maybe a supposed expert in some area, maybe just an opinionated billionaire. You weigh in on a major policy initiative that's about to happen, making strong predictions of disaster. The Obama stimulus, you declare, will cause soaring interest rates; the Fed's bond purchases will "debase the dollar" and cause high inflation; the Affordable Care Act will collapse in a vicious circle of declining enrollment and surging costs.

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



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But nothing you predicted actually comes to pass. What do you do?

You might admit that you were wrong, and try to figure out why. But almost nobody does that; we live in an age of unacknowledged error.

Alternatively, you might insist that sinister forces are covering up the grim reality. Quite a few well-known pundits are, or at some point were, "inflation truthers," claiming that the government is lying about the pace of price increases. There have also been many prominent Obamacare truthers declaring that the White House is cooking the books, that the policies are worthless, and so on.

Finally, there's a third option: You can pretend that you didn't make the predictions you did. I see that a lot when it comes to people who issued dire warnings about interest rates and inflation, and now claim that they did no such thing. Where I'm seeing it most, however, is on the health care front. Obamacare is working better than even its supporters expected—but its enemies say that the good news proves nothing, because nobody predicted anything different.

Go back to 2013, before reform went fully into effect, or early 2014, before the numbers on first-year enrollment came in. What were Obamacare's opponents predicting? The answer is, utter disaster. Americans, declared a May 2013 report from a House committee, were about to face a devastating "rate shock," with premiums almost doubling on average.

And it would only get worse: At the beginning of 2014 the right's favored experts—or maybe that should be "experts"—were warning about a "death spiral" in which only the sickest citizens would sign up, causing premiums to soar even higher and many people to drop out of the program.

What about the overall effect on insurance coverage? Several months into 2014 many leading Republicans—including John Boehner, the speaker of the House—were predicting that more people would lose coverage than gain it. And everyone on the right was predicting that the law would cost far more than projected, adding hundreds of billions if not trillions to budget deficits.

What actually happened? There was no rate shock: average premiums in 2014 were about 16 percent lower than projected. There is no death spiral: On average, premiums for 2015 are between 2 and 4 percent higher than in 2014, which is a much slower rate of increase than the historical norm. The number of Americans without health insurance has fallen by around 15 million, and would have fallen substantially more if so many Republican-controlled states weren't blocking the expansion of Medicaid. And the overall cost of the program is coming in well below expectations.

One more thing: You sometimes hear complaints about the alleged poor quality of the policies offered to newly insured families. But a new survey by J. D. Power, the market research company, finds that the newly enrolled are very satisfied with their coverage—more satisfied than the average person with conventional, non-Obamacare insurance.

This is what policy success looks like, and it should have the critics engaged in soul-searching about why they got it so wrong. But no.

Instead, the new line—exemplified by, but not unique to, a recent op-ed article by the hedge-fund manager Cliff Asness—is that there's nothing to see here: "That more people would be insured was never in dispute." Never, I guess, except in everything ever said by anyone in a position of influence on the American right. Oh, and all the good news on costs is just a coincidence.

It's both easy and entirely appropriate to ridicule this kind of thing. But there are some serious stakes here, and they go beyond the issue of health reform, important as it is.

You see, in a polarized political environment, policy debates always involve more than just the specific issue on the table. They are also clashes of world views. Predictions of debt disaster, a debased dollar, and Obama death spirals reflect the same ideology, and the utter failure of these predictions should inspire major doubts about that ideology.

And there's also a moral issue involved. Refusing to accept responsibility for past errors is a serious character flaw in one's private life. It rises to the level of real wrongdoing when policies that affect millions of lives are at stake.

Mr. REID. Mr. President, I see no one on the floor, so 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.

#### PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1191 for debate only, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1191) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Pending:

Corker/Cardin amendment No. 1140, in the nature of a substitute.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### RELIGIOUS FREEDOM

Mr. HATCH. Mr. President, Congress unanimously passed the International Religious Freedom Act in 1989 with a 98-to-0 vote in this body for that legislation, including 19 Senators still serving today—11 Republicans and 8 Democrats. We asserted that religious freedom "undergirds the very origin and existence of the United States." Yet, religious freedom today is under attack across the country.

Political activists are attacking religious freedom as the enemy of equality, claiming that laws protecting religious freedom are designed to enshrine discrimination in State law. This effort is misinformed, it is misguided, and it is misleading. It will serve only to harm religious freedom and to demon-

ize religious people, many of whom would be allies in the effort to promote equality.

The attack on religious freedom misunderstands the history and importance of religious freedom in America. That story began more than 400 years ago, as one religious community after another came to these shores so they could freely live their faith. As far back as December 1657, residents of the community known today as Flushing, NY, signed a petition called the Flushing Remonstrance. This petition protested a ban on certain religious practices that prevented the Quakers from worshipping. The petition signers stated that they would let everyone decide for themselves how to worship.

One hundred twenty years later, the original States and the Federal Government specifically protected religious freedom in their Constitutions. Indeed, the phrase America's Founders chose for the first individual right listed in the First Amendment—the free exercise of religion—is very important. The free exercise clause is not limited to particular exercises of religion or to the exercise of religion by certain parties but instead protects the free exercise of religion itself. James Madison wrote in 1758 that exercising religion according to conviction and conscience is an inalienable right. Two hundred years later, Supreme Court Justice Arthur Goldberg declared that "to the Founding Fathers, freedom of religion was regarded to be preeminent among fundamental rights."

This belief in the special importance and preeminent status of religious freedom did not end with America's founding generation. In his famous 1941 State of the Union Address, President Franklin D. Roosevelt asserted that "the right of every person to worship God in his own way" is an essential human freedom. Just 4 years later, after the end of World War II, the United States signed the Universal Declaration of Human Rights. This crucial document includes religious freedom as one of the inalienable rights universal to all members of the human family.

Our last several Presidents have issued annual proclamations declaring January 16 Religious Freedom Day. This date marks the anniversary of the Virginia General Assembly's adoption of the Virginia Statute for Religious Freedom. In this year's proclamation, President Obama said that religious freedom is a fundamental liberty and defined religious freedom as the right of every person to live and practice their faith how they choose. In previous years, President Obama has called religious freedom a universal and natural human right and an essential part of human dignity. President George W. Bush similarly declared that no human freedom is more fundamental than the right to freely practice one's religious beliefs. President Clinton said that religious freedom is a fundamental human right, a core value

of our democracy, and essential to our dignity as human beings.

I want my colleagues to appreciate how robust religious freedom has historically been in our country. Article 18 of the Universal Declaration of Human Rights states that religious freedom includes “freedom, either alone or in community with others and in public or private, to manifest . . . religion or belief in teaching, practice, worship and observance.”

In America, religious freedom has always included freedom in both belief and behavior, in private and in public, individually and collectively. Today’s attacks on religious freedom know none of this. Instead, they dismiss religious freedom as a sham, as little more than an excuse for mean-spirited people who want to discriminate. Today’s opponents of religious freedom laws either do not know or do not care that religious freedom is an integral part of the origin, the identity, and the very life of our Nation.

They are also clearly misinformed about how, even in America, the reality of religious freedom has not always matched the promise of religious freedom. The truth is that government does many things that compromise, burden, and even prohibit the exercise of religion. The Flushing Remonstrance was necessary because community leaders allowed religious freedom for some but not for others. Government has even sometimes passed laws explicitly designed to limit or stamp out particular religious practices or religious communities.

More often, government undermines and restricts the exercise of religion through indirect impact. General laws that on their face do not explicitly target religion can nonetheless have a profound impact when applied to particular religious practices. Zoning ordinances may restrict where churches can meet, whether they may expand their meeting place, and what services they may offer. Religious institutions may be forced to hire individuals who do not share their faith. Regulations may prohibit individuals from wearing items required by their faith or require employees to work on their Sabbath.

Government at all levels—Federal, State, and local—is becoming ever more intrusive in virtually every facet of life. Unless government is mindful of its impact on religious practices, government will become increasingly intrusive in matters of religion as well.

The attack on religious freedom is also misinformed about how important religious liberty laws are to protecting the exercise of religion.

Prior to 1990, for more than a century the Supreme Court’s interpretation of the free exercise clause had gradually moved toward broader application and stronger protection. In the 19th century, for example, the Court said that the First Amendment protected religious belief but not religious conduct, even though the First Amendment makes no such distinction. The Court

subsequently adopted a more unified view of religious practice and set a standard that made it difficult for government to interfere with either belief or conduct.

In 1981, the Supreme Court made clear that government “may justify an inroad on religious liberty by showing it is the least restrictive means of achieving some compelling state interest.” This standard was important for two reasons. First, it reflected the general importance of religious freedom in our country. Second, it applied to both religious conduct and religious belief and protected against both direct and indirect government burdens and restrictions.

In a 1990 case entitled “Employment Division v. Smith,” the Supreme Court regrettably reversed course. Under the Court’s new interpretation of the First Amendment, as set forth in Smith, the free exercise clause applies only when government directly burdens religion with a law targeted at religious practice. The clause provides no protection at all when government burdens religion indirectly through a generally applicable law or regulation. Before the Smith decision, it had been difficult but not impossible for government to interfere with the exercise of religion. Government had to show that a law or regulation burdening religion furthered a compelling State interest and was the least restrictive means of achieving that interest. I might add, under the Court’s new Smith standard, however, government can make religious practice not only difficult but even impossible. Provided government does not specifically target religion for disfavor, it can pass all sorts of laws that interfere with worship, practice, or belief.

It would be hard to overstate the impact of Smith. In 1992, the Congressional Research Service found that as a result of Smith, “free exercise claims have become markedly unsuccessful.” Remember that the government has its biggest impact on religion not through direct suppression but, rather, by indirect restriction—by disregarding religious practice as something needing special attention. Under Smith, government can do exactly what the First Amendment forbids and prohibit the free exercise of religion so long as it does so through generally applicable laws rather than laws targeted at specific groups.

Congress responded to Smith by enacting the Religious Freedom Restoration Act, or RFRA. I had a lot to do with that. RFRA’s standard mirrored what the Supreme Court had only a few years earlier said the First Amendment required—namely, that government may impose a substantial burden on the exercise of religion only if it is the least restrictive means of achieving a compelling government purpose.

RFRA does not automatically protect any specific exercise of religion, nor does it automatically prohibit any specific government action that burdens religion. RFRA sets a standard

that requires balancing government action against religious freedom and puts a thumb on the scale in favor of religious freedom. RFRA leaves it to the courts, in individual cases based on real facts, to determine whether a particular exercise of religion or a particular governmental action is more important.

In 1997, the Supreme Court held in *City of Boerne v. Flores* that RFRA applies only to the Federal Government. This meant that once again religious practice was vulnerable to virtually any restriction, regulation, or prohibition by State or local government. States responded to the *Flores* decision just as Congress had responded to the Smith decision: They immediately began enacting State religious restoration acts that set the same standard for State and local governments that the Federal statute still imposes on the Federal Government, the Federal statute called the Religious Freedom Restoration Act. These State RFRA’s differ in a few minor ways from the Federal RFRA but are identical to the Federal RFRA in the core provision that really matters—the standard that government must satisfy in order to burden religious exercise. Under all of these statutes, government action that burdens religion must be the least restrictive means of achieving a compelling government purpose.

I want my colleagues to understand two things about these religious freedom laws: First, States are enacting State-level Religious Freedom Restoration Acts for the same reason Congress did. Without such laws, every exercise of religion is vulnerable to restriction or even prohibition by government. Second, State versions of RFRA operate the same way the Federal statute does. They set a standard and then leave that standard for courts to apply in individual cases with real facts. In every case, the party claiming RFRA protection must show that government action imposes a substantial burden on his or her exercise of religion, and the government must show that this burden is the least restrictive means of furthering a compelling government interest. Without this protection, government action will trump religious practice in almost every case. With this protection, government action will have to accommodate religious practice in at least some cases.

Those attacking religious freedom today are completely misinformed about why these laws are passed and how they work to protect religious freedom. They want people to believe that RFRA was passed to provide cover for discrimination masquerading as religious practice and to therefore oppose efforts to pass or strengthen State-level RFRA’s. That account is complete fiction. RFRA was passed so that the fundamental inalienable right to practice religion can have at least some protection.

What would happen if we treated the free speech clause of the First Amendment the way these activists treat the

free exercise clause of the First Amendment? No one would be protected against government restrictions on speech because a few people might say things the rest of us don't like.

In addition to being misinformed about religious freedom in America and how the Religious Freedom Restoration Act protects it, the attack on religious freedom today is misguided because discrimination—not religious freedom—is the real problem.

I am sure my colleagues have heard the sound bite that RFRA legalizes discrimination. NBC News, for example, reported last year that the Arizona RFRA “would have permitted businesses in the state to deny service to gays and lesbians for religious beliefs.”

I explained how RFRA works to make crystal clear that this claim is false. Neither the Federal Government nor any State RFRA legalizes, permits or prohibits anything. RFRA sets a standard that government must meet when its actions burden the exercise of religion. Courts apply that standard in individual cases based on real facts to decide whether the religious practice or the government action is more important.

I need to make one more important distinction before looking at another reason why this claim is false. Those attacking religious freedom today use a very broad brush when raising the specter that businesses will “deny service.” They apparently want us to believe that businesses everywhere are intent on turning away customers, on not doing business with certain people. That not only makes no sense, but it just plain is not true.

Instead, the controversy exists only with regard to a few businesses that supply particular goods or services for weddings. A small number of business owners apparently feel that, while they gladly serve the general public and provide goods and services to all types of customers, providing certain specific goods or services for a same-sex wedding would amount to supporting or endorsing something inconsistent with their religious beliefs. Think what you want about those business owners, I want my colleagues to know that RFRA does not protect their decision to refuse service today.

Here is what has to happen for a case pitting RFRA against a claim discrimination to exist. The particular State where the business is located must have a law prohibiting discrimination based on sexual orientation and gender identity in places of public accommodation such as businesses. The State must also have not only a Religious Freedom Restoration Act but one that applies between private parties. The business would have to violate the antidiscrimination law and, if the business were sued, argue that the antidiscrimination law imposed a substantial burden on the exercise of religion. Only then would a judge decide whether—in that case based on its specific facts—the antidiscrimination law or

the business owner's religious beliefs were more important.

Do you see why the claim that RFRA, by itself, legalizes discrimination is absolutely, completely false? Not only does RFRA not legalize anything, the situation in which RFRA would even be involved does not exist anywhere in America today. Right now, according to the Human Rights Campaign, 17 States have the necessary antidiscrimination law, and only 4 of those 17 have a Religious Freedom Restoration Act. And of those four, none has a RFRA that applies to lawsuits between private parties. In other words, the number of States today in which a business could look to RFRA to justify discrimination is precisely zero.

Moreover, the current controversy, misinformed and misguided as it is, has no doubt diminished the likelihood that States with antidiscrimination laws will now enact religious freedom laws. Discrimination, not religious freedom, is the real problem. Despite what the activists want everyone to believe, Americans practice religion every day in innumerable ways that have nothing whatsoever to do with anyone's sexual orientation or gender identity. In the very few situations in which religious freedom and discrimination might overlap, RFRA would actually be the way to sort out the conflict—the mechanism to balance these competing interests. Even though the exercise of religion is a fundamental and inalienable right, it is not absolute. Many courts have found that government has a compelling interest in prohibiting discrimination.

Mr. President, I ask unanimous consent that an excellent analysis of this point by David Rivkin and Professor Elizabeth Price Foley that appeared in the Wall Street Journal be printed in the RECORD following my remarks.

Here is the bottom line. The situation that activists want everyone to believe is sweeping the country cannot exist anywhere in America today. If the day ever comes when that situation does arise, many applying RFRA would place freedom from discrimination over freedom of religion by a wide margin.

The attack on religious freedom today is not only misinformed about religion freedom in America and how laws such as RFRA protect that freedom, it is not only misguided in presenting religious freedom rather than discrimination as the real problem and RFRA as the culprit, but it is also misleading in broadly painting religious people as mean-spirited bigots. That is wrong. That is just plain wrong.

It is also unfortunate because many Americans believe in both equality and religious freedom and could be allies in seeking to maximize both. I voted for the Employment Non-Discrimination Act last Congress after working with Senators on both sides of the aisle to strengthen its provisions protecting religious freedom. Earlier this year, the Utah State Legislature passed and

Governor Gary Herbert signed a law prohibiting discrimination in employment and housing while also protecting religious freedom.

How did we go from religious freedom being a fundamental and inalienable right to religious freedom laws being attacked as un-American? How did we go from religious freedom being an essential human right that undergirds our Nation's very existence to activists calling laws that protect religious freedom dangerous and even contemptuous?

Those attacking laws that protect religious freedom would deny any legal protections for anyone to exercise religion in any way today because a few people might someday attempt to exercise their religion in a way that the courts would likely reject. This is a misinformed, misguided, and misleading campaign that will only damage religious freedom and demonize many who would work toward maximizing both equality and freedom for all Americans.

I was the prime sponsor in the Senate of the Religious Freedom Restoration Act. I went to Senator Kennedy. He was a friend, and we joined on many pieces of legislation that were in the best interests of everybody in America. At first, he said: I am not joining on that bill. Then I kept talking to him about it and how important it was. Finally, he said: Yes, I am going to be a prime cosponsor on that bill. There are many other prime cosponsors on that bill.

When that bill was signed on the South Lawn of the White House by President Clinton, one of the most proud people on Earth on that signing day happened to be Ted Kennedy, who knew that he had done right, who knew that it was right to protect the Religious Freedom Restoration Act. And I know it is right. That is one reason we fought so hard for it, and it passed 97 to 3, if I recall it correctly—almost unanimously—and unanimously in the House, as far as I know.

It is time for us to wake up and realize that religious freedom is under attack in this country. It is under attack because people don't understand the Constitution and people don't give a darn about the Constitution. It is under attack because some groups think they can get ahead by attacking religious freedom. Frankly, we ought to decry that, and we all need to stand up for the Religious Freedom Restoration Act, which upholds the first basic law of freedom in our Bill of Rights.

I yield the floor.

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

[From the Wall Street Journal, Apr. 9, 2015]

GAY RIGHTS, RELIGIOUS FREEDOM AND THE LAW

(By David B. Rivkin, Jr. and Elizabeth Price Foley)

There is a better route to protections than the battle in Indiana.

Debates about the Indiana and Arkansas Religious Freedom Restoration Acts, or

RFRA, have regrettably pitted religious freedom against gay rights. Critics claim the laws provide a license to discriminate against lesbian, gay, bisexual or transgender (LGBT) individuals. But this criticism shouldn't be aimed at the religious-freedom laws, which don't license discrimination based on sexual orientation or anything else.

Those wanting to advance LGBT rights should focus on enacting laws that bar discrimination. If there is a legal "license" to discriminate based on sexual orientation, it is because few jurisdictions today provide protection against such discrimination, or because the Constitution may immunize such behavior in certain circumstances.

There is no federal law prohibiting private discrimination based on sexual orientation. An executive order by President Obama in 2014 bans such discrimination only for federal workers and contractors. About 20 states and some municipalities prohibit sexual-orientation discrimination in workplaces and public accommodations. But the majority of states still don't proscribe discrimination based on sexual orientation, though discrimination based on race, gender, ethnicity or national origin is banned.

The federal Religious Freedom Restoration Act was passed by overwhelming bipartisan majorities and signed by President Clinton in 1993. It represented a backlash against the Supreme Court's 1990 decision in *Employment Division v. Smith*. That decision held that the First Amendment's Free Exercise Clause doesn't allow a religious exemption from laws of general applicability—e.g., compulsory military service, or prohibitions on drug use or animal cruelty—even if those laws substantially burden religious exercise.

The federal RFRA law supplanted *Smith*, declaring that the government could substantially burden religious exercise only upon proving a "compelling" government interest for doing so, and using only the "least restrictive means" of furthering that interest. The Supreme Court, for example, recently affirmed that the federal RFRA allowed Hobby Lobby, a corporation closely held by religious owners, to refuse participation in ObamaCare's contraceptive mandate, which would have required the company to provide contraceptives that may destroy an already-fertilized egg.

Because the federal RFRA applies only to federal actions, 20 states have passed their own religious-freedom laws designed to provide the same protection against state-imposed religious burdens. Another 11 states have implemented similar protections through court decisions, based on state constitutions.

So why have the latest religious-freedom laws been so controversial? RFRA has become a political focal point for pent-up anger over the paucity of legal protections against LGBT discrimination. A specific controversy is over the application of such laws to lawsuits between private parties.

Indiana's RFRA applies "regardless of whether the state or any other governmental entity is a party to the proceeding." Federal RFRA doesn't clearly apply to such private disputes, and federal courts are divided on whether it should. Arkansas adopted language identical to the federal RFRA.

Applying religious-freedom laws to private disputes has stirred fears that businesses will be able to defend discriminatory behavior when LGBT individuals sue them. This fear is greatly overblown. First, in states or localities where there is no law banning sexual-orientation discrimination, individuals and businesses are allowed to discriminate, with or without a RFRA.

Second, where it's illegal to discriminate, a religious-freedom defense requires proving that the antidiscrimination statute "substantially burdens" religion.

Third, even if it does, courts routinely conclude that preventing discrimination is a compelling interest, so the LGBT plaintiff wins. RFRA thus doesn't change outcomes—only laws banning sexual-orientation discrimination will.

Such laws won't eliminate all legal questions, however. Those engaged in activities with a strong expressive component—e.g., officiating at a wedding—may claim that their First Amendment free-speech or association rights trump antidiscrimination statutes. Some of these claims may prove successful.

Moreover, state and federal law allows individuals to refuse to provide certain services, such as abortions, based on moral objections. Similar conscience-based protections may eventually be demanded to accommodate moral objections to participation in same-sex weddings by the likes of wedding planners, photographers or bakers.

Americans have generally settled on the proper reach of statutes prohibiting race, gender, ethnicity or national origin-based discrimination by banning it in places of employment or public accommodation. With this consensus in mind, states and the federal government should consider statutes prohibiting in similar circumstances sexual-orientation discrimination.

Religious-freedom laws merely recognizing religious liberty—a centerpiece of liberal society—would then be more likely to become as universally accepted as they were in the 1990s.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, while the chairman of the Foreign Relations Committee is here, I want him to know of my admiration for him for trying to work together in a bipartisan way on an especially thorny issue, this Iranian nuclear negotiation.

I read in today's paper that there are a lot of people who are trying to torpedo the chairman's good work by basically bringing up all kinds of poison pill amendments. If the chairman's conclusion is that he is going to stick with the unanimous product that came out of this committee, then I will be with him to keep that product clean so it can go forward in the bipartisan way in which the chairman brought it to the floor.

#### TAKATA AIRBAGS

Mr. President, I am going to speak on a different subject today. It is not as pleasant as the remarks I addressed to the chairman, and it is on a completely different subject matter. It is about the defective airbags manufactured by the Takata Corporation which are exploding in people's faces and our collective effort to get them out of cars.

Instead of saving a life, these airbags—when they explode—either maim or kill because of the defective construction. When the airbag explodes, metal is coming out of the airbag like shrapnel and hitting the occupant of the car—either the driver or the passenger.

Last November, we had a hearing in the commerce committee about these rupturing airbags and the recalls. The number of vehicles recalled due to the defective Takata airbags is going to be in the record books as one of the largest in American history.

At that hearing, we saw that instead of preventing these deaths and injuries, the opposite was happening. Interestingly, many of these incidents are happening in vehicles exposed to persistent high heat and humidity.

This Senator is from Florida, so it is, sadly, no surprise that Florida has been the epicenter of these incidents. Earlier this year, I came to the floor and reported that Takata had received unconfirmed reports of 64 injuries and 5 deaths as a result of the exploding airbags. At the time, these numbers from Takata were far greater than what had been reported. Takata recently provided an update to the committee, and I have new numbers.

According to the most recent data as of the end of January, Takata had identified 40 more alleged incidents of rupturing airbags, including 1 death. This brings the total number of alleged injuries from 64 to 105 and the total number of alleged deaths to 6. As one would expect, 17 of the 40 newly reported incidents provided by Takata to our committee occurred in Florida. That brings the total number of alleged incidents of exploding Takata airbags in Florida—just in Florida—to 35, including 1 that caused a death.

Now, these injuries have been very serious. I am not talking about a minor little nick. These injuries include facial fractures, blindness, a broken sternum, and even quadriplegia. This Senator has visited with one of his constituents—a big, strapping, healthy firefighter who will no longer be a firefighter because he does not have sight in one of his eyes. But even the new numbers I just gave do not paint the full picture.

In fact, Reuters recently reported that another Takata airbag in Florida ruptured just last month. The figures I reported earlier were as of the end of last January. The victim who was injured last month was in a 2003 Honda Civic. He had a 1½-inch piece of metal shrapnel lodged into his neck after the airbag exploded. He was airlifted to the hospital and the doctors were able to remove the shrapnel, but now he has a big scar and a constant reminder that this incident could and should have been prevented.

The death that occurred in Florida was due to shrapnel cutting the jugular vein of the victim. When the police got to that accident, instead of thinking it was a traffic accident, they looked at the driver and thought a homicide had just occurred. It didn't occur to them that shrapnel from an exploding airbag killed the driver.

Honda has informed us that they are sending their recall notices out in both English and Spanish in order to more effectively reach consumers. We appreciate what Takata has done in trying

to ramp up their production of replacement inflators. After that Honda announcement, Honda also started an ad campaign in both English and Spanish to remind owners to have their recalled airbag inflators replaced, but obviously more still needs to be done.

We need to get to the root cause of the problem, that is what we need to do, and we need to make sure we know why these defective airbag inflators are failing. It may be the inflator or it may be the propellant inside. We need to know. So, yes, we need more replacement inflators, but we need to make sure they are actually safe replacement inflators instead of potentially producing more defective inflators.

It is my understanding that Honda and others are taking steps to ensure the safety of the replacement inflators. Well, that needs to happen right now and be validated right away by an independent third party. We need to make sure we are able to prevent defects like this in the future.

I am going to stay on Takata. This Senator is going to stay on the automakers. This Senator is going to stay on the National Highway Traffic Safety Administration to do exactly that. But for right now, I urge anybody listening to me—if a defect is identified and you receive a recall notice, get your car into the dealership for repair just as quickly as you can. I also want folks to know that even if they have not received a notice from Takata, they should go to the Web site, safecars.gov and put in their car's VIN number to check and see if it is subject to this or any other recall. That is imperative.

We are continuing to monitor this situation. We are going through tens of thousands of pages of documents related to this defect. I will keep the Senate updated.

I am pleased to report that the Senate is very close to approving S. 304, the Motor Vehicle Safety Whistleblower Act. This bipartisan legislation, which Chairman THUNE and I authored, would provide financial incentives for whistleblowers in the automotive sector to step forward if they see a manufacturer that is hiding or failing to address a dangerous defect.

Certainly none of us needs to be reminded about the ignition switch defect coverup at General Motors. They hid that defect for a decade, and at least 87 people died because of it. This bill will hopefully help prevent such coverups in the future.

This bill, S. 304, is a small but meaningful step toward automobile safety. I hope my colleagues will urge their constituents to check on those Takata airbags by going online, and I urge my colleagues as well to clear this commonsense legislation. I certainly urge the House to do so as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I yield the floor to my colleague, Senator COATS.

The PRESIDING OFFICER. The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, I am just going to speak for a few minutes. I am happy to defer to the Senator from Tennessee, but it shouldn't take more than 2 or 3 minutes.

If the Senator is interested, this is this week's installment of my "Waste of the Week" speech. I come to the floor every week to point out some spending of taxpayer dollars that perhaps we should absolutely save. The cost to the taxpayers, as I will point out shortly, is in the tens of billions, if not hundreds of billions, of dollars on programs that have already been identified by government agencies as worthless, fraudulent, unnecessary, and wasteful. While we have been unable—and the Senator from Tennessee was a very pivotal part of this effort—to come to an agreement on dealing with the larger issue of saving our country from insolvency down the line, the very least we can do is to point out those areas where we are spending money that absolutely does not need to be spent and can be returned to the taxpayer. This week's waste of the week is such that I can't keep from chuckling over how this could happen, but it happens.

Everybody has heard about Ponce de Leon's search for the fountain of youth. Obviously, that hasn't happened. A recently released Social Security Inspector General's report found that 6.5 million individuals over the age of 112 still have active Social Security numbers. How can this happen? Well, it happened because in 1936 when the program started, there were some people even from the mid-1800s who were enrolled in Social Security, and they have never been taken off the rolls. Now, obviously, these people are not all receiving checks, but it opens the prospect for fraud and waste and people getting these numbers, using them, and then receiving Social Security benefits illegally.

In this inspector general's report, the Social Security Administration is faulted for poorly managing data on "number holders who exceeded maximum reasonable life expectancies and were likely deceased."

Well, to put it mildly, if we have 6.5 million people in America who are over the age of 112, my guess is that most of those people, if not all of those people, are deceased—not likely deceased but are, in fact, deceased.

Of those 6.5 million, the Social Security Administration inspector general has determined that nearly 3,900 numbers were run through the U.S. Government's E-Verify system for people more than a century old. The E-Verify system is used when someone applies for a job. So that means thousands of people over 100 years old are applying for these new jobs. Obviously, someone is fraudulently using the system to report a Social Security number for someone over 112 years of age who is in

the E-Verify system as applying for a job.

Auditors also discovered nearly 67,000 Social Security numbers in recent years were used to report wages for people other than the cardholders themselves. The workers reported about \$3 billion in earnings between 2006 and 2011, and then those earnings are used to calculate their Social Security benefits.

Obviously, this is an issue that needs to be addressed. Auditors have proposed that the Social Security Administration take action to correct death records, but the Social Security Administration says it doesn't want to divert resources away from efforts to improve payment accuracy. I suggest the Social Security Administration might want to reassess their assessment.

A gaping hole such as this undermines the confidence of the American people in our government and in the way we run this business of government in both the Social Security Administration and the Federal Government at large.

Government agencies have estimated that the Social Security Administration can reduce fraud and save at least \$2 billion, likely more, if this problem is corrected.

So as I do each week, we keep adding to our gauge of savings that now are approaching very close to \$50 billion, just over several weeks of pointing out waste and fraud that has been documented by nonpolitical, neutral Federal agencies. We keep adding more. We are approaching \$50 billion. Our goal is \$100 billion. I think we will go way past that if I keep doing this every week.

In order to help correct the problem, I have introduced legislation, along with Senator CARPER and others, which will update the Social Security system and ensure accuracy in Federal records, not just in Social Security but in other agencies as well. I am just looking at one agency. Wait until we get into some of the others.

The key provisions of our bill include allowing Federal agencies access to the complete death database, because under current law, only agencies that directly handle beneficiary payments may have access to the complete database. The act allows all appropriate Federal agencies to have access to the complete death data program for integrity purposes as well as for other needs such as public safety and health. It requires the use of death data to curb improper payments. Our legislation establishes procedures to ensure more accurate death data.

As I have said before, by simply correcting the death records, the Social Security Administration can reduce fraud and save at least \$2 billion.

This is an area that is ripe for reform, and I urge my colleagues to support this legislation and eliminate this waste, along with the other \$49 billion we have identified in just the last few weeks. We would be doing the taxpayers a great service while making



our government the efficient, effective government it needs to be, particularly in these times of lack of fiscal discipline.

I thank the Chair for the time. I also thank my colleague from Tennessee for giving me this time.

Mr. President, I know we have important legislation on the floor this week. This "Waste of the Week" speech is kind of tongue in cheek. We are moving on to legislation that has historic consequences for the future of America, for our own future, our children's future, and our grandchildren's future.

The debate that will take place this week, led by Senator CORKER from Tennessee regarding the Iranian pursuit of nuclear weapons capability is, in my time of service here in the Senate and in Congress, I think the most consequential piece of legislative debate that I will ever enter into. It will have enormous historical consequences, and we need to get it right.

So I commend my colleague Senator CORKER for his efforts in this regard. He has moved the legislation through the Senate Foreign Relations Committee with total bipartisan support, which is absolutely key to the success of our efforts and necessary to prevent a catastrophic activity taking place in Iran.

So I appreciate the time to speak, while not focusing all of my attention and effort, as I hope all of my colleagues will, to this extraordinary challenge that we have before us this week that will determine the future for country and maybe the world.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I wish to thank the Senator for his continual focus on fiscal issues. I know he spent a great deal of time with a handful of folks at the White House two summers ago trying to come up with a plan to really save our Nation.

I actually was just standing up a minute ago. I was about to suggest the absence of a quorum until I saw the Senator from Indiana, so the Senator can speak as long as he wishes on these waste issues. I thank him for the kind of Senator he is and his continual efforts to save our Nation from a national security standpoint and also our greatest national security risk right now which is our inability to get our fiscal house in order.

So I thank the Senator for this, and I look forward to the debate over the next several days.

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

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

Mr. MORAN. Mr. President, this week we are going to, in my view, deal

with one of the most concerning, one of the most dangerous, one of the most treacherous issues we will face—that I will face as a Member of the U.S. Senate and, certainly, has been in the short period of time I have had the honor of representing Kansans here in our Nation's Capital. It is the question of Iran. It is the question of their ability to acquire nuclear weapons.

On this question of Iran, American policymakers are approaching a number of fateful decisions—in fact, a series of decisions that I think have significant consequences. The implications of the choices that will be made by our Nation and others will determine events today, tomorrow, and well into the future, both regionally and globally. As I indicated, the consequences will be felt for decades—generations, perhaps—to come.

Such significant consequences require each step to be planted with great care and consideration. I fear that the recent American march into nuclear negotiations with Iran has been misguided, drawing our country and the global community into a dangerous position.

American foreign policy with respect to Iran has long been centered around the goal of preventing Iranian acquisition of nuclear weapon capability. Today, this policy has weathered and has been allowed to be weakened. It has become a position of delayed tolerance of a nuclear Iran. This policy deterioration was made clear in recent weeks by global affairs minds no less than former Secretaries of State George Shultz and Henry Kissinger, who wrote: "... negotiations that began 12 years ago as an international effort to prevent an Iranian capability to develop a nuclear arsenal are ending with an agreement that concedes that very capability. . . ."

The administration's stated goal of securing a 1-year nuclear development breakout period reveals a shift from firm disapproval to acquiescence. The result, in my view, is a world that is much less safe, a Middle East that is further prone to violent conflict, and an international order trending toward nuclear armaments rather than walking away from it.

Iranian Foreign Minister Zarif pointed this out last week in his writing in the *New York Times*:

Nothing in international politics functions in a vacuum. Security cannot be pursued at the expense of the insecurity of others. No nation can achieve its interests without considering the interests of others.

Nowhere are these dynamics more evident than in the wider Persian Gulf region.

That is the Foreign Minister of Iran speaking. Mr. Zarif's words apply to the pending nuclear question and the budding proposal to exchange sanctions relief for a temporary suspension of Iranian nuclear development. The decisions made by Iran and the P5+1 participants in these nuclear negotiations are being considered and acted upon and responded to by others in the re-

gion and others around the globe. As Iran's neighboring states are looking to increase arms purchases for use in the ongoing conflicts in their region, international concerns about a nuclear-capable Iran are not merely passive policy critiques. They are warnings worthy of our careful, determined consideration.

I would suggest and I will ask what we must ask: Does this pending accord make the world safer or more dangerous? Does it bring Iran closer to or further from nuclear capabilities? Can the world trust Iran to uphold its commitments? Will the terms of the deal be sufficiently verifiable to know if they do not?

Ultimately, we must ask if this deal would stabilize tensions in the Middle East or accelerate them. These questions are greater than any grappling things that go on between Congress and the President, between Republicans and Democrats. This cannot and should not be a politically partisan issue. It should be one of serious consideration about long-term consequences to America, its allies, and our enemies.

The nuclear accord will have serious and lasting consequences for us all. It is incumbent upon American leadership to guide these efforts in the safest possible direction. In my view, our trajectory to date has been uncertain. In response, Congress has insisted—and rightfully so—that it oversee and participate in the process, especially in any decision regarding the lifting of sanctions.

The President's efforts to ignore or sidestep the legislative branch's constitutional role in foreign policy are troublesome. Many, including me, have been asking why Congress lacks the ability to block or more forcefully respond to a potential bad deal or to do more to limit the President's ability to act unilaterally. Unfortunately, the law resulting from the previously passed sanctions legislation allows the President to waive sanctions under certain conditions—the legislation that we passed.

Let me say that again. The legislation that we passed over a period of time—and I am a Member of the banking committee involved in this legislation—allowed a President—this or other Presidents—to waive those sanctions under considerations of national security. What we regrettably discovered is that Congress provided way too much flexibility to a President too willing to ignore the concerns of the legislature, too willing to find a reason to waive the sanctions.

But there remains reason of hope that Congress will play a constructive and important part in this matter. Despite opposition from the White House, bipartisan efforts led by Senate Foreign Relations Committee Chairman Senator CORKER have produced legislation providing for a congressional review process. The bill had broad bipartisan support, and perhaps that makes it impervious to President Obama's initial threats of a veto.

Any increased role by Congress is welcomed, from my perspective. For too long, Congress has deferred to Executive action when it comes to foreign relations and foreign affairs—not just this Congress and this President, but many Congresses and many Presidents. In my view, Congress has failed its constitutional authority to oversee a President's foreign policy efforts.

So this increased role for Congress is welcome. And for anyone who is skeptical of the framework released by the State Department in early April or curious about what the parameters might look like in a final deal, Congress will have the ability to see, to know, and to let the American people, and, in fact, the world know what these agreements might contain.

After the presumed passage of the Iran Nuclear Review Act—the legislation we have been considering this week—if it passes and the case is that a deal is ultimately struck and an agreement is struck by the June 30 deadline between the administration, the P5+1, and Iran, Congress will have 30 days to review that agreement.

As we began late last week and early this week to consider this legislation, the point in being here at this stage is to indicate that while I wish there were more opportunities for congressional involvement in the process, what the committee has presented to us gives us the starting point, the beginning point, and the opportunity to explore fully what the administration has been negotiating in secret.

I have attended the meetings—the so-called classified briefings—and it is hard to leave those meetings with an understanding or appreciation or more knowledge of what is in the potential agreement with Iran than before I walked in the door. What will transpire this week on the Senate floor gives me and others the opportunity—and ultimately the American people—to know a lot more.

As this process has been developed and as we implement it here on the Senate floor, it is important that we use this time to carefully examine the results of any nuclear negotiations and ask ourselves this question: Is the world better off as a result of that agreement? Is peace more assured, and does humanity have a better future?

We don't have the agreement in front of us yet, but what we do this week sets the stage for that review, for that understanding, and for the ability to reject, if necessary. What that agreement contains is important. It is encouraging to me to see that the Senate—the Congress, in fact—is stepping forward to play its rightful constitutional role in foreign affairs.

I look forward to the discussion this week, but more importantly, I look forward to the passage of legislation that allows us to have a much greater say, much more significant knowledge, and a better opportunity to have understanding about a potential treacherous path that our country may be headed toward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I wish to thank the Senator from Kansas. I think he has articulated about as well as anybody the importance of passing the legislation on the floor.

Many of my colleagues, I think, unlike the Senator from Kansas, in some ways fail to recognize that when we put the sanctions in place that brought them to the table, in the meanwhile they were going from 164 centrifuges back in 2003 to 19,000 centrifuges today. What Congress did in a bipartisan way was put four tranches of sanctions in place to begin putting pressure on them to stop and to get them to the table. We have done that, but in each of those cases, we gave the President unilaterally the ability to waive or suspend the sanctions *ad infinitum*—forever.

It is something that my friend Senator Kaine from Virginia recognized in our meetings as we had the Secretary come forward and talk to us about the fact that, yes, you are going to have a vote on this. But we all recognized that was 4 to 5 to 6 years down the road after the sanctions regime had been totally alleviated.

I just want to thank the Senator for being so articulate in his comments.

The fact is that without this legislation—without this legislation passing—Congress will have zero. The President will go straight to the U.N. Security Council with the suspensions in his hands that we have already given them and implement whatever kind of deal he wants to implement.

I have had a great conversation with my friend from Virginia today. I think this bill obviously does give Congress, as the Senator from Kansas mentioned, its rightful role. But I think it also gives the President a backstop when he is negotiating so that people will understand that we are going to play that role.

So I thank the Senator very, very much for his comments and for the constructive way he is on so many of the big issues we deal with and for his cosponsorship of this very important legislation.

With that, I yield the floor. I see my friend from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Thank you, Mr. President.

I appreciate the comments of Chairman Corker, and I appreciate the two punch lines of the Senator from Kansas to his argument that I am strongly in support of. The first is that this is a very momentous topic, and there are many, many questions about an ultimate deal that we have to grapple with. Second, it is so much of the moment that the congressional sanctions themselves are so wrapped up in the discussion that Congress must have a role to fulfill our constitutional obligation and to actually do what we essen-

tially set in motion by passing the congressional sanctions. We must have a role.

So to the chairman and to all who are supporting the bill, I think we have got it in a good place on the floor, and I am proud to be a strong supporter of it.

The only issue on which I would offer a slightly different take than the Senator from Kansas is this. I think by all objective standards, the negotiations to this point have produced a status quo that has been better than where we were before the negotiations. If you think back to before November 2013, Iran—although under punishing sanctions—was moving forward in a very dramatic way to build up an architecture. While the sanctions were hurting the Iranian economy, there was some argument that it was not slowing down their nuclear program. It was accelerating it because they were feeling isolated.

Prime Minister Netanyahu of Israel appeared before the United Nations and gave a very famous speech in which he talked about the stockpile of uranium that was enriched to a 20-percent level. We drew a bomb and showed a level of enrichment that was getting to an extremely dangerous place. That is where we were before President Obama started these negotiations with the P5+1 in November 2013.

At the time the negotiations were started, there were some who said they were misguided or a historic mistake or a giveaway. But, by now, virtually all—even those who were skeptical at the beginning—would acknowledge that the negotiations have actually led to a status quo significantly better than before November 2013. The 20-percent enriched uranium stockpile Iran had has been rolled back to a 5-percent enrichment level. Many of the centrifuges and facilities where nuclear weapons and nuclear activities were occurring have either been disabled or in some way have been reconfigured so that they are not continuing to produce more material that would cause significant concern. Since November 2013 the international community has been able to achieve significantly greater inspections of the Iranian nuclear activity than they had before.

So while we still have significant questions about an ultimate deal and Congress's role, we have a much better handle on their program. They have rolled back that program to a significant degree, and even skeptics of the original deal acknowledge that. I do think that is important to mention.

Congress needs to fulfill its article I powers, but we also need to have the President do the diplomacy that article II allows him to do.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. Cardin. Mr. President, I ask unanimous consent to speak for up to 2 minutes.

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



Mr. CARDIN. Mr. President, I want to thank Senator KAINE and Senator CORKER.

This is the second day that we have been debating the nuclear oversight bill. Members have had a chance to express their concerns. They have had a chance to put forward amendments, to file them at this particular moment. We have been working with several Members to try to see whether we can work out an orderly way for the consideration of those amendments. I want all of the Members to know we are open for business. Senator CORKER has been meeting with Members, and I have been talking to Members. We hope we can find a way to move this bill forward tomorrow for the consideration of amendments.

I would urge Members—we are not encouraging amendments because we think we took up these issues in the committee and we worked out a bipartisan bill to get this done. But please talk to us so we can try to work out in an orderly way the consideration of amendments starting tomorrow and hopefully finish the bill shortly thereafter.

I yield the floor.

#### EXECUTIVE SESSION

#### NOMINATION OF DAVA J. NEWMAN TO BE DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

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

The senior assistant legislative clerk read the nomination of Dava J. Newman, of Massachusetts, to be Deputy Administrator of the National Aeronautics and Space Administration.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

Mr. KAINE. Mr. President, I ask unanimous consent that the time allotted during quorum calls be charged to both sides.

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

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

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

Mr. DAINES. Mr. President, today the Senate will vote to confirm Dava Newman to be Deputy Administrator of the National Aeronautics and Space Administration. I had the pleasure of meeting with Dr. Newman. She is a talented individual. She is passionate

about aerospace engineering and is generating awareness of science, technology, energy, and math opportunities in Montana students.

Dr. Newman is excited to get to work and continue to make NASA competitive with other countries studying space exploration.

A graduate of C.R. Anderson Middle School and Capital High School in Helena, MT, Dr. Newman is a testament to the quality of Montana's public education. After graduating from high school, Dr. Newman attended the University of Notre Dame before pursuing graduate school at the Massachusetts Institute of Technology. Dr. Newman is now a professor of aeronautics and astronautics.

In 2007, Time magazine highlighted Dr. Newman's work as one of the best inventions of the year. She developed a new space suit, known as the BioSuit, to increase astronauts' agility and movements, allowing astronauts to not only walk but also run and even climb mountains.

Her track record of success and nomination to NASA serve as a way to encourage young Montanans to pursue careers in space and engineering.

Dr. Newman is an incredibly accomplished Montanan who truly exemplifies our State's legacy of public service. Her passion and dedication to NASA is clear. I know she will lead with honor and is prepared for whatever challenges may lie ahead. I urge my colleagues to join me in support of Dr. Newman's nomination.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COATS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, in a few minutes, we are going to vote on the confirmation of Dava Newman, the nominee for Deputy Administrator of NASA. This little Agency happens to be one that I have some personal fondness for, having participated with NASA many Moons ago—29½ years ago—on the 24th flight of the space shuttle, a crew led by then-Navy Captain Robert Gibson, otherwise known as Hoot Gibson, and his second in command, the pilot of our mission, which was dubbed STS—Space Transportation System—61-C. Subsequently, all of the numbers of the space shuttles reverted to their original numbering, but there was a hiatus in there where several shuttle flights had a very complicated numbering system, and ours was one of them. The pilot of that mission was then-Marine Colonel Charlie Bolden, now-Marine General, Retired, Charlie Bolden, who is the Administrator of NASA and has been for the last 6 years. But Administrator Bolden

does not have a Deputy, and he needs a Deputy Administrator. So this process has been carefully conducted, and they sifted through hundreds of names to come up with just the right person, and that is in the person of Dr. Dava Newman.

She received her bachelor's degree from the University of Notre Dame and two master's degrees and a Ph.D. from the Massachusetts Institute of Technology. She is currently a professor of aeronautics and astronautics and engineering systems at MIT. She is also the director of the Technology and Policy Program there.

Right off the bat, you can see there is no question as to her skills, her smarts, and her credentials, but she is also known for her leadership and technical expertise in aerospace engineering. She authored over 200 research publications, including the textbook "Introduction to Aerospace Engineering and Design."

I think that would be kind of interesting, that as a backup to Administrator Bolden, who is a five-time space shuttle astronaut, we have someone who is an expert in aerospace engineering design, particularly as we are creating the new rockets and the new spacecraft as we speak, for the goal, which is Mars in the decade of the 2030s.

During her career, she served as the principal investigator on three space flight experiments flown on board the space shuttle and on board the previous Mir Space Station. She is tremendously known for her innovative space suit designs that use mechanical counterpressure to make the space suit formfitting, lightweight, and much more flexible than previous space suits.

If you notice, when you see the astronauts outside of the International Space Station—which, by the way, blows the mind, how big it is. It is 110 yards long. From one goalpost to the other goalpost is 120 yards. That is how big the International Space Station is that is 250 miles above the Earth with six humans on board. When you watch those EVAs—extravehicular activities—when they go outside to do the repairs, well, lo and behold, Dr. Newman is the designer of their innovative space suits. She has been recognized. Back in 2007, Time magazine recognized her and her space suit work as one of the best inventions of the year. She is currently leading the development of a suit that may help astronauts overcome back problems in space. The suit is planned to be tested on the International Space Station later this year.

As we go on this dual track in our civilian space program—first the track with commercial rockets that will take our cargo and is taking our cargo to and from the International Space Station and will soon be taking Americans to and from the International Space Station, and the other track of the dual tracks is the development of this huge new rocket, much larger than the

Apollo Saturn V Rocket, which at the time defied the imagination of how large it could be—this is even bigger. This is called the Space Launch System, and atop it will sit the human capsule Orion, which will start the process of developing the systems, the techniques, the lifesaving, life-enhancing, and life-protecting measures and equipment that can take us all the way to Mars.

So we need a professional at NASA to help General Bolden and his very dedicated team. I certainly commend Dr. Dava Newman to the Senate as that person. We should confirm her today, and we can continue this Nation's civilian space program.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ENZI. I yield back the remainder of our time.

The PRESIDING OFFICER. All time has been yielded back.

The question is, Will the Senate advise and consent to the nomination of Dava J. Newman, of Massachusetts, to be Deputy Administrator of the National Aeronautics and Space Administration?

Mr. BARRASSO. 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 Tennessee (Mr. ALEXANDER), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. MURPHY), the Senator from New York (Mr. SCHUMER), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 87, nays 0, as follows:

[Rollcall Vote No. 166 Ex.]

YEAS—87

Ayotte	Feinstein	Moran
Baldwin	Fischer	Murray
Barrasso	Franken	Nelson
Bennet	Gardner	Paul
Blumenthal	Gillibrand	Perdue
Blunt	Grassley	Peters
Booker	Hatch	Portman
Boozman	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Risch
Burr	Hirono	Roberts
Cantwell	Hoeven	Rounds
Capito	Inhofe	Sanders
Cardin	Isakson	Sasse
Carper	Johnson	Schatz
Casey	Kaine	Scott
Cassidy	King	Sessions
Coats	Kirk	Shaheen
Cochran	Lankford	Shelby
Collins	Leahy	Stabenow
Coons	Lee	Sullivan
Corker	Manchin	Tester
Cornyn	Markey	Thune
Crapo	McCain	Tillis
Daines	McCaskill	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Ernst	Mikulski	Wyden

NOT VOTING—13

Alexander	Klobuchar	Toomey
Cotton	Murkowski	Udall
Cruz	Murphy	Vitter
Flake	Rubio	
Graham	Schumer	

The nomination was confirmed.

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

#### VOTE EXPLANATION

• Mr. RUBIO. Mr. President, I am proud that Florida has such a rich history and relationship with NASA. From the earliest launches of rockets that established manned missions, to the Apollo program and the continued support for the International Space Station, my home State of Florida is proud to take ownership in NASA's past and will certainly be a part of its future.

It is imperative that we continue to have a robust space exploration program that promotes America's economic, scientific, and security interests, and that effectively utilizes its resources. NASA must have strong leadership and I believe Dr. Dava Newman will serve the Administration well in her new role as Deputy Administrator of NASA. While other obligations kept me from Washington, I would have voted in favor of her nomination. •

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Georgia.

#### MORNING BUSINESS

Mr. PERDUE. 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 20 minutes each.

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

#### CREATING A NEW BEGINNING

Mr. PERDUE. Mr. President, I rise today to address for the first time this august body, the United States Senate—the greatest governing body ever conceived. Out of respect, I have waited until we passed the 100-day mark to deliver this speech, but I rise today because I believe our Republic is in grave danger. We need to create a new beginning by dealing with the very real crisis of leadership we face today. It is why I ran for the Senate in the first place—because we need a new perspective in Washington. Like many Americans, I am outraged by Washington's dysfunction, its fiscal irresponsibility, its lack of leadership in foreign policy, its intrusiveness and overreach, and its negative impact on hard-working Americans.

Before being elected to the Senate, I had never been involved in politics. Simply put, I am a political outsider committed to changing the direction of our country. I grew up in a small military town in Middle Georgia, working on our family's farms. My mom and dad were public school teachers, and I grew up modestly, as did most people there. I worked my way through college and was blessed with a business career that took me from the factory floor to become a Fortune 500 CEO.

My story is not unique. It is the American story. Only in America is this possible, thanks to hard work and self-reliance. It is called the American dream, and it is our job to make sure it lasts. Many people today believe that this dream no longer exists, that we need big government to provide us with more and more financial security. I disagree totally. I believe our best days lie ahead. But we have to act boldly if we are to save this dream and our very way of life.

As an outsider to the political process, I am humbled by the privilege to serve my country as a U.S. Senator. I am sobered by the immense responsibility of representing the people of Georgia, and I am encouraged by the opportunity we have to solve this crisis of leadership and create a new beginning.

As one of the Original Thirteen Colonies, Georgia has long been blessed with outstanding statesmen in the U.S. Senate. The first Senator to serve in this seat in the first U.S. Congress in 1789 was Senator William Few. He also signed the U.S. Constitution. As fate would have it, Sarah Few Collins, a member of the team that helped me become Georgia's 37th U.S. Senator in this seat, is a direct descendant of Senator Few. I think that is pretty special. This desk I use on the Senate floor is also very meaningful to me. It has served such distinguished leaders from Georgia such as Saxby Chambliss, Zell

Miller, Sam Nunn, Herman Talmadge, and the venerable Richard B. Russell, Jr.

I rise to speak about three issues creating this national crisis of leadership we experience today: the abuse of Executive power, the significant deterioration of American foreign policy, and our out-of-control debt.

First, "What we are witnessing today is one of the greatest challenges to our constitutional system in the history of this country"—not my words but the words of George Washington University constitutional law professor Dr. Jonathan Turley, who incidentally voted twice for President Obama. Unbridled use of Executive orders and regulatory mandates has basically allowed this President to run the country without Congress for the past 6 years. According to Professor Turley, this sets dangerous precedents for future courts and future Presidents.

To create a new beginning, we must first get back to our founding principles articulated in our Constitution that created this miracle called America in the first place: economic opportunity, fiscal responsibility, limited government, and individual liberty. When government grows larger, individual liberty declines. I even believe that our Founders were committed to the concept of citizen legislators—people would come to Congress, do their work, and go home. I don't believe they could perceive of the potential rise of career politicians we experience today.

We also face a global security crisis that is getting worse by the day. This administration has created a situation where our allies don't trust us and our enemies don't fear us. Leading from behind has failed us as a foreign policy.

Right now, we face the threat of nuclear proliferation starting with Iran. As President Obama has conceded, this deal being negotiated would leave Iran with a breakout time "almost down to zero" in 10 to 15 years. As Prime Minister Netanyahu reminded us when he spoke before Congress, a nuclear Iran is not just a threat to Middle East security, it is not only a threat to U.S. security, it is indeed a threat to global security.

A nuclear Iran whose leaders are committed to the death of Israel and America would spark an unprecedented wave of nuclear proliferation in the Middle East. Under no circumstances can we allow Iran to become a nuclear weapons State—not now, not in 10 years, not ever.

After battling terrorism for the past 14 years and fighting two major wars, with thousands of American lives lost and billions spent, we still face terrorist threats from jihadist Islamic groups who openly vow to do us harm. We face a tough choice, however: Deal with them over there or wait and deal with the consequences here at home.

We are also witnessing the return of great power rivalries. Last year, Russia actually seized territory of a sovereign state and continues their aggression

today in the Ukraine. China is also growing more aggressive, doubling its military spending and flexing its muscle in the region.

New asymmetric threats, combined with traditional symmetric challenges, create unprecedented demand on our military at the very time this administration has reduced military spending to the point that we are about to have the smallest Army since World War II, the smallest Navy since World War I, and the smallest Air Force ever. This is simply unacceptable.

To address this global security crisis and create a new beginning, we must have a consistent and strong foreign policy. However, to have a strong foreign policy, we must have a strong defense.

Providing for the national defense is one of only 6 reasons outlined in the Constitution why 13 Colonies formed our Union in the first place. To have a strong defense, though, we have to have a strong economy, as we proved during the Cold War with the Soviet Union.

Our own fiscal irresponsibility jeopardizes our very ability to fund a strong military. ADM Michael Mullen, former Chairman of the Joint Chiefs of Staff, once said that the greatest threat to our national security is our own Federal debt. This debt crisis threatens our ability to defend our country, stand for freedom, and maintain our very way of life. It is a primary reason why we need to create a new beginning.

This debt crisis affects each of us every day. While the economy lurches along, we see working middle-class Americans struggling. Many people are having difficulty finding jobs, and those with jobs are lucky to have a job. Their wages remain stagnant, making it harder and harder to get from payday to payday. Many families can't afford to buy a home or plan for the future. Moms and dads fear they can't send their kids to college or prepare them for a good job. Many college graduates today have sizable student loans and still can't find meaningful employment. A comfortable retirement is only a dream for many.

Back home in Georgia, people share my outrage with Washington's fiscal irresponsibility. From what I have seen so far up here, there is not enough great sense of urgency in tackling this skyrocketing debt crisis. There are no innocent parties up here, either. Both sides have pushed us to the brink, contributing to this unsustainable level of debt we face today. In the last 6 years alone, the Federal Government has spent \$21.5 trillion, but it borrowed \$8 trillion, so that today we have a Federal debt of more than \$18 trillion. We simply cannot afford everything we are doing as a Federal Government. We are already overtaxed and overregulated.

The progressive policies of the past 100 years and particularly the egregious policies of this current administration have failed the very people

they were intended to help—the working middle class. Instead, Washington has created a spiraling situation that will only take us deeper into debt.

What is worse, we have over \$100 trillion in future unfunded liabilities related to Social Security, Medicare, Medicaid, Federal pensions, and the interest on the Federal debt. While developing a long-term solution to this debt crisis, we also need to protect today's seniors and save our safety net programs so they will be there for people who really need them the most, when they need them. Shockingly, Social Security and Medicare trust funds will be totally insolvent in just a few short years, and worse, this administration has no plan to deal with that.

Unfortunately, we are already past the tipping point in this fiscal catastrophe. If interest rates today were at their 5.5 percent 30-year average, we would already be paying almost \$1 trillion in interest. That is twice what we spend on our military, and it is totally unmanageable.

People back home expect Washington to work. This fiscal irresponsibility drives people back in Georgia absolutely crazy. Doubling down on bigger government, more Federal programs, and more government spending is not the answer, as has been proven repeatedly over the last 100 years. We have to break the gridlock in Washington to solve this problem. One side wants to increase taxes; the other side wants spending cuts. The result is that we have had gridlock in Washington for a generation.

The real solution, of course, is to grow our economy. Just 1 percentage point of incremental GDP growth would generate over \$3 trillion of Federal tax revenues in the next decade alone. Combine that with the elimination of truly duplicative programs, and we can develop a long-term plan to solve this debt crisis, as well as get Americans back to work in meaningful, well-paying jobs.

To create a new beginning, my focus in this body will be to add to the debate about how to grow our economy, rein in our outrageous spending, and solve this debt crisis.

To grow our economy, three priorities should be addressed right away. First, we need to totally reinvent how we fund our Federal Government. Many States, such as Georgia, have a balanced budget law, and so should Washington. American families can't spend more than they take in, and neither should their government.

Our archaic tax system is choking growth, holding back innovation, and discouraging investment. Eventually, I believe, we should transition from an income tax to a simple consumption tax, such as the fair tax, that would level the playing field with the rest of the world.

While that debate will take some time, there are things we can do right now to stimulate our economy. We need to reduce our corporate tax rate

and eliminate entirely our repatriation tax to be more competitive with other countries. At the same time, we need to eliminate corporate welfare and make our tax system fairer and simpler for every American.

We also have to rein in our out-of-control regulators. This President has created the fourth branch of government—the regulators—which today makes more rules that affect our lives and our jobs than does Congress.

Finally, we need to unlock our full energy potential to get this economy moving. We need to develop our domestic natural resources. Isn't it time we finally develop a long-term energy policy that unleashes this potential while protecting our environment?

Doing these things now will also allow us to fund our infrastructure needs, improve our education process, become more competitive with the rest of the world, create well-paying, 21st-century jobs, and ignite the next economic boom for our kids and grandkids.

I have used the word "crisis" carefully and thoughtfully today. The first step toward making the tough choices required to change our direction comes from a true realization that we indeed have a crisis. Americans respond better than anyone in history to a true crisis, but we are not always the quickest to recognize we have one.

To create a truly new beginning, it is time for this eminent body, the U.S. Senate, to rise above partisan politics and do the right thing. It starts with leadership. It starts with making hard choices. It starts with telling the American people the unvarnished truth. It starts with no longer kicking the can down the road. It starts with having the courage to actually solve these problems independent of how it might affect our reelection chances.

My motivation is very simple. I do not want to be a member of the first generation in American history that has to tell its kids that we are leaving them a country that is worse off than our parents left us.

Ronald Reagan once said:

Freedom is never more than one generation away from extinction. We didn't pass it along to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States when men were free.

Let us fight to find common ground to create a new beginning for our country, for people back home who are struggling, and for the future of our children and our children's children.

As I close, I am reminded of a seldom-quoted closing sentence of the Declaration of Independence:

And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Our Founders got it right. They would remind us of that commitment

and encourage us today to put our differences aside, to work together to solve these sometimes overwhelming problems.

Together, we can put our differences aside. Together, we can do the right thing. Together, we can create a new beginning.

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

The PRESIDING OFFICER. The majority leader.

#### CONGRATULATING SENATOR PERDUE

Mr. MCCONNELL. Mr. President, I wish to congratulate our new colleague from Georgia on his insightful and accurate assessment of the biggest challenges confronting our country. Not only did he lay out the biggest challenges, he certainly laid out the best solutions to those challenges to get this country moving again and to guarantee, as he put it, that we leave behind for the next generation a better country than our parents left behind for us.

I congratulate our new colleague for an outstanding major speech.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am grateful that we have the distinguished Senator from Georgia in the Senate. I really enjoyed his remarks here this evening. He laid out a program that we ought to follow.

I am very proud to have the Senator here, and I am proud to serve with him. We wish him the very, very best in every way. I think he will enjoy this body in spite of all the vagaries and varieties of it. But he is a great addition to this body, and we are very appreciative that he is here with us.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I wish to note that my colleague from Georgia just made a great speech. In it he listed those who sat in the desk he now sits in—Nunn, Russell, Chambliss. It is obvious he has inherited that seat, and he is equal to the task of those gentlemen. I commend him on his first speech, and I am honored to serve with him in the Senate.

I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I wish to say, I knew the Senator from Georgia prior to being a Senator. He was an outstanding CEO in a major public company. He has done business all over the world. I know when he campaigned in Georgia for this seat, what he said was that he was going to be the adult in the room. I just want to say that he certainly has distinguished himself since he came here in acting that way and looking at the big issues that our Nation has to deal with.

I know that he knows that still the greatest threat to our country right now is our inability to get our fiscal

house in order, and I really believe that Senator PERDUE is going to not just be a leader on the Foreign Relations Committee, as he already is—hugely helpful in the vote that we had last week relative to Iran—but I think as much as anybody in the Senate, Senator PERDUE is going to help drive this body to responsibly deal with fiscal issues we have to deal with.

We have a lot of work to do. We haven't even begun. I look forward to working with him, not only to ensure that our Nation is safe and secure but that we get our fiscal house in order. I could not be more gratified that Senator PERDUE is part of this body and serving in the manner that he is.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to congratulate the Senator from Georgia on the content of his speech as well as on his enthusiasm and also on how he follows through on what he says. I get to serve with him on the Budget Committee, and I have been extremely impressed.

At his first meeting, I introduced him as someone who has balanced budgets. He corrected me. In the private sector, one can't just balance the budget; you have to do better than that. He has that kind of experience to bring to the Budget Committee and to this body, and I look forward to working with him diligently on the budget. We only had 6 weeks to do what hadn't been done in 6 years, and he was a tremendous help in getting through that process and understanding some of the complexities. He is a good numbers man. So when he talks about what we need to do with the budget and paying down the debt and the ways we can do it, I look forward to working with him to get those things accomplished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I wish to commend my fellow freshman, Senator PERDUE, for a great maiden speech. I like particularly his emphasis upon growing our gross domestic product, growing our economy, and making it stronger. It echoes what Senator ENZI just said. It is not just about balancing the budget but about creating the sort of growth that creates more prosperity for the families who depend upon this prosperity for better jobs for them and their families.

It was a great speech. I thank the Senator for capturing the optimism that makes the United States unique.

I yield back.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING DR. DAVID RANKIN

• Mr. BOOZMAN. Mr. President, I wish to honor Southern Arkansas University president Dr. David Rankin who will retire in June after nearly half a century of dedication to education.

For 46 years he served alongside the faculty of SAU, the last 13 as president. Dr. Rankin made a career out of helping students and facilitating growth at the school. His vision to improve academic programs and expand campus resources has been a success; benefiting the community and creating a new standard for education.

Since becoming president in 2002, Dr. Rankin helped grow graduate enrollment 200 percent. Throughout his presidency SAU has not only seen record enrollment, but record development as well. Construction of state-of-the-art academic buildings, upgraded athletic facilities, a 30,000-square-foot agriculture center and a \$17.5 million Science Center are just a few of the projects championed by Dr. Rankin.

Public service is a cornerstone of Dr. Rankin's life. Serving as president of SAU is certainly enough to stay busy, but his commitment to the community and the State keep him active in a variety of other roles including as the chair of the Golden Triangle Economic Development Council. During his tenure he also served as the economic advisor to two Arkansas Governors. He is an active member of Central Baptist Church in Magnolia where he teaches Sunday school.

I congratulate Dr. David Rankin for his outstanding achievements in education and the community. I have appreciated his friendship and enjoyed supporting his efforts to continue making his vision for SAU a reality. I wish him continued success. SAU is a much improved school thanks to his leadership and years of dedication to this institution.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a treaty which was referred to the Committee on Foreign Relations.

(The message received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1560. An act to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, to amend the Homeland Security Act of 2002 to enhance multi-directional sharing of information related to cybersecurity risks and strengthen privacy and civil liberties protections, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HELLER (for himself and Mr. TESTER):

S. 1086. A bill to establish an insurance policy advisory committee on international capital standards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself, Mrs. FEINSTEIN, and Mr. KIRK):

S. 1087. A bill to require Amtrak to propose a pet policy that allows passengers to transport domesticated cats and dogs on certain Amtrak trains, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself and Mr. BOOKER):

S. 1088. A bill to amend the National Voter Registration Act of 1993 to provide for voter registration through the Internet, and for other purposes; to the Committee on Rules and Administration.

By Mr. HATCH (for himself and Mr. BENNET):

S. 1089. A bill to encourage and support partnerships between the public and private sectors to improve our nation's social programs, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself and Mr. CRUZ):

S. 1090. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN:

S. 1091. A bill for the relief of Alfredo Plascencia Lopez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1092. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1093. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1094. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1095. A bill for the relief of Jorge Rojas Gutierrez and Oliva Gonzalez Gonzalez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1096. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1097. A bill for the relief of Alicia Aranda De Buendia; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 1098. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Mr. SCOTT (for himself and Mrs. SHAHEEN):

S. 1099. A bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE:

S. 1100. A bill to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger; to the Committee on Agriculture, Nutrition, and Forestry by unanimous consent with instructions that if the bill is reported by that Committee, the bill be referred to the Committee on Energy and Natural Resources.

By Mr. BENNET:

S. 1101. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of patient records and certain decision support software; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mrs. WARREN, Mr. DURBIN, and Mr. MURPHY):

S. 1102. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself, Mr. TESTER, Mr. RISCH, and Mr. CRAPO):

S. 1103. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself, Mr. TESTER, and Mr. RISCH):

S. 1104. A bill to extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam; to the Committee on Energy and Natural Resources.

#### ADDITIONAL COSPONSORS

S. 27

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 27, a bill to make wildlife trafficking a predicate offense under racketeering and money laundering statutes and the Travel Act, to provide for the use for conservation purposes of amounts from civil penalties, fines, forfeitures, and restitution under such statutes based on such violations, and for other purposes.

S. 33

At the request of Mr. BARRASSO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 127

At the request of Mrs. SHAHEEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 127, a bill to prohibit Federal funding for motorcycle checkpoints, and for other purposes.

S. 335

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 335, a bill to amend the Internal Revenue Code of 1986 to improve 529 plans.

S. 394

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.

394, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 467

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 467, a bill to reduce recidivism and increase public safety, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 502

At the request of Mr. LEE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 502, a bill to focus limited Federal resources on the most serious offenders.

S. 590

At the request of Mrs. MCCASKILL, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 590, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence, and for other purposes.

S. 607

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 607, a bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program, and for other purposes.

S. 615

At the request of Mr. CORKER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 615, a bill to provide for congressional review and oversight of agreements relating to Iran's nuclear program, and for other purposes.

S. 648

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 648, a bill to amend title XVIII of the Social Security Act to improve formulary requirements for prescription drug plans and MA-PD plans with respect to certain categories or classes of drugs.

S. 665

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S.

665, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

S. 698

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 698, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 843

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 860

At the request of Mr. THUNE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 891

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 891, a bill to amend the Tariff Act of 1930 to facilitate the administration and enforcement of anti-dumping and countervailing duty orders, and for other purposes.

S. 901

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

S. 993

At the request of Mr. FRANKEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 996

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor

of S. 996, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 1013

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1014

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1014, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1049

At the request of Ms. HEITKAMP, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1056

At the request of Mr. REID, his name was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1062

At the request of Ms. HIRONO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1062, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1074

At the request of Ms. BALDWIN, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1074, a bill to clarify the status of the North Country, Ice Age, and New England National Scenic Trails as units of the National Park System, and for other purposes.

S. CON. RES. 10

At the request of Mr. BOOZMAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution supporting the designation of the year of 2015 as the "International Year of Soils" and supporting locally led soil conservation.

S. RES. 140

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 140, a resolution expressing the sense of the Senate regarding the 100th anniversary of the Armenian Genocide.

S. RES. 144

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 144, a resolution supporting the mission and goals of 2015 National Crime Victims' Rights Week,



which include increasing public awareness of the rights, needs, and concerns of, and services available to assist, victims and survivors of crime in the United States.

AMENDMENT NO. 1151

At the request of Mr. GARDNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1151 intended to be proposed to H.R. 1191, a bill to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

#### STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 1102. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today postsecondary education is required for most family-sustaining, middle-class jobs, and an educated workforce is essential to a modern, productive economy. A recent report by the Georgetown University Center on Education and the Workforce found that college-intensive business services have replaced manufacturing as the largest sector in the U.S. economy, and that while college-educated workers make up only 32 percent of the workforce, they now produce more than 50 percent of the Nation's economic output, up from 13 percent in 1967. Median annual earnings for bachelor's degree holders were \$23,000 higher compared to high school graduates in 2014.

Yet just as there is growing recognition that postsecondary education is indispensable in the modern economy, families are being required to shoulder growing debt burdens that threaten access to college.

According to a recent analysis of student loan debt by the Federal Reserve Bank of New York, between 2004 and 2014, there was an 89 percent increase in the number of student loan borrowers and a 77 percent increase in the average balance size. Today, over 40 million Americans have student loan debt.

This is a growing drag on our economy. As student loan debt has grown, young adults have put off buying homes or cars, starting a family, saving for retirement, or launching new businesses. They have literally mortgaged their economic future.

We know that student loan borrowers are struggling. Default rates are on the rise. The Federal Reserve Bank of New York reported that the number of borrowers who default each year increased from about half a million 10 years ago to 1.2 million annually in 2011 and 2012. Only 37 percent of borrowers are cur-

rent on their loan and actively paying down their debt.

We cannot tackle the student loan debt crisis without States and institutions also stepping up and taking greater responsibility for college costs and student borrowing.

That is why I am pleased to introduce the Protect Student Borrowers Act with Senators DURBIN, WARREN, and MURPHY to ensure there is more skin in the game when it comes to student loan debt by setting stronger market incentives for colleges and universities to provide better and more affordable education to students, which will in turn help put the brakes on rising student loan defaults.

The Protect Student Borrowers Act will hold colleges and universities accountable for student loan defaults by requiring them to repay a percentage of defaulted loans. Only institutions that have 25 percent or more of their students borrow would be included in risk sharing based on their cohort default rate. Risk-sharing requirements would kick in when the default rate exceeds 15 percent. As the institutional default rate rises, so too will the institution's risk-share payment.

The Protect Student Borrowers Act also provides incentives for institutions to take proactive steps to ease student loan debt burdens and reduce default rates. Colleges and universities can reduce or eliminate their payments if they implement a comprehensive student loan management plan. The Secretary may waive or reduce the payments for institutions whose mission is to serve low-income and minority students, such as community colleges, Historically Black Institutions, or Hispanic Serving Institutions provided that they are making progress in their student loan management plans.

The risk-sharing payments will be invested in helping struggling borrowers, preventing future default and delinquency, and reducing shortfalls in the Pell Grant program.

With the stakes so high for students and taxpayers, it is only fair that institutions bear some of the risk in the student loan program.

We need to tackle student loan debt and college affordability from multiple angles. And we need all stakeholders in the system to do their part. With the Protect Student Borrowers Act, we are providing the resources and incentives for institutions to take more responsibility to address college affordability and student loan debt and improve student outcomes. I urge my colleagues to cosponsor this bill and look forward to working with them to include it and other key reforms in the upcoming reauthorization of the Higher Education Act.

By Mr. DAINES (for himself, Mr. TESTER, Mr. RISCH, and Mr. CRAPO):

S. 1103. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project in-

volving Clark Canyon Dam; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, today, I introduce two bills, S. 1103 and S. 1104, with my colleague from Montana, Senator JON TESTER, my Idaho colleagues Senators RISCH and CRAPO and also my counterpart in the House, Montana's Representative RYAN ZINKE. Current uncertainty in the permitting process threaten sources of clean, renewable power in my State. My bills would allow the Federal Energy Regulatory Commission to extend a license for nonfederal hydropower development on existing dams in my state of Montana.

The first bill would extend for 3 years a contract for hydropower development on the Clark Canyon Dam in Dillon, Montana. The bill would allow for construction and operation of a project that would power about 1,200 homes each year with clean, renewable hydropower, while replacing 18,000 metric tons of carbon each year. The bill would help create 30 to 40 jobs during construction. Further, the project would produce \$611,000 in State and Federal taxes over the first 5 years of operation and \$37,000 in property tax contributions over the first 5 years.

The second bill would provide a 6 year contract extension for nonfederal hydropower development on the Gibson Dam, near August and Choteau Montana. Once completed, the project will provide for decades of stable of tax revenues per year to each Teton and Lewis and Clark Counties, the state of Montana, and the Federal Government. Gibson Hydro project will benefit the environment as they are required by their FERC license to incorporate measures in their operations and construction that would enhance fish and wildlife resources, water quality, recreational and aesthetic resources. Further, the project would replace 40,000 tons of carbon per year and will strengthen the irrigation component of the Gibson Dam by providing a portion of the power sales to Greenfields Irrigation District to support irrigation improvements, operations, water conservation and usage enhancements. This bill will help create 15-25 construction jobs, \$1 million in local revenue over 2 years, and \$4-5 million in wages during construction phase and over \$200,000 per year for the Sun River Cooperative.

Hydropower development must be a key component of our Nation's all-of-the-above strategy to meet our Nation's needs. Passing these bills will show the Senate's commitment to hydropower as a clean source of power for our country.

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

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

S. 1103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING CLARK CANYON DAM.**

Notwithstanding the time period described in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12429, the Federal Energy Regulatory Commission (referred to in this section as the "Commission") shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence construction of project works for the 3-year period beginning on the date of enactment of this Act.

S. 1104

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.**

(a) IN GENERAL.—Notwithstanding the requirements of section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478-003, the Federal Energy Regulatory Commission (referred to in this section as the "Commission") may, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for a 6-year period that begins on the date described in subsection (b).

(b) DATE DESCRIBED.—The date described in this subsection is the date of the expiration of the extension of the period required for commencement of construction for the project described in subsection (a) that was issued by the Commission prior to the date of enactment of this Act under section 13 of the Federal Power Act (16 U.S.C. 806).

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1153. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 1154. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1155. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1156. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1157. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1158. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1159. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1160. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1161. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1162. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1163. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1164. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1165. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1166. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1167. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1168. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1169. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1170. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1171. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1172. Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1173. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1174. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1175. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

SA 1176. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill H.R. 1191, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

SA 1153. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 10, strike lines 10 through 25 and insert the following:

“(A) may not be taken unless—

“(i) the unconditional release of Jason Rezaian, Saeed Abedini, and Amir Hekmati from Iran has occurred; and

“(ii) the President certifies to the appropriate congressional committees, in writing, that Iran is cooperating with United States officials regarding the identification of the location and return of Robert Levinson to the United States; and

“(B) if each of the releases described in subparagraph (A)(i) has occurred and the certification described in clause (A)(ii) has been submitted—

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

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

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

SA 1154. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 10, strike lines 10 through 25 and insert the following:

“(A) may not be taken unless the President declares United States policy toward Iran regarding the underground uranium enrichment facility at Fordow, Iran; and

“(B) after the declaration described in subparagraph (A) has been made—

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

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

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

SA 1155. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 3. EXTENSION OF ANNUAL DEPARTMENT OF DEFENSE REPORTS ON THE MILITARY POWER OF IRAN.**

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public

Law 111-84; 123 Stat. 2542), as amended by section 1277 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), is further amended by striking “December 31, 2016” and inserting “December 31, 2026”.

**SA 1156.** Mr. BLUNT submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 10, strike lines 10 through 25 and insert the following:

“(A) may not be taken until the President submits to Congress an assessment of the nature and scope of cooperation between Iran and North Korea regarding their respective nuclear programs; and

“(B) after the assessment described in subparagraph (A) is submitted as described in that subparagraph—

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

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

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

**SA 1157.** Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 17, between lines 21 and 22, insert the following:

“(v) Iran has not made advancements in ballistic missile and space-launch development in violation of any international agreement or United Nations Security Council Resolution, or in a way that could be a threat to the national security of the United States or the security of United States allies; and

**SA 1158.** Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 28, strike line 1 and insert the following:

“(h) GENERAL RULE OF CONSTRUCTION.—Nothing in this Act, any agreement with the

Government of Iran, or any resolution passed by the United Nations Security Council or the United Nations General Assembly may be construed or used to prohibit or restrict the ability of the United States Government to re-impose waived sanctions or enact new sanctions against the Government of Iran for continued development of its nuclear program under any circumstances if it is determined to be in the national security interests of the United States to do so.

“(i) DEFINITIONS.—In this section:

**SA 1159.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 39, between lines 19 and 20, insert the following:

“(C) REPORT ON ACTIONS BY IRAN AFFECTING US COMMITMENT TO ISRAEL.—In addition to any other information required to be submitted to Congress under this paragraph, the President shall also report to Congress not later than seven days after any action by the Government of Iran that could compromise the commitment of the United States to the security of Israel or the support of the United States for Israel’s right to exist.

**SA 1160.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 3. UNITED STATES POLICY ON THE NUCLEAR WEAPONS CAPABILITY OF IRAN.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Islamic Republic of Iran has repeatedly stated that its nuclear enrichment program is solely for peaceful purposes. On September 20, 2009, the Supreme Leader of Iran, Ayatollah Ali Khamenei, stated that Western nations “falsely accuse the Islamic republic of producing nuclear weapons. We fundamentally reject nuclear weapons and prohibit the production and the use of nuclear weapons”.

(2) President Bill Clinton, on August 5, 1996, signed the Iran and Libya Sanctions Act of 1996, which President Clinton stated was intended to “limit the flow of resources necessary to obtain weapons of mass destruction”.

(3) In his 2006 State of the Union Address, President George W. Bush stated that “[t]he Iranian government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons”.

(4) As recently as April 2015, President Obama reiterated in an interview that “[m]y goal, when I came into office, was to make sure that Iran did not get a nuclear weapon and thereby trigger a nuclear arms race in the most volatile part of the world”.

(5) Secretary of State John Kerry, in the confirmation hearing on his nomination for appointment to that position on January 24,

2013, said about the development by Iran of a nuclear weapon that “[o]ur policy is not containment. It is prevention, and the clock is ticking on our efforts to secure responsible compliance”.

(6) In a March 2015 letter to Congress, President Obama stated that “[c]ertain actions and policies of the Government of Iran are contrary to the interests of the United States in the region and continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States”.

(7) On March 26, 2015, testifying before the Committee on Armed Services of the Senate, Generals Lloyd Austin, David Rodriguez, and Joseph Votel, Commanders of the United States Central Command, the United States Africa Command, and the United States Special Operations Command, respectively, all agreed that “in terms of the long-term threat in the region, Iran is the greatest threat to stability”.

(8) On February 26, 2015, testifying before the Committee on Armed Services of the Senate, Director of National Intelligence James Clapper was asked “[i]s it still [United States] policy that no options are off the table and that Iran should not have a nuclear weapon?” Director Clapper replied, “[t]hat’s my understanding, yes sir. [ . . . ] No option is off the table”.

(b) DECLARATION OF POLICY.—It shall be the policy of the United States that the Islamic Republic of Iran should not obtain nuclear weapons.

**SA 1161.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 3. AMERICAN HOSTAGES IN IRAN COMPENSATION FUND.**

(a) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the “American Hostages in Iran Compensation Fund” (in this section referred to as the “Fund”) for the purposes of—

(1) making payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:00-CV-03110 (ESG) of the United States District Court for the District of Columbia; and

(2) satisfying the claims of the members of the proposed class against Iran relating to the taking of hostages and treatment of personnel of the United States embassy in Tehran, Iran, between November 3, 1979, and January 20, 1981.

(b) FUNDING.—

(1) IMPOSITION OF SURCHARGE.—

(A) IN GENERAL.—There is imposed a surcharge equal to 30 percent of the amount of—

(i) any fine or penalty imposed, in whole or in part, for a violation of a law or regulation specified in subparagraph (B) committed on or after the date of the enactment of this Act; or

(ii) the monetary amount of a settlement entered into by a person with respect to a suspected violation of a law or regulation specified in subparagraph (B) related to activities undertaken on or after such date of enactment.

(B) LAWS AND REGULATIONS SPECIFIED.—A law or regulation specified in this subparagraph is any law or regulation imposing a

fine or penalty for any economic activity relating to Iran that is administered by the Department of State, the Department of the Treasury, the Department of Justice, the Department of Commerce, or the Department of Energy.

(C) **TERMINATION OF DEPOSITS.**—The imposition of the surcharge under subparagraph (A) shall terminate on the date on which all amounts described in subsection (c)(2) have been distributed to all recipients described in that subsection.

(2) **DEPOSITS INTO FUND; AVAILABILITY OF AMOUNTS.**—

(A) **DEPOSITS.**—The Secretary of the Treasury shall deposit in the Fund all surcharges collected pursuant to paragraph (1)(A).

(B) **PAYMENT OF SURCHARGE TO SECRETARY OF THE TREASURY.**—A person upon which a surcharge is imposed under paragraph (1)(A) shall pay the surcharge to the Secretary without regard to whether the fine or penalty with respect to which the surcharge is imposed—

(i) is paid directly to the Federal agency that administers the law or regulation pursuant to which the fine or penalty is imposed; or

(ii) is deemed satisfied by a payment to another Federal agency.

(C) **AVAILABILITY OF AMOUNTS IN FUND.**—Amounts in the Fund shall be available, without further appropriation, to make payments under subsection (c).

(c) **DISTRIBUTION OF FUNDS.**—

(1) **ADMINISTRATION OF FUND.**—Payments from the Fund shall be administered, subject to oversight by the Secretary of the Treasury, by the named representatives of the proposed class described in subsection (a)(1) and the principal agent designated by the proposed class for the period beginning in 1999 and continuing through the date of the enactment of this Act.

(2) **PAYMENTS.**—Subject to paragraphs (3) and (4), payments shall be made from the Fund to the following recipients in the following amounts:

(A) To each living former hostage identified as a member of the proposed class described in subsection (a)(1), \$10,000 for each day of captivity of the former hostage.

(B) To the estate of each deceased former hostage identified as a member of the proposed class described in subsection (a)(1), \$10,000 for each day of captivity of the former hostage.

(C) To each spouse and child of a former hostage identified as a member of the proposed class described in subsection (a)(1) if the spouse or child is identified as a member of that proposed class, \$5,000 for each day of captivity of the former hostage.

(3) **PRIORITY.**—Payments from the Fund shall be distributed under paragraph (2) in the following order:

(A) First, to each living former hostage described in paragraph (2)(A).

(B) Second, to the estate of each deceased former hostage described in paragraph (2)(B).

(C) Third, to each spouse and child of a former hostage described in paragraph (2)(C).

(4) **CONSENT OF RECIPIENT.**—A payment to a recipient from the Fund under paragraph (2) shall be made only after receiving the consent of the recipient.

(d) **PRECLUSION OF FUTURE ACTIONS AND RELEASE OF CLAIMS.**—

(1) **PRECLUSION OF FUTURE ACTIONS.**—A recipient of a payment under subsection (c) may not file or maintain an action against Iran in any Federal or State court for any claim relating to the events described in subsection (a)(2).

(2) **RELEASE OF ALL CLAIMS.**—Upon the payment of all amounts described in subsection (c)(2) to all recipients described in that subsection, all claims against Iran relating to

the events described in subsection (a)(2) shall be deemed waived and forever released.

(e) **DEPOSIT OF REMAINING FUNDS INTO THE TREASURY.**—

(1) **IN GENERAL.**—Any amounts remaining in the Fund after the date specified in paragraph (2) shall be deposited in the general fund of the Treasury.

(2) **DATE SPECIFIED.**—The date specified in this paragraph is the later of—

(A) the date on which all amounts described in subsection (c)(2) have been made to all recipients described in that subsection; or

(B) the date that is 5 years after the date of the enactment of this Act.

(f) **REPORT TO CONGRESS ON COMPLETION OF PAYMENTS.**—Not later than 60 days after determining that a law or regulation specified in subsection (b)(1)(B) is terminated or suspended or that amounts in the Fund will be insufficient for the payment of all amounts described in subsection (c)(2) to all recipients described in that subsection by the date that is 444 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress recommendations to expedite the completion of the payment of those amounts.

**SA 1162.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 3. PROHIBITION ON PROVIDING SANCTIONS RELIEF.**

The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under section 135(a) of the Atomic Energy Act of 1954, as added by section 2 of this Act, until the Commission to Assess the Nuclear Activities of the Islamic Republic of Iran submits the report required under section 6.

#### **SEC. 4. ESTABLISHMENT OF COMMISSION TO ASSESS THE NUCLEAR ACTIVITIES OF THE ISLAMIC REPUBLIC OF IRAN.**

(a) **ESTABLISHMENT.**—There is hereby established a commission to be known as the “Commission To Assess the Nuclear Activities of the Islamic Republic of Iran” (in this Act referred to as the “Commission”).

(b) **COMPOSITION.**—The Commission shall be composed of 12 members appointed as follows:

(1) 3 members shall be appointed by the majority leader of the Senate.

(2) 3 members shall be appointed by the Speaker of the House of Representatives.

(3) 3 members shall be appointed by the minority leader of the Senate.

(4) 3 members shall be appointed by the minority leader of the House of Representatives.

(c) **QUALIFICATIONS.**—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the political and military aspects of nuclear proliferation and the military and civilian nuclear activities of the Islamic Republic of Iran.

(d) **CHAIRMEN.**—The Committee shall have two co-chairmen, of whom—

(1) one shall be designated from among the members of the Commission by the Speaker of the House of Representatives, after consultation with the majority leader of the Senate; and

(2) one shall be designated from among the members of the Commission by the minority leader of the House of Representatives, after consultation with the minority leader of the Senate.

(e) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) **SECURITY CLEARANCES.**—All members of the Commission shall hold appropriate security clearances.

(g) **INITIAL ORGANIZATION REQUIREMENTS.**—

(1) **DEADLINE FOR INITIAL APPOINTMENTS.**—All appointments to the Commission shall be made not later than 45 days after the date of the enactment of this Act.

(2) **FIRST MEETING.**—The Commission shall convene its first meeting not later than 30 days after the date as of which all members of the Commission have been appointed, but not earlier than 60 days after the date of the enactment of this Act.

#### **SEC. 5. DUTIES OF COMMISSION.**

The Commission shall assess the following:

(1) The status of the military nuclear activities and civilian nuclear activities of the Islamic Republic of Iran.

(2) The relationship between the military nuclear activities and civilian nuclear activities of the Islamic Republic of Iran.

(3) The intentions behind the military nuclear activities and civilian nuclear activities of the Islamic Republic of Iran.

#### **SEC. 6. REPORT.**

Not later than 180 days after its first meeting, the Commission shall submit to Congress a report on its findings and conclusions as a result of the assessment under section 5.

#### **SEC. 7. POWERS.**

(a) **HEARINGS.**—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this Act, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) **SUPPORT OF OTHER AGENCIES.**—

(1) **IN GENERAL.**—The Commission may secure directly from the Department of Defense, the Office of the Director of National Intelligence, the Central Intelligence Agency, and any other department or agency of the United States Government information that the Commission considers necessary to enable the Commission to carry out its duties under this Act.

(2) **COOPERATION OF GOVERNMENT OFFICIALS.**—The Commission should receive the full and timely cooperation of the Secretary of Defense, the Director of National Intelligence, and other appropriate officials of the United States Government who should, in providing such cooperation, provide the Commission with analyses, briefings, and other information necessary for the fulfillment of the duties of the Commission.

#### **SEC. 8. COMMISSION PROCEDURES.**

(a) **MEETINGS.**—The Commission shall meet at the call of the chairman of the Commission.

(b) **QUORUM.**—

(1) **IN GENERAL.**—Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) **ACTION BY RESOLUTION OF MAJORITY.**—The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the duties of the Commission under this Act. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this Act.

#### SEC. 9. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The co-chairmen of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, jointly appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties under this Act. The appointment of a staff director shall be subject to the approval of the Commission.

(2) COMPENSATION.—The co-chairmen of the Commission may jointly fix the pay of the staff director and other personnel of the Commission without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS-15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the joint request of the co-chairmen of the Commission, the head of any department or agency of the United States Government may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The co-chairmen of the Commission may jointly procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

#### SEC. 10. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the United States Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Director of Central Intelligence shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

#### SEC. 11. FUNDING.

(a) IN GENERAL.—Funds for activities of the Commission under this Act shall be pro-

vided from amounts available for the Office of the Director of National Intelligence for fiscal year 2015.

(b) DISBURSEMENT.—Upon receipt of a joint written certification from the co-chairmen of the Commission specifying the funds required for the activities of the Commission, the Director of National Intelligence shall promptly disburse to the Commission, from amounts referred to in subsection (a), the funds required by the Commission as stated in such certification.

#### SEC. 12. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 6.

**SA 1163.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 6, strike lines 8 through 15 and insert the following:

“(1) IN GENERAL.—During the 30 calendar day period following transmittal by the President of an agreement pursuant to subsection (a)—

“(A) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold briefings and hearings and otherwise obtain information in order to fully review such agreement;

“(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives shall, as appropriate, hold briefings and hearings on the compliance and verification mechanisms of such agreement;

“(C) the Committees on Armed Services of the Senate and the House of Representatives shall, as appropriate, hold briefings and hearings on the military significance of such agreement; and

“(D) the Committee on Banking and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives shall, as appropriate, hold briefings and hearings on the relief of sanctions provided under the agreement.

**SA 1164.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS BASED ON THE DEVELOPMENT OF INTERCONTINENTAL BALLISTIC MISSILES.—The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under

subsection (a) until the President has certified to Congress that the Government of Iran is not developing an intercontinental ballistic missile with assessed ranges capable of reaching the United States and its territories.

**SA 1165.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS BASED ON THE POSSIBLE MILITARY DIMENSIONS OF IRAN'S NUCLEAR PROGRAM.—The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under subsection (a) until the President has certified to Congress that the Government of Iran has fully and verifiably disclosed all of Iran's Possible Military Dimensions associated with the Iranian nuclear program.

**SA 1166.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS BASED ON SUPPORT FOR TERRORISM.—The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under subsection (a) until the President has certified to Congress that the Government of Iran has not materially supported or carried out an act of terrorism against the United States or United States persons anywhere in the world.

**SA 1167.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS BASED ON INSPECTIONS AND TRANSPARENCY.—The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under subsection (a) until the President makes the following certifications:

“(A) The International Atomic Energy Agency (IAEA) will have access anytime without notice to all of Iran’s nuclear facilities, including to Iran’s enrichment facility at Natanz and its former enrichment facility at Fordow, and all of Iran’s military facilities, and including the use of the most up-to-date, modern monitoring technologies.

“(B) Inspectors will have access to the supply chain that supports Iran’s nuclear program. The new transparency and inspections mechanisms will closely monitor materials and components to prevent diversion to a secret program.

“(C) Inspectors will have access to uranium mines and continuous surveillance at uranium mills, where Iran produces yellowcake, for 25 years.

“(D) Inspectors will have continuous surveillance of Iran’s centrifuge rotors and bellows production and storage facilities for 20 years, and Iran’s centrifuge manufacturing base will be frozen and under continuous surveillance.

“(E) All centrifuges and enrichment infrastructure removed from Fordow and Natanz will be placed under continuous monitoring by the IAEA.

“(F) As an additional transparency measure, a dedicated procurement channel for Iran’s nuclear program will be established to monitor and approve, on a case by case basis, the supply, sale, or transfer to Iran of certain nuclear-related and dual use materials and technology.

“(G) Iran has agreed to implement the Additional Protocol of the IAEA, providing the IAEA much greater access and information regarding Iran’s nuclear program, including both declared and undeclared facilities.

“(H) Iran will be required to grant access to the IAEA to investigate suspicious sites or allegations of a covert enrichment facility, conversion facility, centrifuge production facility, or yellowcake production facility anywhere in the country.

“(I) Iran has agreed to implement Modified Code 3.1 requiring early notification of construction of new facilities.

**SA 1168.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 17, between lines 21 and 22, insert the following:

“(v) Iran has not acquired and deployed advanced integrated air defense systems, including long-range surface-to-air missiles such as the Russian-made S300, to protect the underground facility at Fordow; and

**SA 1169.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the

Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS BASED ON THE STATUS OF HARDENED UNDERGROUND ENRICHMENT FACILITIES.—The President, the Secretary of the Treasury, the Secretary of State, and any other Executive branch officer or agency may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under subsection (a) until the President has certified to Congress that the Government of Iran has permanently closed or rendered inoperable all of its hardened underground facilities associated with the Iranian nuclear program.

**SA 1170.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 11, between lines 8 and 9, insert the following:

“(4) EXPEDITED PROCEDURES IN SENATE FOR RESOLUTION OF DISAPPROVAL.—

“(A) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period for review provided in subsection (b), to move to proceed to the consideration of a joint resolution described in paragraph (2)(B), and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion to proceed is not subject to a motion to postpone. The motion to proceed shall be agreed to by the affirmative vote of a simple majority of Senators present and voting. A motion to reconsider the vote by which the motion is agreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

“(B) CONSIDERATION.—Consideration of a joint resolution described in paragraph (2)(B), and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order, is not debatable, and, notwithstanding Rule XXII of the Standing Rules of the Senate, shall be agreed to by the affirmative vote of a simple majority of Senators present and voting. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(C) VOTE ON PASSAGE.—If the Senate has voted to proceed to a joint resolution described in paragraph (2)(B), the vote on passage of the joint resolution shall occur immediately following the conclusion of con-

sideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

“(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution described in paragraph (2)(B) shall be decided without debate.

**SA 1171.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 11, strike line 16 and all that follows through “significant breach” on page 12, line 4, and insert the following:

“(2) BREACHES AND COMPLIANCE INCIDENTS.—The President shall, within 10 calendar days of receiving credible and accurate information relating to a breach or compliance incident by Iran with respect to an agreement subject to subsection (a), submit such information to the appropriate congressional committees and leadership.

(3) MATERIAL BREACH REPORT.—Not later than 30 calendar days after submitting information about a breach or compliance incident pursuant to paragraph (2), the President shall make a determination whether such breach

**SA 1172.** Mr. MCCONNELL (for Mr. COTTON) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 30, lines 20 and 21, strike “substantially”.

**SA 1173.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) LIMITATION ON ACTIONS WHILE IRAN DETERMINED TO BE A STATE SPONSOR OF TERRORISM.—Notwithstanding any other provision of law, except as provided in paragraph (6), prior to the determination that Iran is no longer a state sponsor of terrorism pursuant to section 6(j) of the Export Administration Act (50 U.S.C. App. 240(j)), section 40 of the Arms Export Control Act (22 U.S.C. 2780), and section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application



of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described in subsection (a).

**SA 1174.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 6, beginning on line 10, strike “subsection (a).” and all that follows through line 15 and insert the following: “subsection (a)—

“(A) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review such agreement; and

“(B) the Committees on Armed Services of the Senate and House of Representatives shall, as appropriate, hold briefings and hearings on the military significance of such an agreement.

**SA 1175.** Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 9, between lines 2 and 3, insert the following:

“(7) **LIMITATION ON ACTIONS BASED ON THE DEVELOPMENT OF INTERCONTINENTAL BALLISTIC MISSILES.**—The President, the Secretary of the Treasury, the Secretary of State and any other Executive branch officer or agency may not waive, suspend, reduce or provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement described under subsection (a) until the President has certified to Congress that the Government of Iran is not developing an intercontinental ballistic missile with assessed ranges capable of reaching the United States and its territories.

**SA 1176.** Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill H.R. 1191, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 3. COMPENSATION OF AMERICAN HOSTAGES HELD IN IRAN.**

(a) **IN GENERAL.**—The President shall ensure that the former hostages held in Iran for 444 days between 1979 and 1981 and their spouses and children identified in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia

are compensated for the days of captivity the hostages endured in service to the United States. Such compensation shall be consistent with established judicial precedent.

(b) **PAYMENT MECHANISM.**—The establishment of a payment mechanism, the administration of payments, and the source of funds shall be at the determination of the President or his designee.

(c) **PAYMENT FORMULA.**—Payments under this section shall be made to the following individuals in the following amounts:

(1) To each living former hostage, \$10,000 for each day of captivity of the former hostage.

(2) To the estate of each deceased former hostage, \$10,000 for each day of captivity of the former hostage.

(3) To each living spouse and child of a former hostage if the spouse or child is identified as a member of the proposed class in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia, \$5,000 for each day of captivity of the former hostage.

(4) To the estate of each deceased spouse and child described in paragraph (3) of a former hostage, \$5,000 for each day of captivity of the former hostage.

(d) **PRIORITY OF PAYMENTS.**—Payments under this section shall be distributed in the following order:

(1) First, to each living former hostage described in subsection (c)(1).

(2) Second, to the estate of each deceased former hostage described in subsection (c)(2).

(3) Third, to each living spouse and child of a former hostage described in subsection (c)(3).

(4) Fourth, to the estate of each spouse and child described in subsection (c)(4).

(e) **PRINCIPAL AGENT AND CONSENT OF RECIPIENT.**—A payment under this section to an eligible recipient shall be made only after receiving the consent of the recipient through the principal agent designated by the proposed class described in subsection (c)(3) for the period beginning in 1999 and continuing through the date of the enactment of this Act.

(f) **WAIVER OF FURTHER CLAIMS.**—A recipient of a payment under this section shall waive and forever release all existing claims against Iran and the United States arising out of the events described in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia.

(g) **CERTIFICATION TO CONGRESS.**—The President or his designee shall certify to Congress that all payments under this section have been made to all eligible recipients before—

(1) any agreement between the United States and Iran is submitted for the advice and consent of the Senate or is submitted to Congress under section 135 of the Atomic Energy Act of 1954, as added by section 2 of this Act;

(2) any termination or reduction of sanctions imposed with respect to Iran, whether imposed by executive action or pursuant to statute; and

(3) any normalization of relations between the United States and Iran, including the establishment of diplomatic relations or the opening of an embassy or consular offices of the United States in Iran.

**SEC. 4. SEVERABILITY.**

If any provision of this Act or any amendment made by this Act, or the application of such a provision or amendment to any person or circumstance, is held to be invalid, the remaining provisions of and amendments made by this Act, and the application of such provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

The PRESIDING OFFICER. The majority leader is recognized.

**SEQUENTIAL REFERRAL—S. 1100**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Thune bill No. 1100 be sequentially referred to the Committee on Agriculture, Nutrition, and Forestry, and then to the Committee on Energy and Natural Resources.

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

**REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 114-2**

Mr. McCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 27, 2015, by the President of the United States: Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, Treaty Document No. 114-2. I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

I transmit herewith, for the advice and consent of the Senate to its ratification, the Protocol to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia, signed at New York on May 6, 2014 (the “Protocol”). I also transmit for the information of the Senate the Treaty on a Nuclear-Weapon-Free Zone in Central Asia (the “Treaty”) to which the Protocol relates, and the Department of State's Overview of the Protocol, which includes a detailed article-by-article analysis of both the Protocol and the Treaty.

Ratification of the Protocol is in the best interest of the United States, as it will enhance U.S. security by furthering our objective of preventing the proliferation of nuclear weapons, strengthen our relations with the states and the people of Central Asia, demonstrate our commitment to the decision taken at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that helped secure that Treaty's indefinite extension, and contribute significantly to the continued realization of the Central Asian Nuclear-Weapon-Free Zone in all its aspects. As the Department of State's Overview of the Protocol explains, entry into force of the Protocol for the United States would require no changes in U.S. law, policy, or practice.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and

consent to its ratification, subject to the statements contained in the Department of State's Overview of the Protocol.

BARACK OBAMA.  
THE WHITE HOUSE, *April 27, 2015.*

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ORDERS FOR TUESDAY, APRIL 28,  
2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, April 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be

approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 1191, as under the previous order; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. McCONNELL. If there is no further business to come before the Sen-

ate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Tuesday, April 28, 2015, at 10 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate April 27, 2015:

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION

DAVA J. NEWMAN, OF MASSACHUSETTS, TO BE DEPUTY  
ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION.