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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O God, You are the strength of our lives. Use us to tell of Your wondrous works, inspiring others to glorify Your Name in the Earth. Help us to depend on You in the welter and variety of events we encounter each day. May we trust You to supply all of our needs, responding with gratitude to Your generous mercies.

Today, give our Senators an eternal perspective on the myriad issues they face. Infuse their hearts with faith, sharpen their minds with truth, and renew their spirits with courage. Bless the members of their staff who sacrifice so much for freedom's cause.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. McCONNELL. Mr. President, today we have an opportunity to take another step forward on the Comprehensive Addiction and Recovery Act, or CARA, a critically important and bipartisan bill to address the grow-

ing prescription opioid and heroin epidemic.

As we have worked through debate on this legislation, we have heard numerous stories from across our Nation about the toll this crisis is taking on Americans. Today, I want to take a moment to address the difference CARA can make in my home State of Kentucky, which has been among the hardest hit by this epidemic.

More people are dying from drug overdoses than car crashes in the Commonwealth, and that is largely due to prescription opioids and heroin. We know education and prevention programs can help reduce the number of people who experience drug addiction and overdose. One program I have been proud to support is the Drug-Free Community Program, which provides funding to local communities so they can promote education and awareness about the dangers of substance abuse.

I wrote letters of support on behalf of Oldham and Carter Counties, which have both received drug-free community grants. This funding helps them train community members, parents, and school officials in preventing youth substance abuse.

There are other programs in CARA that can help build on these efforts through community-based coalition grants that address local drug crises. Education is incredibly important, and it is great to see what we are achieving on that front. But for Kentuckians and Americans currently struggling with addiction, the cycle can be very difficult to break.

We have seen a staggering number of people lose their lives to overdose, and we know more must be done to stop that terrible trend. Fortunately, groups like the Harm Reduction Coalition are providing overdose prevention and naloxone training for drug treatment programs, recovery advocates, and health departments across Kentucky and several other States. Through State demonstration and first

responder grants, the group says CARA can give them a "stronger foundation to move from training to action."

Prescription drug monitoring programs are also instrumental in saving lives, and I have been a strong supporter of Kentucky's own program, called KASPER. Just last fall, I received confirmation from the CDC that the Kentucky Injury Prevention and Research Center had been awarded funds to combat the prescription drug and heroin epidemic in Kentucky. These funds are being used to improve KASPER, as well as target interventions in counties such as Jefferson, Fayette, Boone, Kenton, and Campbell—counties that have seen some of the highest rates of overdose deaths in the Commonwealth. The bill we are considering today also places an emphasis on prescription drug monitoring programs and will strengthen efforts already in place.

Perhaps one of the most heart-breaking aspects of this epidemic is its effect on newborns. Just last year, I sponsored the Protecting Our Infants Act to address this specific issue and was proud to see it become law. Our work to protect these fragile lives continues with the legislation we have before us today. CARA would improve treatment for both pregnant and postpartum women by reauthorizing an existing grant program. It would also authorize a pilot program to enhance treatment options for this specific population.

CARA can make positive strides in terms of keeping communities safe, too. It would bolster the efforts of law enforcement through the authorization of grant programs for collaborative investigative units. What that means is Kentucky's outstanding drug task forces stand to benefit when it comes to investigating illegal trafficking and distribution of heroin, fentanyl, and prescription opioids. I have strongly supported each of these efforts to intensify the Commonwealth's fight

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



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against our prescription opioid and heroin crisis.

So because of efforts like those I mentioned—to strengthen education and treatment programs, to improve prescription drug monitoring tools, and to enhance law enforcement efforts—differences are already being made in the lives of many Kentuckians. With the passage of CARA, we can build upon these and other initiatives that can help shore up the fight against prescription opioid and heroin addiction.

Kim Moser, Director of the Northern Kentucky Office of Drug Control Policy, says CARA will “address the growing needs” of Kentucky communities and “expand treatment resources for those suffering.” She goes on to say that CARA “will allow individuals, families and communities to heal from this scourge.”

I want to thank Senator GRASSLEY, the chairman of the Judiciary Committee, for working with Senators to move this bill by voice vote in a timely manner, and I want to also acknowledge Senator PORTMAN and Senator AYOTTE for their responsiveness to this urgent problem and for their dedication to advancing the bipartisan bill that is before us now.

Remember, although this is an authorization bill, Congress has already appropriated \$400 million—funds that are still available today—for opioid-specific programs. We will have more opportunities for funding through the next appropriations process, but it is important we act on this legislation right now.

CARA will bring us closer to ending a national epidemic. It will help lift communities like those in Kentucky out of the throes of prescription opioids and heroin addiction. It will help save lives.

I look forward to joining my colleagues on both sides of the aisle to support this important legislation.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

VOTE EXPLANATION

Mr. REID. Mr. President, as Senators, we pride ourselves in making sure that we vote when we are required to vote, and we are always very aware of when the votes occur and what happens with the votes. I missed a vote yesterday at 4 o'clock.

My staff has told me the clerks here are concerned that they did something wrong. I missed the vote. It was my fault. It was no one's fault but my own. I had a doctor's appointment at 4:30, and I got here too late.

So everyone should understand that I have missed other votes, and I have already announced how I would have voted had I voted, and it wouldn't have changed the outcome of the vote. So all the clerks, who serve us so well all the

time, shouldn't worry at all about my not being recorded on that vote.

So calm down, everybody. I don't care. You shouldn't care.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. REID. Mr. President, I have heard my friend the Republican leader the last couple of days talking about what a good bill we have here. He is right. It is something that is important to do. We have this opioid problem sweeping the Nation. It is in Nevada, as well as in all other States. All the other 49 States have the problem. So I understand the importance of this legislation. I only wish the Republicans had joined with us yesterday in voting for the Shaheen amendment, which would have provided real money to meet the requirements of this legislation, if it passes.

I also know my friend keeps talking about the money we have already appropriated. We did it because there was an emergency then, and there is one now. The programs we have appropriated money for are totally separate and apart from this legislation. That is why Senator SHAHEEN offered her amendment. It was emergency funding that we badly need. So it is too bad my friends on the other side of the aisle are talking about taking money from other programs and funding this program. That isn't how it should be.

This is a scourge sweeping the country. We have programs in this new legislation that need to be funded, otherwise it won't have any meaning whatsoever to the problem we are facing in the country.

A number of Democrats have also tried to offer amendments. To this point, they have been able to offer one amendment and vote on one amendment. We have had more than 60 amendments filed over here. I know we are not going to have the ability to debate and vote on 60 amendments, but my friend the Republican leader has been out here boasting time and again about this robust amendment process, and it is only talk. We haven't had a robust amendment process.

I wouldn't think robust would mean having seven or eight amendments. We would accept a new definition of robust, I guess, if we got to offer a few amendments, but we should be able to offer amendments on this legislation.

So I hope the Senate will be able to have a full and open amendment process on this legislation. If not, we may not be able to proceed to vote on this legislation, and it would be too bad. Even though the legislation is not funded properly, we should pass it. We are not going to pass it if we get jammed, and that is what is happening.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, listen to these words: fair, respectful, delibera-

tive, and thorough. These are the words the senior Senator from Iowa, Mr. GRASSLEY, once used to describe the way Supreme Court nominations should be considered by the Senate—fair, respectful, deliberative, and thorough.

In June 2010, he said something more:

I have always been of the opinion that the Senate needs to conduct a comprehensive and careful review of Supreme Court nominees. It is important that the nominee be given a fair, respectful, and also deliberative hearing.

That same month, in June 2010, he also said:

I am committed to ensuring that this process is fair and respectful but also thorough. The Constitution tasks our Senate with conducting a comprehensive review of the nominee's record and qualifications.

Fair, respectful, deliberative, and thorough. I don't think refusing to meet with a nominee, refusing to hold a hearing of a nominee, refusing to vote on a nominee is fair, respectful, deliberative, and certainly not thorough.

He was not yet chairman of the Judiciary Committee when the senior Senator from Iowa made those comments. As I have noted, he has said on more than one occasion that the Constitution tasks our Senate with conducting a “comprehensive review of the nominee's record and qualifications.” He made those statements when he wasn't chairman of the committee. He is now chairman of the committee—the committee he has served on for decades. Now his response for the Senate's consideration of Supreme Court nominations sets the standard. He runs that big and powerful committee, and he has chosen an approach that could not be further from the fair, respectful, deliberative, and thorough that he has urged on more than one occasion.

Instead of exercising his once-respected independence, my friend the senior Senator from Iowa is taking his marching orders from the Republican leader and refusing to give President Obama's Supreme Court nominee a meeting, a hearing, or a vote.

Within an hour after Justice Scalia's death was announced, the Republican leader hijacked the Supreme Court nomination process in the Senate by declaring that the Republicans would not consider the President's nominee.

Then the Republican leader decided to seize control of the Judiciary Committee—I don't know if he twisted arms, but that certainly conveys the message I want to convey—twisting the arms of the senior Senator from Iowa and his committee members to get them to forfeit their independence and fall in line. Behind closed doors, the Republican leader compelled the 11 Republicans who make up the majority of the committee on the Judiciary to sign a loyalty oath. This loyalty oath, which abdicated the role of this once-dignified committee, took the form of a letter promising to follow the Republican leader's demands and block consideration of President Obama's Supreme Court nominee.

Earlier this week, the Senator from Iowa, Mr. GRASSLEY, discussed the arm-twisting that took place. During an interview on Tuesday on an NBC affiliate in Iowa, he was asked whether undue influence had been exerted by Republican leadership. This is what he said: "Some had reluctance, but all signed." Again, "Some had reluctance, but all signed" on when asked whether undue influence had been exerted by Republican leadership.

I don't blame Senator GRASSLEY's colleagues for their reluctance. The Judiciary Committee once had a proud history of independence. This committee is 200 years old and is one of 11 committees that were formed when this body came into being. So their reluctance is understandable. It is understandable that the Republican members don't want to abdicate their independence. I don't blame those Senators for being reluctant to follow the Republican leader's orders for refusal to do their jobs. I don't blame them for their reluctance to banish the independence of the Judiciary Committee's past, ensuring that this once powerful, independent, strong committee's reputation is now nothing but a memory.

I wish the Judiciary Committee Republicans had been a bit more reluctant to sign on to the McConnell-Grassley letter, a pledge not to do their jobs. It appears most voters also think they should not have signed the letter. According to a new CNN poll that came out last night, two-thirds of Republicans want hearings on the President's Supreme Court nominee—almost 70 percent. Senate Republicans' pledge to obstruct doesn't make sense to the Republicans' own base.

The senior Senator from Iowa's blind adherence to the dictates of leadership doesn't stop there. The chairman of the Judiciary Committee was too timid to even meet with President Obama without the Republican leader's consent. He refused to go to the White House without the Republican leader by his side. When we all finally did meet with President Obama on Tuesday—the Republican leader, Democratic leader, chairman of the Judiciary Committee, and ranking member of the Judiciary Committee—at that meeting, the chairman wouldn't commit to meeting the nominee or holding hearings. He wouldn't do that. He wouldn't give the nominee a vote. That is what he told the President.

This is not what Senator GRASSLEY advocated before his party assumed the majority. Back in January 2015, on the Senate floor, the Senator from Iowa said:

We must get back to what we in the Senate call regular order. I would say do things the way Madison intended.

Everything the chairman has done since assuming the role runs counter to those words and what Madison intended and obviously what the senior Senator from Iowa had intended.

Allowing 11 Republican members of the Judiciary Committee—and they are

all men—to decide on behalf of 100 Senators and 300 million Americans that they will not even meet with or hold a hearing or vote on the Supreme Court nominee is certainly not regular order. This is about as irregular order as you can have. Given the opportunity to preside over a fair process, the chairman chose blind obedience to his party leaders instead. Nothing the Judiciary Committee chairman has done in the wake of this Supreme Court vacancy can be identified as regular order. It is about as irregular order as you can have.

Working behind closed doors is becoming the theme for Senator GRASSLEY and the Judiciary Committee. He sought to move a committee markup scheduled for today—a meeting that normally takes place in the full view of the public—behind closed doors. Everyone, think about that. This hearing has been scheduled for a long time, but the Republican leader wants to do it secretly. When Democrats objected, the chairman postponed the meeting altogether. No public hearing, a closed door hearing, Democrats objected, so he just canceled the meeting. This isn't transparency; this is obstruction and chaos.

Even Republicans agree—or at least some of them. Last week, the junior Senator from West Virginia said:

Do I worry that this would make the Senate look dysfunctional? That's a slight worry for me.

It may be a slight worry for the Senator from West Virginia, but it is a huge worry for the American people.

Again:

Do I worry that this would make the Senate look dysfunctional? That's a slight worry for me.

Well, it may be a slight worry for the Senator from West Virginia, but it is not a slight worry for the American people. It is a big, huge worry for the people of West Virginia.

The good news is that this can all be remedied very quickly. All my friend from Iowa needs to do is use the authority he has as the Judiciary Committee chair and give the President's nominee a meeting and a hearing. This would be what Iowa deserves and what this country deserves. All he needs to do is live up to his own words and be "fair," "respectful," "deliberative," and "thorough." Simply put, he needs to stop blindly following the Republican leader and just do his job.

Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 524, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 524) to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Pending:

Grassley amendment No. 3378, in the nature of a substitute.

Grassley (for Donnelly/Capito) modified amendment No. 3374 (to amendment No. 3378), to provide follow-up services to individuals who have received opioid overdose reversal drugs.

The PRESIDING OFFICER. The Senator from Illinois.

FILLING THE SUPREME COURT VACANCY

Mr. DURBIN. Mr. President, the year was 1936. President Franklin Roosevelt had just been reelected with an overwhelming majority, and he decided he had had enough of the U.S. Supreme Court. They had been striking down some key pieces of legislation in his New Deal package. So he came up with a bold plan in February of 1937. That bold plan was to add enough new Justices to the Supreme Court to tip the balance his way.

He presented this plan to change the Supreme Court for his political purposes to a Democratic Congress and a Democratic U.S. Senate, believing, with his big reelection majority and the fact that most of the Members of Congress had supported his New Deal agenda, that they would stand by him when it came to changing the Supreme Court so that it would start ruling his way. He was wrong. What happened then was that Members of the Senate decided to stand up to their President and to stand up for the Constitution.

A little-known Senator from Arizona, Henry Ashurst, was the chairman of the Senate Judiciary Committee. He deliberately delayed the FDR Court-packing proposal to a point where, when it was finally called, it was overwhelmingly defeated.

Think about that in the context of our current debate about filling this Supreme Court vacancy created by the untimely death of Justice Scalia. In that case, in 1937, the Senate Judiciary Committee and its chairman stood up for the Constitution first, over and above even the President of their own political party. This was a popular President; yet they believed the Constitution was more important than any political issue when it came to the New Deal.

So where are we today? We are in a situation where we have a vacancy on the Supreme Court. The Court still continues to hear cases of great historic moment—yesterday, the case involving abortion and I am sure, in weeks ahead, even more controversial issues. It is a Court that is at least limited by the fact that there are only eight Justices. In many instances, this Court is likely to end up with a tie—a decision which doesn't decide the law but leaves it still unresolved.

So what is our responsibility as this Senate at this time as we reflect on the Senate of 1937? Well, we only have to

turn to the U.S. Constitution—the Constitution which each of us, each and every one of us as Senators, Democratic and Republican, stood in the well and swore to uphold.

The second article in this Constitution relates to the powers of the Presidency. In this book, it is only three pages, but the people who wrote the Constitution, our Founding Fathers, tried to put in those three pages the critically important elements to make sure that our democracy would continue. They tried to envision the possibilities and to authorize branches of government to do certain things.

In article II, section 2, when it comes to the powers of the President, it says: he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court.

Did it say he may appoint? No. The language is explicit. He shall appoint, and with the advice and consent of the Senate, shall fill the vacancies on the Supreme Court.

So what faces us today? An announcement by the Republican leadership, Senator McCONNELL, within hours of the announcement of the death of Justice Scalia, that for the first time in the history of the United States Senate, for the first time in our Nation's history, the Republicans have announced that they will not only refuse to fill this vacancy, they will not even allow a hearing on a Presidential nominee. And Senator McCONNELL went a step further and said he will not even meet with a nominee offered by the President to fill this vacancy. That is a clear violation of the constitutional responsibility which this Senate has. The Constitution doesn't require us to approve any nominee, no; it is advise and consent, not consent only. We can certainly vote no if we feel that vote is warranted. But the Constitution is very clear that we can't walk away from our constitutional responsibility when it comes to a vacancy on the Supreme Court.

If the Senate Republicans have their way, this vacancy on the Supreme Court will continue on until the next calendar year. It will be the longest vacancy on the Supreme Court since the Civil War, when this Nation was torn apart. If there was any excuse in those days for not filling the vacancy, there is no excuse today.

There is the argument made: Let the people decide. Let the people decide in the next election who the next Supreme Court Justice will be. But that ignores the obvious: There is a sitting President, elected for 4 years, with the constitutional authority every President has, and one of those authorities is to fill this vacancy on the Supreme Court.

They argue: Well, the people will decide in November what will happen next year. I might remind them that the people decided in the year 2012 by a margin of 5 million votes that Barack Obama would be President of the

United States—not for 3 years, not for 3 years and 2 months, but for 4 years. And to argue that he is somehow now unable, unwilling, or cannot be called on to exercise his Presidential authority flies in the face of reality—a reality which most Republicans will readily concede, at least in private.

The Republicans think they are winning this debate. I think they are losing. They think their “let the people decide” approach to this is really carrying the day. I think our approach to this—saying to our Republican colleagues: Do your job—is carrying the day.

How is this playing in Peoria, IL? I want to read from an editorial of the February 28 edition of the Peoria Journal-Star:

The most worthless Congress in memory became more so last week, with Senate Republicans doubling down on their decision not to even hold hearings for any Obama nominee to the U.S. Supreme Court to fill the Scalia vacancy.

They went on to say:

Even as awful as Congress is, it's not often that its members combine dereliction of constitutional duty—(see Article II, Section 2)—with political cravenness (the aversion to tough decisions in an election year) in one fell swoop, but so Senate Republicans have here. Not only have they unconstitutionally changed a president's term from four to three years, not only are they renouncing their “advice and consent” role, not only are they effectively suggesting the Constitution be amended to popularly elect Supreme Court justices, but even more lame are the lengths Republicans went to in order to rationalize their decision.

No more excuses. The Senate Judiciary Committee and the Senate should do their job. When the President submits a nominee, we should give that nominee a fair and thorough hearing—a fair, respectful, and thorough hearing, as one Republican said over and over again—in full view of the American people and then vote.

A fair warning to my Senate Republicans. They said the American people should decide. They will decide—they will decide in November that the Republicans in the Senate should do their job.

I yield the floor.

Mr. LEAHY. Mr. President, will the Senator yield for a question?

Mr. DURBIN. I will be happy to yield.

Mr. LEAHY. Mr. President, the Senator may well recall—he was here when I was chairman of the Judiciary Committee in 2001 during President Bush's administration, the ranking member was then Senator HATCH—we put together an agreement about how the committee would consider Supreme Court nominees. We wrote: The Judiciary Committee's traditional practice has been to report Supreme Court nominees to the Senate once the committee has completed its consideration. This has been true even in cases where Supreme Court nominees were opposed by a majority of the Judiciary Committee.

Does the Senator recall that at that time the Republican leader of the Senate, Senator Lott, even read that letter into the RECORD to say that this is the way the Senate should operate?

Mr. DURBIN. I do remember that.

Mr. LEAHY. I appreciate that.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I come to the floor this morning because of the important subject that is before us, the bill that deals with the opioid epidemic, the follow-on heroin problem, a bill that was reported out of committee unanimously, a very important piece of legislation. Right now we have unfortunate political gamesmanship that has overtaken some of my Democratic colleagues at the very same time that everybody on the Judiciary Committee knows we need to pass the Comprehensive Addiction and Recovery Act that goes by the acronym CARA for short.

It happens, though, that the opioid epidemic is not a political game. It is a real problem out there. A massive hearing we had in committee demonstrates that. I am very proud the Senate has taken up the CARA bill, after this public health crisis festered for so long while the Senate was controlled by the Democrats.

For example, tragically heroin overdose deaths more than tripled from 2010 to 2014. All the while, the Democratic leadership simply did not make it a priority to move a bill like CARA. It is a bipartisan bill that addresses the public health crisis of heroin and prescription opioid abuse.

Through the hard work of many on both sides of the aisle because it is a bipartisan bill, as I said, it passed out of our committee—and you can't say so often—unanimously. Everybody at the grassroots level of America thinks everything here is always partisan between Republicans and Democrats—not when it comes to the opioid issue or a lot of other issues. This bill came out of committee unanimously, and we ought to get it to the House of Representatives as fast as we can and to the President. Just a few weeks after it came out of committee, here we are working on it with an opportunity to pass it.

This reflects the Senate working in a very constructive, bipartisan way on behalf of the American people and the people who are addicted to heroin and opioids. This is very much unlike the way the Senate acted when the Democrats controlled it. This issue was not brought up. For political reasons, that is not a narrative some Democrats want the American people to hear, and so we are having this game today.

Yesterday, there was a manufactured controversy over the amount of funding. Of course, the opioid crisis demands resources, and significant resources are being directed to it, both by the Appropriations Committee and the programs laid out in this bill before us right now. In fact, according to the

Office of National Drug Control Policy, the Appropriations Act passed in December provides more than \$400 million in funding specifically to address the opioid epidemic. This is an increase of more than \$100 million over the previous year. None of that money has been spent yet. All of that money is still available today.

This bill authorizes so many activities to combat the crisis, but it was never intended to appropriate funding. That is what we have Appropriations Committees for. That is why we have an appropriations process. Through the appropriations process, we can evaluate competing priorities, evaluate trade-offs, and in the end ensure that adequate resources are directed to this epidemic while at the same time maintaining fiscal discipline.

I am glad the Senate rejected that attempt to inject gamesmanship into the debate over ways to improve this bill. That vote happened yesterday. Now the minority in the Senate, the Democrats, are setting up additional procedural roadblocks. We tried to set up additional votes this morning to move this very important bill along so we can help the people of the various States, and particularly New England, solve this opioid addition and heroin problem—also a problem in the eastern part of my State—but somehow the Democrats would not agree.

Because we have this bill on the floor, I also asked the Democrats on the committee to hold our weekly Judiciary Committee business meeting over here in the Capitol Building instead of in the committee room, right off the floor of this Senate, as we do quite regularly, particularly when we have so much business here.

That was a routine accommodation I asked them to make, similar to the accommodation I gave to them when we had a hearing scheduled earlier this week on the EB-5 immigration bill, when they asked to cancel that because this bill was on the floor of the Senate. So I accommodated them. Would they give me the accommodation of holding this meeting off the floor of the Senate so we could take up the business of voting out some judges? There was not any legislation on our agenda, but we could have voted out some judges. How often do we hear that the Judiciary Committee is not moving judges? We had a chance to do that probably in a 10-minute meeting right in the President's Room, just a few feet from where I am standing right now.

I gave them an accommodation, but now I am running into trouble because I canceled a meeting because we have this important bill on the floor of the Senate. I understand they are protesting the Judiciary Committee's lack of action on a Supreme Court nomination, which nomination we could not even possibly consider if the President does not send it up.

I imagine this is just the first of several problems we are going to have in the next few weeks. While they do that

this morning, I want you to know I am going to be on the Senate floor trying to get this very important opioid addiction bill—heroin addiction bill—passed, and I will be thinking about so many people CARA will help once this bill is signed by the President.

At our Judiciary Committee hearing we had on this very important problem, we heard from Nick Willard, chief of the Manchester New Hampshire Police Department. His officers will benefit from the training the bill authorizes to use naloxone, a drug that can save lives after an overdose.

At that hearing, we also heard from Tonda DaRae, a courageous Ohio woman who lost a daughter to an overdose and who founded a support group for those in recovery called Holly's Song of Hope. Her group may profit from this legislation's grants aimed at building communities of recovery.

I will be thinking about the many Iowans I have heard about who have been impacted by this crisis. I spoke earlier this week about Kim Brown of Davenport, who lost her son Andy to an overdose. She now speaks out across the State about the epidemic.

There is Carla Richards, of Waukegan, IA, who lost her daughter Anna to an overdose as well. She founded an organization to promote awareness called Anna's Warriors. There are all kinds of tragic stories that every Senator in this body could talk about that highlight the rationale behind this legislation and the \$400 million that is waiting to be spent to overcome the opioid addiction.

There is a seed of hope in many of them, hope that we can act to address this epidemic, each in our own way. I will be thinking of these stories today as we try to move CARA one step closer to becoming law. So why would a bill that got out of committee unanimously have this sort of shenanigans going on, on the floor of the Senate, at a time when people are dying—44,000 people in the most recent statistical year, more than automobile accidents and gun crimes together. This is a real problem. We need to get this bill passed, and we are working on accommodating amendments and moving it forward. It is not the time for the go-slow approach we are seeing already on the floor of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

FILLING THE SUPREME COURT VACANCY

Mr. LEAHY. Mr. President, I ask unanimous consent to engage in a colloquy with other Democratic members of the Judiciary Committee for 30 minutes.

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

Mr. LEAHY. Mr. President, one, so we fully understand, we are perfectly willing to have—even though we don't hold Judiciary Committee meetings every week as we used to—we would be perfectly willing to have a meeting that was not in a backroom but open so the press would see it.

It is important to have such meetings open, for the press and anybody who wants to come in. It is unfortunate that we have had—with the Supreme Court vacancy—there has been a closed-door, back-room meeting. That is when a small handful of Republican Senators decided, with the Republican leader, to say the President should not follow his constitutional duty and nominate a Supreme Court nominee, and, in an unprecedented fashion, the Senate Judiciary Committee would not follow its constitutional obligation of advice and consent.

In that small closed-door meeting, it was decided that Senators should not follow the solemn oath they have taken on this floor when they say they will uphold the Constitution “so help me God.” We have had enough closed-door meetings, especially closed-door meetings that tell us to violate an oath where they said “so help me God” and to not follow the Constitution.

I think it is important that we have these meetings since the untimely passing of Justice Antonin Scalia. There is certainly a disagreement over how to move forward in filling the Supreme Court vacancy, but I think the American people want us to do our job. This is a time we should have an open conversation about it, not closed-door meetings, where afterward self-serving press releases are issued, which may or may not accurately represent what went on in those meetings.

The American people deserve to have us do our job, hear us discuss and debate the committee's next steps in fulfilling our constitutional duty.

Last night, my friend, the senior Senator from Iowa, decided to postpone this meeting rather than have it in public. Now we have to wait another week before the committee can sit down in public so the American people can discuss an issue that is so important. The move to postpone today's meeting is troubling, given that last week's meeting—a meeting that should have happened with the participation of all the committee members in a room open to the public, showing us doing our jobs—was also postponed. So we didn't have a meeting in public. We weren't doing our job.

Instead, last week the committee's Republicans decided to meet behind closed doors—the public couldn't follow what they were doing—without any Democrats so they could hatch a partisan plan to obstruct any effort to consider the next nominee to the Supreme Court and do that no matter what the Constitution says. There was no consultation with any Democrats serving on the committee. There was no public discussion of any kind.

Certainly, in my 40 years here, whether Republicans have been in control of the Senate or Democrats, I cannot think of any precedent for this kind of closed-door discussion of how we avoid doing our job. Instead, 11 Republican Senators unilaterally decided the Senate would abdicate its responsibility and block all of us from fulfilling

our constitutional obligation of advice and consent. They block all of us from doing our job.

Supreme Court nominations are a unique priority for the Judiciary Committee. Since I have served in the Senate—I voted on every member currently on the Supreme Court and on several who have since retired—the Judiciary Committee has always held hearings on Supreme Court nominees, and they have always reported them to the full Senate for consideration.

When I took over as chairman of the Judiciary Committee in 2001, George W. Bush was President. I did not agree with much of what his administration was already doing—I was very frank in discussions with President Bush to tell him that—and I was not sure if I would approve of any Supreme Court nominations he might have the opportunity to make, but even with those reservations, I wrote a letter with then-ranking member Senator HATCH memorializing an agreement we reached—which Republicans gave their word to follow—about how the Judiciary Committee would consider Supreme Court nominees.

In that letter that Senator HATCH and I wrote, he gave his word and I gave mine:

The Judiciary Committee's traditional practice has been to report Supreme Court nominees to the Senate once the Committee has completed its considerations. This has been true even in cases where Supreme Court nominees were opposed by a majority of the Judiciary Committee.

Senator HATCH and I gave our word on that. The Republican leader at the time, Senator Lott, then read our letter into the CONGRESSIONAL RECORD to ensure that it was available to all Americans to see, and I took the word of Republicans in this body that they believed what they were saying. It showed the long understanding of the Senate Judiciary Committee's commitment to an open, fair process, even when the majority does not agree with the opposing party's President.

The priority of the Judiciary Committee has afforded Supreme Court nominees is exemplified by its consideration of two of the most contentious nominations to the Court: Robert Bork and Clarence Thomas.

In both instances, then-Chairman Biden moved the nominations to the full Senate, even though a majority of the Senate Judiciary Committee did not support the nominations. In other words, the majority did not support the nomination, but we still moved them forward.

In Robert Bork's case, a committee vote to report out his nomination favorably failed by a vote of 5 to 9, with both Republicans and Democrats voting against it. At the time, the Reagan administration was quietly asking him to withdraw his name, but he still wanted to have a vote, and the committee then voted to report his nomination with an unfavorable recommendation. He was reported out un-

favorably by a vote of 9 to 5 so the full Senate could consider him. Some Democrats voted for him. Many Democrats voted against him. Some Republicans voted for him. Many Republicans voted against him, but he had his vote.

In Clarence Thomas's case, the committee voted to report out his nomination favorably. That failed by a vote of 7 to 7. The committee then voted to report his nomination without recommendation, and by 13 to 1 we voted to give him a chance to be heard on the floor.

Even when a majority of committee members have not supported a nominee, as was the case with Robert Bork or Clarence Thomas, we have not denied the full Senate—or the American people—the opportunity to debate and consider a Supreme Court nominee. We were not going to say this Senate shouldn't do its job.

The Judiciary Committee has a strong tradition of transparency. I remember when I first came on, there was one of the most conservative Senators as chairman, Jim Eastland. We have done it with all who have been chairs. I believe the American people have a right to see and hear what we are doing. They have a right to know whether we are doing our job. They have a right to weigh in on the decisions we make. Nowhere does transparency matter more than a lifetime appointment to the highest Court in our land. You can't decide a question of somebody going on the highest Court of our land, with a lifetime appointment, and do it with a small group behind closed doors. That is not doing our job. There is no place for backroom deals for something so important. Public confirmation hearings are a vital part of our democracy. That is not just about us.

Public hearings are how Americans meet the nominee. Public hearings allow every American the opportunity to watch and listen to this person whose decisions may have a lasting impact on their lives. Ultimately, what this small group of Republican members of the committee meeting behind closed doors unilaterally decided last week was to reject the longstanding tradition of public hearings. In doing so, they are denying Americans—all Americans, Republicans and Democrats alike—the chance to participate in the consideration of a nominee. They deny Americans a chance to have us do our job.

The Judiciary Committee is one of the busiest in the Senate. It considers some of the most consequential issues affecting millions of Americans. When we commit ourselves to what brought us here, to do our job and work together for our constituents, we can achieve great things. This is what happened 3 years ago when the Senate passed comprehensive immigration reform. After six hearings and 3 weeks of markups—many lasting until very late at night—each of the 18 Senators serving on the committee participated in

the process to draft that legislation. I allowed everybody who had an amendment to bring it up. We would go back and forth—one Democrat, one Republican, back and forth. We did this day after day, late at night sometimes, but all in public. It was all covered by television. Not all of us supported the bill, but all of us had a chance to debate and amend it. Even the staunchest opponents of the legislation, including some in the Chamber right now, praised the Judiciary Committee's transparent and fair process for consideration of that bill. A Vermont editorial at the time called our committee proceedings—because they were open, because everybody had a chance to participate, because the American people could see what we were doing, because we were doing our job—“a lesson in democracy.” I think it is time for a refresher course.

The legal issues before the Supreme Court are significant, and its importance in our constitutional democracy cannot be overstated, nor can the responsibility of both the President to follow his constitutional duty to nominate and the Judiciary Committee's responsibility to fairly consider a nominee to serve in the highest Court in the land.

It is with deep concern I come to the floor. I urge my friend, the chairman, and all members of the Judiciary Committee to renew their commitment to transparency and regular order. I ask that you withhold judgment. I ask those who met behind closed doors to withhold your judgment until you can review the record of whomever the President nominates. I ask you to give the next nominee to the Supreme Court a fair hearing, as we have done in this body—the body should be the conscience of the Nation—for the last 100 years. The American people expect us to do our job.

Senator COONS is on the floor. The distinguished Senator from Delaware is the ranking member of the Court Subcommittee. I wish to ask Senator COONS, through the Chair, what his understanding of the role of the Senate Judiciary Committee with regard to the next Supreme Court nominee is.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I emphasize how important I think the role is of the Senate Judiciary Committee. As many present know, my predecessor, now Vice President BIDEN, is a former chairman of the Senate Judiciary Committee.

As my good friend and colleague from the State of Vermont just reminded us, there is a long and important history on the Senate Judiciary Committee that I think bears repeating; that since its formation a century ago, the Senate Judiciary Committee has provided a hearing, a vote or both for every single Supreme Court nominee. The only exceptions being those that went straight to the floor because their confirmations were supported so broadly.

I also think there is a second important point, if I could briefly touch on it; that even in those instances where a nominee did not enjoy majority support on the committee, even in those instances just cited by the Senator from Vermont, where a majority of the Senate Judiciary Committee voted against a nomination, that nomination proceeded to the floor of the Senate to ensure that advice and consent—our constitutional duty—could be carried forward.

If I might ask for the forbearance of the Senator from Vermont for one moment, I also want to set the record straight about what my friend and predecessor then-Senator, now-Vice President BIDEN actually said in a floor speech back in 1992, a floor speech that has been widely cited as evidence of some new set of so-called Biden rules that are somehow a basis for the obstructionism we now see—a refusal to even meet with a Supreme Court nominee, let alone give them a fair hearing.

I want to take this moment because then-Senator BIDEN has been quoted out of context. He gave—I am sure this will not surprise some in the Chamber—a somewhat long and winding speech. There was no Supreme Court vacancy at the time. He was simply observing what might happen if there were to be a vacancy. While he did, early in the speech, give some comments that have been now used, he also gave at the end of his speech a section I want to read. To quote directly:

I believe that so long as the public continues to split its confidence between the branches, compromise is the responsible course both for the White House and for the Senate. Therefore I stand by my position, Mr. President, if the President [then President George H.W. Bush] consults and cooperates with the Senate or moderates his selections absent consultation, then his nominees may enjoy my support, as did Justices Kennedy and Souter.

In conclusion, let me remark that what then-Chairman BIDEN did speaks more loudly even than what he said. I believe his record as chairman of the Senate Judiciary Committee is unmistakable. In case after case, he convened and held timely hearings, even in the election year of 1988. It means he considered and confirmed 64 judicial nominees, as late as September in a Presidential election year. It means he voted in favor of Justice Kennedy and Justice Souter, nominated by Republican Presidents, and it means that in his speech, in the section I quoted, I think he sent a clear request to then-President George H.W. Bush to work with the Senate, send us a moderate nominee, and I will consider supporting them.

I urge the chairman and ranking member, all of us who are members of this important and august committee, to follow the actual Biden rules by working across the aisle, by consulting, and by offering a fair, open, and timely hearing for any nominee who should be proffered by our President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator from Delaware for clearing that up. I don't normally discuss what is said in meetings with the President, but so much has been reported by the two Republicans who were there, the distinguished Senator from Iowa and the distinguished Republican leader. Vice President BIDEN was also there, and he was very clear as to what he meant so that there would be no question. He also pointed out that right through September, 64 of the Republican President's nominees went through. I think during President Bush's last 2 years, I was chairman, and I moved 68 judges.

We see a double standard by our friends from the Republican Party when it comes to the courts of appeals judges as well as district judges. In the majority, they have allowed only 16 of President Obama's judges. Facts do speak louder than words.

I thank the distinguished Senator from Delaware for clearing up that matter.

I know the distinguished Senator from Rhode Island also has something he wishes to say, and I will yield to him.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the ranking member for that courtesy. Article II, Section 2 of the Constitution states quite clearly that the President shall nominate a candidate when there is a vacancy in the United States Supreme Court. I would like the record of this discussion to reflect that the term "shall," as defined in the Merriam-Webster dictionary—the relevant definition—is A, used to express a command or exhortation, and, B, used in laws, regulations, or directives to express what is mandatory.

Under the Constitution that we are all sworn to uphold, the President of the United States has a mandatory duty. I think it is important that he accomplish it and nominate a candidate.

I ask my colleagues to imagine if there were another mandatory duty of the President of the United States that this President refused to perform—imagine the cavalcade of Republican Senators to the studios of Fox News to decry and condemn this President for that omission. This should be no different.

The President must and will do his constitutional duty. If and when he does that, then the constitutional burden of duty moves from the President to the U.S. Senate, and we will then have to decide whether we will abide by our constitutional duty, whether to follow the regular order that so many of us have articulated as an important goal, whether to follow the precedents of previous nominees, whether to act fairly, whether we are going to be an organization here, an institution, that will prejudice a nominee before we even

know who he or she is. Prejudice is at the heart of prejudice; it is not a good thing for the Senate to be doing. Finally, we will have to decide what kind of example we want to set to the rest of the world—of a country that follows the regular order as established in its constitution and has its institutions of government do their duty or as a country that will bend, twist, and dodge those responsibilities because of the demands of immediate politics.

Those are choices I will address when they come to us. For now I wish only to say that the President's mandatory duty is clear, and no one should be surprised that he performs it.

I thank the Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator from Rhode Island. He is a former attorney general of his State as well as a former U.S. attorney and is well familiar with what the Constitution requires, and I appreciate his urging the U.S. Senate to do its job and follow the Constitution.

Mr. President, at this point I will yield to the distinguished senior Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague and our ranking member on the Judiciary Committee not only for his friendship and his articulateness but his great work on this issue.

Just as the President has a constitutional responsibility to name a nominee to the Court, the Senate has its constitutional duty to provide advice and consent on the nominee. It is our job. It is the job of this body and specifically the Judiciary Committee to hold hearings on that nominee.

This chart says, "America to Senate Republicans: Do your job." Today we might be saying, "America to the Judiciary Committee: Do your job." The American people expect us to do our job in the Senate and in the committees and do what we are supposed to be doing.

As my colleague from Vermont has noted, the Judiciary Committee should be meeting right now at this moment, as we do every Thursday. This would have been the first opportunity for all members of this committee to debate in public the Republican chairman's unilateral decision to issue a blanket hold on an unnamed Supreme Court nominee. We hold Judiciary meetings on Thursday all the time while legislation is being debated on the floor. There were no votes scheduled. We meet every Thursday. We know why they are not meeting today. They are afraid to discuss the issue. They cannot win the argument that we shouldn't be doing our job in a public debate. They can't win the argument that the Judiciary Committee shouldn't be holding hearings. We had the meeting abruptly canceled at the last minute not because CARA is being debated on the floor—CARA is important—but because people didn't want to debate the issue of the Supreme Court. Let's face it; that is the truth.

We are not asking the Senate or the Judiciary Committee to be a rubber stamp.

I have one more point on the Judiciary Committee. We are asking our Republican colleagues to simply do their job. Hold this body and the Judiciary Committee in some regard. We can disagree on the politics, we can disagree on a nominee, but hold a hearing and hold a vote. That is what our constituents sent us here to do.

I will remind my dear friend from Iowa, and he is a dear friend, what his own Web site—the Judiciary Committee's Web site—says is its job. This was pointed out by Senator DURBIN a few days ago, but I think it is worth repeating. This is a copy of the Web site of the Judiciary Committee. Here is part of what it says when it comes to nominations.

When a vacancy occurs on the Supreme Court, the President of the United States is given the authority, under Article II of the United States Constitution, to nominate a person to fill the vacancy. The nomination is referred to the United States Senate, where the Senate Judiciary Committee holds a hearing where the nominee provides testimony and responds to questions from members of the panel. Traditionally, the committee refers the nomination to the full Senate for a vote.

This is the Web page of the Senate Judiciary Committee. It does not say you hold a hearing when you want to. It does not say you hold a hearing when you like the nominee or only when your party has the Presidency. It says: "The nomination is"—not may be; is—"referred to the United States Senate, where the Senate Judiciary Committee holds a hearing where the nominee provides testimony and responds to questions from members of the panel." It doesn't say the Senate Judiciary Committee might hold a hearing or could at its whim hold a hearing. It says hold a hearing, no qualifiers.

We ought to be holding a hearing and we ought to be debating on whether to hold a hearing now in the Chamber of the Judiciary Committee on Thursday at 10 a.m., as we have done week after week after week when other important issues are being debated on the floor of the U.S. Senate. We can do both. We can move CARA—I admit it doesn't have the funding I would like to see there at this point—and we can meet in the Judiciary Committee.

I don't understand the decision by the chairman of the Judiciary Committee, who I believe holds the same reverence that I do and the same reverence that the ranking member and former chairman, the Senator from Vermont, does for its profound and historic standing in the Senate. I would like to hear directly from the chairman about the thinking behind his decision to unilaterally decide that this committee will have no voice, no ability to examine a nominee's record and qualifications.

Earlier this week, the chairman indicated that there are some members of

his committee majority who might like to see us hold hearings. He said: As any chairman ought to do, I went to the members of my committee. They all agreed with me for different reasons, not just because I am chairman. Some had reluctance, but all signed.

The chairman indicated he would consider breaking ranks with his party leader by meeting the potential nominee, Eighth Circuit Court Judge Jane Kelly from his home State of Iowa. He was reluctant to issue the same across-the-board denial. I understand his reluctance. He is a good man. CHUCK GRASSLEY is a good man. He comes from the heartland of America and represents its finest values. I regret to say it, but I think politics are pulling him off course here, and I hope he will return because he is a good man and I understand the reluctance of Senators to sign that letter. Senators did not come to Washington to do that. The Senators know the folks out there want them to do their job.

Editorial boards across the country have castigated this policy of obstruction.

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

Mr. SCHUMER. Almost every poll shows the majority of Americans favor action.

Mr. President, just one more point.

It is not right to do what the committee is doing, and I sincerely hope the chairman will reconsider his position. If Republicans truly respect the Constitution, they should follow it and consider a nomination from the sitting President rather than play political games.

I yield back to my dear friend, our outstanding leader on the Judiciary Committee, Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I realize our time has expired, but I ask unanimous consent that I be able to yield the floor for my colloquy but that I be followed for 5 minutes by the distinguished senior Senator from Connecticut and that he be followed by the distinguished senior Senator from Minnesota for 5 minutes.

The PRESIDING OFFICER (Mr. GRASSLEY). I am in the Chair and probably can't participate, but I want to make it clear that I want the manager of the bill to speak so—

Mr. LEAHY. Mr. President, could we have regular order.

The PRESIDING OFFICER. I am exercising my prerogative. If I don't have that prerogative, then I object.

The Chair recognizes the Senator from North Carolina.

Mr. SCHUMER. Mr. President, may I make a unanimous consent request?

The PRESIDING OFFICER. The Chair recognizes the Senator from North Carolina.

Mr. TILLIS. I thank the Presiding Officer.

Mr. President, I didn't have any intention to speak today, but one of the

blessings of being a freshman Member is you get the opportunity to preside and hear the arguments that are going on in the Chamber and the discussion about the SCOTUS nomination. We are going to have to agree to disagree with our friends from across the aisle on the SCOTUS nomination.

Let's take a look at what is going on here.

In North Carolina, over the past 24 hours, some four people have died of a drug overdose. We had more deaths associated with drug overdoses than we had with car accidents last year.

So what is going on here? Back in 2008, there was an opioid epidemic. There was a supermajority in the U.S. Senate. There was a Democrat in the White House and a majority in the House of Representatives. No action. In 2010, the epidemic was growing. In places in New England, in the Midwest, down in the South, people were dying. Yet there was no action.

Now this Congress has taken action. I think it is time to move the CARA bill. To hold hostage the CARA bill and shift the discussion to a genuine disagreement we have with the minority on SCOTUS is literally costing lives.

For those who sit here and want to hold up the CARA bill for the purposes of discussing the SCOTUS nomination, we don't even have a nominee yet. There is going to be plenty of time in committee and plenty of time on the floor to debate this difference of opinion between the minority and the majority. But in the meantime, for people who would hold up passing the CARA bill over the SCOTUS nomination, what are you going to tell the two people—last week, two friends of mine, when they heard my speech on the Senate floor, came to me and said: Thank you for moving this bill. I lost my son a year and a half ago.

Two of my friends have told me: Thank you for helping us increase the visibility and get to a point to where we are saving these lives.

Those who would hold up the CARA bill, what are you going to tell the first responders who, if they had naloxone, could have potentially saved the life of somebody who has fallen on the floor and died? What are you going to tell them? What are you going to tell the law enforcement officers who are trying to help people live who have succumbed to addiction and opioid abuse? What are you going to tell them by holding up this bill? What are you going to tell the parents who are struggling, who need help with education, who need help with their incarcerated children who may have succumbed to addiction, who did a wrong thing and are in prison and now need help? They need to be rehabilitated. They need to be saved.

At some point, we need to recognize that we do need to do things separately. We need to recognize that it is disgraceful to hold up the CARA bill over a genuine disagreement we are going to have for months.

I am one of the Senators in the Judiciary Committee who signed the letter. I do not believe that until we hear the vote of the people, we should hear a SCOTUS nomination. But I am not here to talk about SCOTUS today. I am here to talk about saving lives. I am here to talk about addressing the addiction problem that is growing. I am here to talk about the sad, heart-breaking stories of families across this Nation who are starving for help.

This bill helps. This bill appropriates over \$100 million that can be spent between now and the end of September to save lives. If I come to the floor tomorrow, I am going to be talking about four more lives that have been lost in North Carolina, some that could have been saved if we would just do our job. There is a lot of discussion about doing our job, right? Let's do our job and get CARA passed.

Mr. SCHUMER. Mr. President, I ask my colleague from North Carolina to yield for a question.

Mr. TILLIS. I yield.

Mr. SCHUMER. Thank you. I appreciate the courtesy. I so understand what you are saying. A week ago, I held in my arms a father whose son had committed suicide while waiting for treatment, so I understand the importance of the bill we have before us.

I don't see why we can't do both things at once. The Senator from North Carolina has sat with me while we debated important bills on the floor and met in the Judiciary Committee, and all of a sudden, at the last minute, the rug is pulled out from under that meeting. It was scheduled. The CARA bill was scheduled to be debated, and we could meet in the Judiciary Committee.

I am sure my colleague will admit that the issue with the Supreme Court is important, too, just as CARA is. So could he explain to me why we couldn't do both—have our meeting in the Judiciary Committee and let those who want to be in the Judiciary Committee speak there and let those who want to speak on CARA speak here? No votes were scheduled. I am right about that, correct? So just explain how one delays the other.

Mr. TILLIS. Mr. President, I actually was speaker of the house in North Carolina for 4 years. I like a good scrap. I don't have any problem with going to a committee hearing and explaining why I have taken the position I have on the judicial nomination. But that is not what I am talking about today. I am talking about over the next 24 hours, four more people are going to die from overdoses in North Carolina. I am trying to figure out what I say to that mother and that father to say, well, gosh, you know, things got gummed up here because we decided to connect two unrelated issues. One has to do with the Supreme Court nomination, and that is very important. It is critically important. I get that. But what is more important than saving lives of people who we

know are going to die? The data is compelling.

Folks, we have to get to a point where we get Washington working again, and you don't do it by playing chess. I am not an attorney. I am not a constitutional scholar. But I am a father and somebody who spends a lot of time in my State. I think we have reached a point where we need to get serious with it. We are creating obstacles on CARA that don't exist. People are absolutely costing lives by failing to move on this bill.

Let's have a fight. Let's have a committee hearing. I like a good scrap. I am looking forward to having that debate. I am looking forward to the history of other positions that have been taken by my friends across the aisle on how to dispose of nominations from the President. I am happy to do that. But I want this bill passed. I want to be able to go back to the people in North Carolina and say: We are doing everything we possibly can to save lives. That is what CARA does. That is why we need to act.

Mr. SCHUMER. Will the Senator yield?

The PRESIDING OFFICER. Who seeks the floor?

Mr. SCHUMER. I seek to ask another question of my friend from North Carolina.

Mr. TILLIS. Mr. President, we were supposed to be here moving the bill forward. We need to make it clear that we were going to vote on amendments on CARA today to draw down the backlog and move the bill. The Presiding Officer decided to have the meeting off the floor so that we could move judicial nominations. We weren't going to take up legislation there.

I think what we need to do is get back to the work of disposing of amendments, making the bill better potentially, and getting it to the House and getting it to the President's desk. That is what I am talking about. This is the capacity. We have limited capacity in this Chamber. You all know the procedural games you can play around here. The limitations of time are numerous. We are just creating more of that. We are gumming up the works while people are dying. One person every 6 hours in the State of North Carolina is dying from a drug overdose. If we delay by 6 hours, we are responsible for a life in North Carolina. These are lives we can save. We need to dispose of the amendments on this bill and move it to the House.

Mr. President, I apologize if I am angry, but when lives are involved, when youth is involved, I think it is time for us to do our job. Our job is to dispose of amendments and move this bill to the House of Representatives.

Thank you.

Mr. SCHUMER. Mr. President, will my colleague yield for a question?

The PRESIDING OFFICER. Does the Senator yield?

Mr. TILLIS. Yes, sir.

Mr. SCHUMER. I ask my colleague, is it true that we have had debates in

the committee in the committee room while important discussions have been carried on here in other instances? Is that true or false?

Mr. TILLIS. I say to Senator SCHUMER, it is true.

Mr. SCHUMER. Thank you.

Mr. TILLIS. But I don't see its relevance to the task at hand. That is the problem—

Mr. SCHUMER. Will the Senator yield?

Mr. TILLIS. If I may completely answer the question, that is the problem with this process. I hear that. I see the Kabuki dances going on. What I want to do is dispose of the amendments on the CARA bill and do our job. Let's do our job. Our job is to pass legislation and in this case save lives. So I get that we need to do the other things, but let's get to the task at hand. Let's do our job. I am prepared to do the job. I will stay here all weekend long. I will work 24/7 until this bill gets passed. Why don't we focus on that and introduce a little humanity into the discussion? I get the procedural issues. We need to have the debates in Judiciary. I am perfectly happy to do that. I want this bill passed. I want Members to come down to this floor, pass amendments, draw down the queue, and send this bill to the President's desk.

Let's do our job. I am prepared to do my job today, tomorrow, Saturday, Sunday, and through all of next week if that is what it takes to get this done. I hope my colleagues on the other side of the aisle will be too.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator has yielded the floor.

Who seeks recognition?

The Senator from Vermont.

Mr. LEAHY. Mr. President, as one who has held a lot of hearings on opioids, as one who has brought together law enforcement, the medical community, parents, the faith community, and physicians in my State on the opioid matter, I am perfectly happy that the Republicans control the schedule and perfectly happy that they want to stay here today, tomorrow, the next day, and go forth.

Mr. SCHUMER. Will my colleague yield for one more question?

Mr. LEAHY. Certainly.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from New York.

Mr. SCHUMER. Thank you, Mr. President.

I would just ask you, our ranking member, haven't we been able in the past to hold meetings in the Judiciary Committee and debate bills on the floor?

Mr. LEAHY. We did hate crimes legislation on the floor at the same time we were doing a Supreme Court nomination. Those are pretty significant things. It can be done.

Mr. SCHUMER. One more question to my colleague. Has the leader filed cloture, which would move this to a conclusion? As best to your knowledge, has the leader filed cloture? Because if

he hasn't, we are not holding up anything.

Mr. President, I would suggest to my colleague from North Carolina that if he wants to move the bill quickly, he ought to go to the leader and say "File cloture," not say "Delay a meeting in the Judiciary Committee"; is that right?

Have you heard of the leader filing cloture yet?

Mr. LEAHY. Mr. President, my understanding is that cloture has not been filed.

Mr. SCHUMER. Thank you.

Mr. LEAHY. I would agree with the Presiding Officer. I will stay here Friday, Saturday, and Sunday and vote and pass this, I would hope with actually putting money in it so we are not just passing something symbolically without teeth.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I would ask the Senator from Vermont a question, if he would take it.

Mr. LEAHY. Mr. President, without losing my right to the floor, I yield to answer the question, yes.

Mr. GRASSLEY. Mr. President, I heard what they said about the meeting being canceled today, because we could have held the meeting off the floor and voted out three judges. So somehow that interfered with what they wanted to do in the Judiciary Committee meeting. I asked for an accommodation. I asked the ranking member for the same accommodation I gave his side when we canceled a hearing on the EB-5 Program earlier this week. And a hearing obviously doesn't take the same time away from the floor as a markup might. So consequently I am asking the ranking member if that accommodation isn't worth the accommodation that I asked today.

Mr. LEAHY. Mr. President, addressing the distinguished Member through the Chair, he is well aware of my concern and the difference between EB-5, which we debate all the time, and a Supreme Court nomination. This goes beyond apples and oranges. There is absolutely no comparison.

I think the Republicans having had a closed-door meeting where a small percentage of the Senate decided there should be no debate or discussion on a Supreme Court nomination—there is no way that having a closed-door meeting off the floor is something that—it wouldn't pass the giggle test. I think all of us, both Democrats and Republicans, would have been rightly criticized by the press if we had done that. This is anything but routine. We are talking about the Supreme Court.

I ask unanimous consent to yield 5 minutes to the distinguished senior Senator from Connecticut and then 5 minutes to the distinguished senior Senator from Minnesota.

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

The Senator from Connecticut.

Mr. BLUMENTHAL. I am always honored to be in this Chamber, and I feel immensely privileged to participate in any debate. But I must say, Mr. President, that the average American listening to the colloquy that has been conducted just within the past few minutes would regard it somewhat in disbelief, maybe dismay, because the Presiding Officer is absolutely right that the people of our States are literally dying as a result of the heroin and opioid epidemic that has created a public health hurricane, a crisis of untold proportion.

This body should and hopefully will pass a bill that will help to address that public health crisis. It is only a downpayment, only a first step, and only effective if accompanied by funding, an emergency supplemental necessary to provide the real resources to address this problem. But this body is capable of passing that bill and still debating whether there should be a hearing and vote on the President's Supreme Court nominee.

The voting on the Comprehensive Addiction and Recovery Act, also known as CARA, is within the control of the majority. That is a simple fact. As Ronald Reagan said, facts are stubborn things. The fact is that control of the votes on that measure are within the prerogative of the majority.

In the meantime, the majority also has the power and authority to say we will have a hearing and a vote on the President's Supreme Court nominee; we will do our job. That is what Senators are elected to do. That is why we have come to the floor of the Senate to say that the Senate must do its job. It has a constitutional duty. It has no discretion whether it should wait for a politically opportune time to do its job or whether it should hear from its base politically. It should do its job when the President submits his nominee.

What may be most regrettable about this debate and about the majority leadership's refusal to have a hearing and a vote on the President's nominee is that it demonstrates political machination—game playing—that threatens the Supreme Court as an institution. It endangers its credibility and trust. The Supreme Court has no armies or police force. It depends, for the enforceability of its decisions, on its credibility and trust. And when it is demeaned in the eyes of the public, when its stature is diminished, when it is dragged into the political morass of a partisan debate and partisan paralysis, its credibility and trust and its stature are vastly diminished, and its powers and institutions are in danger.

I am dismayed that these machinations tend to diminish and demean this institution where I worked for a year as a law clerk for Supreme Court Justice Harry Blackmun, where I argued cases when I was attorney general, and where I was yesterday on those steps with the same awe and admiration and, indeed, reverence that the American people should feel for an institution

above politics, higher than the ordinary give-and-take and contention that occurs on this floor and throughout the political institution. The refusal to even consider having a hearing, having a vote, having a meeting with the President's nominee endangers this institution.

Elections have consequences. We all say so. Obstruction has consequences too. The failure to consider these nominees means that critical decisions will be left undecided.

I urge my colleagues to enable us to have a vote.

The PRESIDING OFFICER (Mrs. FISCHER). The time of the Senator has expired.

Mr. BLUMENTHAL. May I have just 1 more minute?

Mr. LEAHY. Madam President, I ask unanimous consent that Senator BLUMENTHAL be granted three more minutes.

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

Mr. BLUMENTHAL. Thank you.

Madam President, I want to close with the words of Justice Scalia, who said, when he was asked to recuse himself, that leaving the Court potentially equally divided 4 to 4—that a 4-to-4 vote was to be avoided if possible. He said:

With eight justices [it] rais[es] the possibility that, by reason of a tie vote, [the Court] will find itself unable to resolve the significant legal issue presented by the case. . . . Even one unnecessary recusal impairs the functioning of the Court.

Even one unnecessary 4-to-4 vote impairs the stature and credibility and the effectiveness of the Court.

I urge all of us to move forward with the President's nominee when it is made.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I thank the distinguished senior Senator from Connecticut, especially since he brings a wealth of knowledge here. He was one of the most noted attorneys general of his State. Also, he has that very unique knowledge of one of the most highly sought positions—a clerk to a member of the U.S. Supreme Court. In many ways, these are the people who have a closer view. So Senator BLUMENTHAL's experience as a clerk of the Supreme Court is something none of us should ignore.

Madam President, I ask to be able to yield to the distinguished senior Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I thank the senior Senator from Vermont for the opportunity to speak.

I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ISIS

Mr. CASEY. Madam President, I rise to discuss the United States and coalition strategy to bring about a lasting

defeat of the terrorist group ISIS, often known by different acronyms, such as ISIL, as well as Daesh. I will use the acronym ISIS.

We know that ISIS proposes a direct threat to our partners in the Middle East and is exporting its distorted, hateful ideology to other nations, including here in the United States. Beginning in 2014, I have pressed the administration to take action against the financial and facilitation networks that support ISIS. The administration has done good work, but much more remains to be done.

In mid-February, I traveled to a number of countries in the region, including Israel, Saudi Arabia, Qatar, and Turkey to conduct oversight of our strategy to cut off the financial networks that support terrorist groups like ISIS. I found that the events of the last 2 years have brought the issue of terrorism financing into sharper focus, and certainly into sharper focus for the countries in the region. ISIS attacks in places like Saudi Arabia and Qatar should be a wakeup call for gulf countries. Terrorist financiers not only support ISIS, but they present a direct threat to their own internal security and stability—the security and stability of these gulf countries—as well as other countries the world over.

While coalition partners are taking steps in the right direction, much more work remains to be done. We need to see more investigations turn into more arrests, more prosecutions, more sentencing, and more accountability in these countries that will take these criminals and terrorists off the streets. It also became clear to me on my visit to the region that we need to improve upon the international architecture that cuts off terrorist financiers and facilitators from the international financial system. As a first step, countries should seek to meet the requirements to be a member in good standing of the Financial Action Task Force, known by the acronym FATF. This is a multinational, intergovernmental organization tasked with addressing money laundering and financial crimes.

Countries also need to take steps to address the ways terrorist financiers use the black market and the gray market to facilitate their work. For example, in Turkey, my last stop on my visit to the region, I came away with the impression that the Turkish Government is not adequately prioritizing efforts to stop foreign fighter movements and the illicit smuggling of cash, oil, antiquities, and IED precursor components across its southern border. As terrorist financiers' tactics evolve, our strategies must improve and respond. For example, more work needs to be done to regulate and to cut off the informal exchange houses in countries bordering ISIS-occupied territory, which may be the primary way that ISIS gains access to the international financial system.

Much more work remains to be done, and the United States should continue

leading the effort. At every stop, I was impressed by the good work of our U.S. military personnel and diplomats. One of the highlights of my trip was the afternoon I spent at the Al Udeid Air Base in Doha.

I spent time at the Combined Air Operations Center, known as the CAOC, where elements from all U.S. services and representatives of many of our coalition partners worked together to coordinate and execute air operations against ISIS. I also received a classified briefing from the AFCEC commander, Lt. Gen. Brown, which, of course, I cannot detail here. But General Brown has said publicly: "Successful strikes on oil facilities and on monetary centers have resulted in Daesh cutting pay to their fighters and increased the amount of money available to conduct and fund their operations."

This is an important development. It is important to note that U.S.-led air strikes are having a profound impact on ISIS's financial operations.

As lawmakers, we must continue to critically evaluate and develop constructive policies to bring about a lasting defeat of ISIS. We cannot abdicate our oversight responsibilities. To my colleagues who say we are doing "nothing" to fight ISIS, I encourage them to go to a place like the Al Udeid Air Base, meet directly with senior leaders who are bringing the fight to ISIS, and see firsthand the incredible work of our servicemembers, just as I did in the middle of February. We need to hear directly from military commanders and national security experts before offering prescriptions like increasing troop levels in Iraq or expanding the mission sets our military is currently executing.

We owe it to these men and women to have a robust, bipartisan debate about this strategy and to vote on an authorization for the use of military force, vote on legislation to cut off financing, vote on bills to promote humanitarian aid—all of the elements of this strategy.

Rather than conducting oversight by sound bite and oversight by categorical condemnation, let's have a serious debate on this critical national security issue.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Madam President, we have had quite a discussion this morning on why the Judiciary Committee didn't meet.

We were prepared to meet the same way we often meet when there is just maybe 5 minutes of business. We meet off the Senate floor so that we can do both the work of the entire Senate and the work of the Judiciary committee. That happens often. And that's the accommodation I asked for from the minority. But they objected. Of course, they asked me to accommodate them on a hearing that I had scheduled for earlier this week on the EB 5 immigra-

tion issue. I postponed that hearing because minority members of the Judiciary Committee didn't want to have that hearing when this very important opioid addiction bill was on the floor. The heroin addiction bill is before the United States Senate with 44,000 lives being lost in a year because of that addiction. And we're considering important legislation to solve that problem. I did not get that accommodation, so I canceled the meeting.

So what we heard on the floor here, while my colleagues were holding up the opioid bill, all this talk about having a debate about the next nominee to the Supreme Court—a nominee that hasn't even been made yet.

So I come to the floor now to respond to just a couple ridiculous arguments that my friends made this morning.

First of all, we are going to have a debate about the Supreme Court and the proper role of a Supreme Court Justice in our constitutional system. We are going to debate whether or not the American people want yet another Justice who decides cases based on what is in his or her heart or whether they want a Justice who will decide cases based on the Constitution and the law. That is not my estimation of the debate; that is exactly what this President said regarding previous judges and Justices. He said he was looking for somebody who would have empathy for people who came before the Court. Having empathy for people that come before the Court means that you are supposed to do something different than what judges are supposed to do. Judges are supposed to look at the facts and the law and base their decisions on the law. They aren't supposed to base their decisions on personal feelings. We are a nation based on the rule of law. So this is what the American people have to think about and decide. They need to have a voice in this process. As Senator BIDEN said in 1992 or as Senator SCHUMER said in 2007—we are not going to consider a Supreme Court nominee during a heated Presidential election. So we have an opportunity to have a national debate. This whole debate is about whether we are going to have Justices who decide cases based on empathy rather than the letter of the Constitution and the letter of the statute.

On the second point, we have heard a lot of complaining around here—and I suspect we are going to hear a lot more—because Senate judiciary Republicans met and then made public our decision not to hold hearings on the Supreme Court nomination during a heated Presidential election year. Give me a break.

We made a decision based on history and our intention to protect the ability of the American people to make their voices heard. We didn't play games, just as Senator BIDEN wasn't playing games when he gave that 20,000-word speech in 1992 where he said that we shouldn't have a lame duck President make a nomination during a Presidential election campaign, just like

Senator SCHUMER said in 2007 before the American Constitution Society, 18 months before George W. Bush was out of office. So that is the historical approach. Very plain and open, both Democrats and Republicans taking the same tone so the people could make their voices heard. The American people should be heard not only on who is going to fill Justice Scalia's seat, but also on the proper role of the Supreme Court and whether or not the Court ought to be a legislative body.

Like I said, we made that decision and immediately made it public. I don't remember being invited to the secret meetings that the Democrats held before they walked onto the Senate floor in November of 2013 and invoked the nuclear option so they could pack the D.C. circuit. We wanted to save taxpayer money. The D.C. circuit is the least worked circuit court in the country. Everyone knew you didn't need three more judges. That court was fairly evenly divided between liberals and conservatives. But because that court reviews the President's Executive orders and regulations, this President wanted to make sure he had enough judges on that court, so that when the court reviews the actions he takes with his pen and phone, he would get favorable rulings. So they packed the D.C. circuit, so that is why we had the nuclear option, because the other side had to get around the 60-vote rule that we had here for the approval of judges.

I also keep hearing this claim Senator BIDEN, when he was chairman of the committee, should be praised for how he handled the Bork-Kennedy episode. Now, I happened to be here in 1987. I saw what happened to Robert Bork. I saw how he was smeared. And because he was smeared, that seat remained open and was filled in early 1988. If that is the other side's argument, then I think we all know how weak their position is.

Finally, let me say this. I said yesterday and I want to say it again, the other side knows that this nominee isn't going to get confirmed. Everyone knows it. The only reason that they are complaining about a hearing on the nominee is because they want to make the process as political as possible. And that goes to the heart of the matter.

We are not going to politicize this process in the middle of a Presidential election year. We are going to let the people have a voice.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KING. Madam President, I listened with great attentiveness to the very distinguished chair of the Judiciary Committee, whom I have the ut-

most respect for, but I feel that I must respond, given this important question that is not before this body but should be.

The first point this Senator would make is that the term "lameduck" is being used rather loosely. Lameduck, as I have always understood it, is the period between the election and a swearing-in of a successor. A lameduck Congress is the Congress before November and January. A lameduck President is the President's term between November and January. I think, as I have always understood the use of that term, to apply it to a President who is in the middle part or early part of the fourth year of his or her term is not an accurate characterization or usage of the term "lameduck."

The distinguished chairman said we are going to have a debate. I am delighted to hear that. The question is, When? I wasn't here in 1992. I wasn't here in 1987. I wasn't here in 2007. So I am trying to figure out how to respond to this situation, how to understand this situation, with reference to the Constitution.

There are lots of provisions in the Constitution that are subject to windy law review articles, to lengthy court decisions, to interpretation, to characterization of what they actually mean, what was the original intent of the Framers, and all of those complicated issues of discussion, dissection, and explication. But the word "four," as in one, two, three, four, and the word "shall," as in "shall do something," are not among those confusing terms.

I would submit that the President has a constitutional obligation to submit a nominee to this body and this body has a constitutional obligation to consider that nomination—not an obligation to confirm, not an obligation to say yes, but an obligation to consider it.

The Presidential term is 4 years; it is not 3 years and 1 month. That is in the Constitution. Article II, section 2, says the President "shall nominate . . . Ministers . . . Judges of the supreme Court . . . with the Advice and Consent of the Senate."

I would not for a minute presuppose what the decision of the Senate should be, but to argue that the Senate will not even hear the nomination, will not discuss it, will not debate it—in fact, some of the Members have said they will not even meet the person, with no knowledge whatsoever of who this person is. The President may nominate a person who is a combination of Aristotle, Thomas Jefferson, and St. Thomas of Aquinas, but he or she is not even going to be met with. I don't understand that as a matter of interpretation of the Constitution.

There is a lot of discussion about the people "should have a role" in this decision. The Constitution makes that clear. They do have that role when they elect the President of the United States for a 4-year term, not for a 3-year, 1-month term.

I can see no wiggle room on the President's obligation to submit a nominee to this body. This decision to stall this nomination, to not meet with a nominee, to not hold hearings, to not hold a debate, to not hold a discussion, has profound implications for the Court because the reality is this means the Court will be without a Justice for essentially two terms.

We lost Justice Scalia in February. The term of the Court doesn't end until later this spring. He will not be present for the final decisionmaking on the matters that have been before the Court this term. Then, if we wait until a new President is elected, the new President comes into office on January 20, 2017, and submits a new nomination almost immediately. Let's say it is within the first 2 weeks of his or her taking office. The average time for consideration of a Justice is between 60 and 90 days. We are into February, March, April, and that is into the next term of the U.S. Supreme Court. By delaying this decision, we are basically going to leave the Court without a Justice, in contravention to the explicit provision of the Constitution, for what amounts to two terms.

This Senator wants to be very clear: I am not saying that there is any constitutional obligation on this body to approve the President's nominee, but I believe there is a constitutional obligation to consider that nominee. That is really what we are debating.

I am delighted to hear the distinguished chairman say we are going to have this debate, but we ought to have it now, under the Constitution, which requires the President to submit a nominee and, I would argue, requires this body to at least consider that nominee, to hold hearings, to let the people hear who the nominee is, to hear what their views are, and to make the decision within this body whether this nominee should be approved for this incredibly important, august, and solemn obligation to undertake as a Justice of the U.S. Supreme Court.

Again, "four" and "shall" are not debatable propositions. Whether or not the Senate should confirm is clearly within the discretion of every Senator in this body, but to say that we will not have the opportunity to make that decision I think is contrary to the Constitution. It is contrary to the best interests of the American people, and I am surprised, frankly, that my colleagues are taking this position. Nobody is saying how they have to vote. If they don't like the nominee, they can vote them down, but why not have a hearing, why not have a debate, why not have a discussion, why not find out who this person is? The President may nominate someone who is of great appeal to both sides of this body.

I would hope that the distinguished chair of the committee would reconsider his decision—the committee's decision—to not even hold a hearing and to carry out what I believe is the obligation to at least hear the nomination—not approve it, but to at least

hear it—and therefore let the American people participate in this discussion. Therefore, let the American people participate in this discussion. But let's also follow the explicit provisions of the Constitution that require the President to submit a nominee and, I believe, require us to at least consider it, if not approve.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, I come to the floor to talk about the pending legislation, which is very important. It actually enjoys broad bipartisan support, and I am optimistic we can get it done.

Before I talk about that, I wish to comment on some of the things that have been said on the floor with regard to the vacancy created by the death of Antonin Scalia.

First, the Democratic leader, Senator REID, clearly wants to apply a different set of rules when Republicans are in the majority than he did when Democrats were in the majority. That is very clear.

People may get lost in some of the arcane and convoluted nature of the arguments we make on the floor, but the American people understand hypocrisy when they see it. Clearly, in 2005, when President George W. Bush was President, Senator REID made this statement:

The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give Presidential appointees a vote.

We actually agreed with Senator REID then. But to have him come to the floor and lambaste the chairman of the Judiciary Committee and others in a very personal way is surely beneath the dignity of this body and of any Senator. Somehow the Democratic leader feels as if the rules that apply to the rest of us simply don't apply to him. He comes to the floor and tries to provoke fights.

We actually have some important work to get done, and we will get it done on this Comprehensive Addiction and Recovery Act, the so-called CARA Act.

I wish to make another point clear. Republicans on the Senate Judiciary Committee agreed in a united way to the same principle that our Democratic colleagues have argued for decades. During an election year, a Supreme Court nominee should not be confirmed. I previously had spoken about Senator JOE BIDEN making that point when he was chairman of the Judiciary Committee back in 1992. In 2005, Senator REID made that point. In 2007, Senator SCHUMER, the heir apparent to the Democratic leadership, made the same point. But, again, they feel that now the rules should apply differently under a Democratic majority than they do under a Republican majority.

We are not a rubberstamp for the President of the United States. The Constitution says as much. We can

grant consent or we can withhold consent. I, for one, am for withholding consent to the confirmation of another liberal on the U.S. Supreme Court. We have seen the types of Justices that President Obama has nominated: Justice Kagan, Justice Sotomayor—clearly on the left in terms of the balance of power on the U.S. Supreme Court. To simply give President Obama the ability to appoint somebody who is going to change the balance of the Supreme Court to tilt left for the next 25 or 30 years is simply unacceptable.

So it really doesn't make any difference who the President nominates. I am sure they will be very much in the same mold as the two Justices that he has already nominated: Justice Kagan and Justice Sotomayor. I say that with respect to them as people. They are entitled to their opinions just as we are, but their decisions make fundamental changes in the United States. And it is not just for a term of office; it is literally for a generation. We are not going to stand by and allow President Obama—on his way out the door as a lameduck President—to change the balance of power on the Supreme Court for the next 25 to 30 years.

Madam President, now to a more pleasant topic. I actually have been encouraged, despite the disagreement we have with our friends across the aisle on the Supreme Court, to see that there is interest in actually getting some work done. I hope that does not cause us to fail to do our duty when it comes to places we agree on, such as the Comprehensive Addiction and Recovery Act.

This bill has been the result of a lot of hard work and bipartisan discussions. I thank the leadership and chairman of the Judiciary Committee, Senator GRASSLEY, as he made this a priority. This wasn't just for Republicans who were proposing we move on this legislation. Senator KLOBUCHAR and Senator WHITEHOUSE on the Democratic side, and Senator PORTMAN, Senator TOOMEY and Senator AYOTTE on the Republican side brought this to everyone's attention, primarily because of the devastating impact of the opioid prescription drug abuse problem and the heroin problem in their parts of the country, but it affects the whole country.

I am thankful that the Democratic leadership understands that this legislation should not be taken as a partisan hostage because it is about helping to restore communities and families from the effects of drug addiction and it is about stemming the tide of a massive epidemic of opioid drug use and addiction that continues to claim lives across the country. It is an example of how in the 114th Congress, since the beginning of last year, we have actually been able to work together with our colleagues across the aisle.

Before that, under the leadership of the Senator from Nevada, this institution was deadlocked. It wasn't just when Republicans were in the major-

ity. When Democrats were in the majority, even they could not get votes on amendments. It is pretty hard to explain that back home: Yes I am in the majority, but it doesn't make any difference in terms of my ability to get things done for the people I represent.

I actually am very pleased that we have been working our way through this legislation and other legislation that could help advance good policies that positively impact the lives of the American people on a daily basis.

Madam President, another effort we have worked on in the Judiciary Committee has to do with the intersection of mental illness and the criminal justice system. I recently met with a number of major county sheriffs, and I was introduced to the sheriff of Los Angeles County. He said: I am the largest mental health provider in the country—the sheriff of Los Angeles. The fact is, after we deinstitutionalized people with mental illness, basically there was no safety net for them, no continuing treatment for their needs, so they either end up in jails or living homeless on our streets.

I have introduced legislation, and Chairman GRASSLEY allowed us to have a hearing on it. I think it was very instructive. It was also very interesting. I say this to my friend from Maine: It is one of the few times we have actually had a consensus panel of witnesses. I think on some committees in the Senate that is a common practice, but usually in the Judiciary Committee things are so polarized that we rarely have a consensus panel. But we did on the issue of mental illness.

Reforming our country's mental health system has become an area of real bipartisan consensus as well, along with criminal justice reform. In order to protect our communities and to get help to the people with mental illness, we actually need to act.

What has also become clear is that many people who struggle with mental illness suffer from addiction and substance abuse. In many instances they self-medicate. They have a mental illness, they cannot deal with it, they are not getting the prescriptions they need from their doctors, so they end up drinking or taking drugs. These are so-called co-occurring disorders. It is estimated that more than 10 million Americans suffer from both addiction and mental health disorders—co-occurring disorders. Unfortunately, many mental health services such as specialty courts—drug courts, veterans courts, and the like—have operated on separate tracks and treat only one aspect of the problem. Someone with a history of drug abuse and mental illness may be sent to a drug court where their mental health needs are not taken into account. By definition, a drug court deals with people with drug problems, not necessarily mental health issues. When that happens, the underlying problem isn't addressed at all.

I have submitted an amendment to this legislation that will address this

common link between mental illness and substance abuse in the criminal justice system. It would direct existing programs to apply to co-occurring disorders as well, so that people suffering from both addiction and mental health problems are not seen and treated for just one of those problems. It seems as if it makes sense.

It would also expand substance abuse and transitional services to help people suffering from co-occurring disorders to receive the appropriate treatment they need in order to get back on their feet.

This amendment has been cosponsored by the chairman of the Health, Education, Labor, and Pensions Committee, the senior Senator from Tennessee, whom I thank for his important contribution to this effort. It also has the support of many stakeholders around the country, including the National Alliance on Mental Illness and the National Association of Police Organizations.

I hope, when the time comes, our colleagues will support this amendment as a commonsense measure that will help those suffering from both mental health and addiction problems, and I believe it will make the underlying bill that much stronger.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

FILLING THE SUPREME COURT VACANCY

Mr. DONNELLY. Madam President, I rise today to talk about the vacancy on the U.S. Supreme Court. Following the passing of Supreme Court Justice Antonin Scalia—and our condolences to his family and our gratitude for all his hard work on behalf of his country—the time has now come for the President to nominate a new Justice and for the Senate to do its job and to review, consider, and either confirm or reject the President's nominee. That is our job.

Hoosiers don't ask much, but they do expect common sense. Do your job; treat people fairly. That is what we expect from neighbors, friends, and family, and it is certainly what we expect from those elected to serve us in Washington.

Back home in Indiana, we have a proud tradition of Senators who have embodied that approach by looking beyond partisanship and giving full and fair consideration to a President's nominee. They don't have to vote yes, they don't have to vote no, but we should at least listen and do our job. That is what the people of Indiana elected me to do. That is what people across the country elect my colleagues in the Senate to do, even when the timing is inconvenient for one side or the other.

The confirmation of a Supreme Court Justice should not be taken lightly, and it deserves careful consideration and open debate.

Senators, using their best judgment, are free to ultimately reject whomever the President nominates. But to refuse

to hold a hearing? To refuse to consider any candidate? I know my colleague from Maine talk about Aristotle or Aquinas. They might be two good candidates for the Supreme Court. But to not consider any candidate before the President has even chosen a nominee is a dereliction of our most basic duty to faithfully serve our country.

Some of my colleagues have been steadfast in promising they would not meet with a nominee, let alone hold a hearing or allow a vote—would not even meet. Common sense tells you that is not right. I hope they will reconsider their position.

U.S. Senators, myself included, were elected to do a job, to do a job for our Nation—not only when it is convenient, but every day, every day we have been hired by the people back home to work here to stand for our country. That job includes considering and voting on nominees to the Supreme Court. Let's do the job we were elected to do.

Madam President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, there has been a great deal of discussion on the floor of the Senate about the current vacancy on the Supreme Court. Democrats want to fill it immediately. Republicans are much more interested in making sure the American people have an opportunity to weigh in on this very important decision.

This is a lifetime appointment—a lifetime appointment—and the stakes could not be higher for our country. So it is perfectly reasonable to wait for the next President to make this critical nomination. It is also exactly the precedent that Democrats in this body, in the Senate, created for situations just like this one.

First of all, let's remember it is not uncommon for there to be a vacancy on the Court. Sometimes the seat can be empty for even more than a year. There are eight Justices now. Two of them have already said they can handle the work that is available in front of them now with the seat vacant.

Justice Alito said so, as did Justice Breyer. Now Justice Breyer, of course, was appointed by President Clinton. When Justice Breyer was asked the other day about the death of Justice Scalia, he said: "We'll miss him, but we'll do our work." He has said: "For the most part, it will not change." So there is no urgency to fill this vacancy on the Supreme Court right now.

Second, we should acknowledge that the process of nominating and confirming a Supreme Court Justice has become very partisan. It has also become very political. Some Democrats

in this Senate have spent the last three decades undermining the way these appointments used to be made. It started in 1987, when Senate Democrats launched an all-out assault against the nomination of Judge Robert Bork. It got so bad that the dictionary even created a new word. The word was to "bork" someone. It means to obstruct someone by "systematically defaming or vilifying" them.

Then, in 1992, Senate JOE BIDEN came down to floor of the Senate to explain his rule, the Biden rule, for Supreme Court nominations. He said that once the Presidential election is underway, "action on a Supreme Court nomination must be put off until after the election campaign is over." That is the Biden rule.

You can't get any clearer than that. JOE BIDEN was the chairman of the Senate Judiciary Committee at that time when he announced the Biden rule. You know, he was not all that worried about having only eight Justices for a while. Senator BIDEN said that a temporary vacancy on the Court "was quite minor compared to the cost that a nominee, the President, the Senate, and our nation would have to pay for what would assuredly be a bitter fight."

Well, if the fight would have been bitter in 1992, it would be even worse today. Today, we have had another 24 years of Democrats continuing to politicize the process. Just days after George W. Bush became President, Senate Democrats vowed that they would use—in their words—"whatever means necessary" to block the President's judicial nominations.

Democrats went so far as to try to filibuster a Supreme Court nominee. That was the first time in the history of the Senate that they ever tried to filibuster a Supreme Court nominee. It was the nomination of Justice Alito in 2006. The Democrats failed. Even though they failed, it set a new precedent.

Some of the leaders of that filibuster were Senator Barack Obama, now President; Senator Hillary Clinton, then-Secretary of State, now-Presidential candidate; and Senator JOE BIDEN, now-Vice President of the United States. Senator REID voted to filibuster as did current Senators DURBIN, LEAHY, and SCHUMER, all part of the filibuster of the Supreme Court nomination of Justice Alito by George W. Bush.

That is the history of how our confirmation process became so political; that is, three decades of Democrats politicizing the process. That is the precedent for where we are today. Those are the rules we will follow today.

On top of all of that, President Obama has spent 7 years ignoring Congress. He has made the confirmation process more confrontational and more contentious every step along the way. The President illegally made what he called recess appointments to the National Labor Relations Board. He even

did it though Congress was not in recess.

I use the word “illegal” because the Supreme Court struck down this action by President Obama. The vote was 9 to 0 that the President acted illegally. Even Democrats in Congress have said they think the President has gone too far with some of his Executive actions. So it is clear that Senate Democrats and President Obama have been injecting politics into the confirmation process for many years.

Today they seem to wish that they hadn't done it. Well, these are the rules they wrote and these are the standards they set. The Senate will follow these rules. We should wait until next year to take up this important decision. Let the American people consider it as part of deciding who to support in November. Let the new President make this lasting decision without the political influence of the election hanging over it. It is not the job of the U.S. Senate to rubberstamp the President's nomination. The job of the Senate is to protect the Constitution and to serve the American people. That is the oath every one of us has taken in this body. We have a process for nominating and confirming Justices to the Supreme Court. It is a system the Democrats created and now they should be willing to follow the rules they wrote themselves.

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.

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

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

Mrs. FEINSTEIN. Madam President, I rise to speak for the second time about the Supreme Court vacancy, and I do so not callously, not spontaneously but after 23 years of service on the committee. I like to believe I have some experience and some knowledge about how these matters have been handled in the past.

I truly believe we have an obligation to consider a President's judicial nominees no matter when, and I wish to speak about why that duty is so important—particularly for the Supreme Court—and the consequences of not fulfilling it. To be very candid, I am shocked at the supreme nature of what is happening because of what I believe its impact is going to be in the next year.

Since the Judiciary Committee started holding hearings on Supreme Court nominations in 1916, not a single nominee for a vacancy has been denied a hearing—ever. Even during Presidential election years, the Senate has done its job.

In 1988, President Reagan's final year in office, Senate Democrats confirmed Justice Kennedy. Three years later, 1991, Justice Thomas was confirmed

after the Presidential campaign had begun. Democrats could have said no hearing, no committee work, no vote, no consideration by the full Senate, but that didn't happen. The nominations were processed and they were confirmed.

So why is it so important that we do our job? Why is an eight-member Court unable to function to the highest and best use of the U.S. Supreme Court? Ties in the Supreme Court create uncertainty in the law. Important legal questions go unanswered. The law varies then, throughout the country, and people and businesses often fail to receive justice. I wish to review just some of the examples where an incomplete Court was unable to levy justice. There are several examples of the importance of nine Justices, if one looks at recusals over the past few years.

No. 1, in 2010, Justice Kagan recused herself from *Flores-Villar v. United States*. This case was going to decide whether a United States citizen father must reside in the United States longer than a United States citizen mother in order to confer citizenship to his child born abroad. The court deadlocked 4 to 4. The result is a child in one part of the United States may be considered a citizen while another in the exact same situation in a different judicial circuit may not be a citizen. This issue remains unresolved today.

No. 2, in 2000, Justice O'Connor recused herself from *Free v. Abbott Labs*. The court should have determined how many plaintiffs in a Federal class action suit must meet a certain damage threshold for the case to proceed in Federal court. Again, the Court deadlocked 4 to 4. Because the case was left undecided, a later Eighth Circuit case—the circuit covering Iowa and other Midwest States—was thrown out. That meant 30,000 individuals claiming damages from a nearby refinery were denied justice in the Federal court; this, even though the company admitted releasing lead and other pollutants into the air. The issue was resolved by another Supreme Court case, but it was 5 years later and that was little consolation to families who didn't receive justice in Federal court in the interim period.

No. 3, in 2007, Chief Justice Roberts recused himself from *Warner-Lambert v. Kent*. This case was meant to decide whether individuals can sue for injuries caused by defective pharmaceuticals when the drugmaker allegedly hid information from Federal regulators. The 4-to-4 tie in that case failed to clarify the law, which still varies across the country today.

Let me give an example. Plaintiffs in the Sixth Circuit are now unable to sue for personal injury in this situation, while individuals harmed in the same way by the same drug in States covered by the Second Circuit are allowed to do so.

No. 4, in another case in 2007, *New York City Board of Education versus Tom F.*, Justice Kennedy recused him-

self. The deadlocked Court failed to rule on whether special needs children must first attend public school before they receive tuition reimbursements to attend a private school better equipped to help them learn. This meant courts in different States treated these children differently. The issue was eventually resolved, 2 years later—2 vital years of schooling that children may have missed out on.

No. 5, in 1987, before Justice Kennedy took his seat, the Court heard *U.S. v. Carpenter and Winans*. The case, which came in advance of that year's stock market crash, involved defendants convicted of securities fraud based on allegations they misused information from a *Wall Street Journal* investment advice column. The Supreme Court failed to determine whether the action could be a basis for prosecution. The law was left unclear for 10 years, during which time some lower courts overturned criminal convictions for this sort of fraud.

These are just a handful of cases that illustrate how an incomplete Court can't fulfill its duty and why the Senate must do its job and fairly consider this President's nominee. To leave the Supreme Court in this situation for a year and some months is, in my view, unconscionable.

So why is it happening? I actually can't come up with any reason to refuse to review Obama's nominee other than politics. The only explanation is that Senate Republicans want to deny this President the ability to fulfill his constitutional obligations, and this isn't the only evidence of such targeted obstruction. It has been a sustained course of action for more than a decade now.

During the Clinton administration, more than 60 nominees to the Federal courts were blocked by a Republican Senate. Many weren't even given a hearing. A comparison with the final years of President Bush's term is particularly telling. In the 2 final years of the Bush Presidency, the Democratically controlled Senate confirmed 68 judicial nominees. That included 10 confirmations in September of his final year in office. So 8 months from now, back in the Bush years, the Democrats in control were confirming Bush appointments. So far, over President Obama's final 2 years, Republicans have allowed confirmation votes on only 16 judicial nominees. Think about that—11 confirmations in President Obama's second-to-last year versus 10 confirmations just 4 months before President Bush left the White House. I think the inequality here must sink in. People must begin to understand that.

The length of the process has also ballooned. Under President Bush, the median number of days between committee and floor votes was 14 days—2 weeks—for circuit court nominees and 19 days—3 weeks—for district court nominees.

For President Obama, the corresponding length between committee

and floor votes for circuit court nominees was 84 days—2½ months—and for district court nominees, 98 days. So we see immediately the difference between how the sides are handling judicial appointments of a President that may have been in the other party.

Most of these nominees were eventually confirmed by unanimous or near-unanimous votes. So that shows no need for extended delays. There were no problems with the nominees to deserve extended delays. When President Bush left office, there were 34 vacancies. That is a vacancy rate of 3.9 percent. Today there are more than 81 judicial vacancies, nearly 10 percent of all article III judges.

Republicans have clearly decided not to do their job, and the American justice system is going to suffer for it.

One thing I don't like to do or make is anything that can be described as a threat, but I will be candid with you because I don't think I am a firebrand. I don't think I am that partisan, but when this is done with the Supreme Court, it signals a whole other level of malevolent obstruction. One thing I have learned in my 20 years is what goes around comes around.

To do this, to keep this seat vacant for over a year because it is the fourth year of President Obama's term makes no sense at all. As I said, it is unconscionable. If you don't think an eight-member Court is a problem, you really don't need to take my word for it. Let's listen to the Justices themselves. Justice Scalia, in deciding not to recuse himself from a case in 2004, said the Court would be "unable to resolve the significant legal issue presented by the case." He pointed to the Court's own recusal policy, which remains in effect today. It says that "even one unnecessary recusal" limits the Court's ability to function.

One can interpret from that that by not doing their job, the Republican side of this aisle is certainly limiting the Court's ability to function. I am not sure the other side should want that on their shoulders. I am not sure what may come up this next year—the degree to which justice would be denied in a 4-to-4 Court, but justice would certainly be denied, and it is probably going to happen.

Judge Rehnquist said it in 1972—when he warned that a divided Court "would lay down one rule in Athens, and another rule in Rome."

So here is the conclusion. A President is elected to a 4-year term—both sides of this aisle know that—but today Republicans are in effect saying that a Democratic President only gets 3 years of judicial confirmations if a Supreme Court vacancy comes before it. That is not what the Constitution says. All of us swore an oath to fulfill the Constitution, and I truly hope my Republican colleagues will stop, will think about this, will think about what will happen next year if this President is denied this appointment for the remainder of this year and a judgeship is

certainly delayed way past that point. I think to deny this goes against both the spirit and the letter of our duties as spelled out in the Constitution of the United States.

Once again, I would say, please, Republicans in this House, do your job.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Madam President, I am pleased to see that on the floor we continue to make progress on the Comprehensive Addiction and Recovery Act. The legislation before us today, yesterday, and this week has been about how to deal with this growing problem we have around the country. It is at epidemic levels of heroin and prescription drug abuse, addiction, and overdoses.

Today, while we are talking about this legislation on the floor of the Senate, we expect over 100 Americans will die—die from overdoses of addiction, overdoses of heroin or prescription drugs. This is a problem that doesn't just affect my State of Ohio, although we are one of those States that is most severely impacted. It affects every single State represented by everyone in this Chamber. That is why, over the past few years, you have seen this body together, Republicans and Democrats alike, to address the problem.

Senator WHITEHOUSE and I have been the coauthors of this effort, but so many others have been involved. Senator AYOTTE, Senator KLOBUCHAR, Senator FEINSTEIN—who is on the floor right now—have been supportive of the legislation but also improved the legislation with an amendment which was accepted earlier this week dealing with the international drug cartels. There is an effort in this body to take on this issue, not in a partisan way but in a totally nonpartisan way.

Last week I was in Ohio meeting with groups, talking about various issues. Every single place I went this issue came up. I was on a plant tour, and people talked to me about it. We had a townhall meeting at that factory. At the end of the townhall meeting—after talking about taxes, energy, health care policy, and other issues—I asked for a simple show of hands of how many people have been affected where their families or friends have been affected by this new opiate addiction issue, heroin and prescription drugs. Half the hands in the room went up. They went up because this is something that is tearing at our families and our communities. It is devastating so many of our communities. The cost to the taxpayers is also tremendous.

I went to a hospital and what they wanted to talk about was how the

emergency rooms are being filled with people who are overdosing or abusing drugs. I have been to three different hospitals in our State that are doing amazing things to care for those babies who are being born with addictions. There has been a huge increase in my State of babies who were born with an addiction to opiates because of their mothers being addicted during the pregnancy. They have to take these babies—some of whom are so small they can fit into the palm of your hand—through the withdrawal process. We don't know what the long-term consequences are for many of these babies because this is such a new issue, but we know this is something that is tearing at our communities. It is time to address this issue. There has been a recognition of that, and I am very encouraged by the progress we have made this week on this legislation. I hope we can find a way to get to the final amendments and get the legislation passed because it is urgent we deal with this.

The House of Representatives has their own legislation. It is also called CARA—Comprehensive Addiction and Recovery Act. It is bipartisan also. We believe if we can pass this bill with a strong vote—and we had an 89-to-0 vote to get on the bill itself to move to the legislation, which was very encouraging—Senator WHITEHOUSE and I believe we will get a strong vote in the House as well, and we can get it to the President's desk for his signature and begin to reverse this trend.

The legislation is something that went through a unique process around here, which is bipartisan or even nonpartisan from the start and a process of bringing in experts from all around the country. Rather than us saying we know all the answers, we are going to write this legislation, we said let's hear from others. Senator WHITEHOUSE and I, Senator AYOTTE, Senator KLOBUCHAR and others held a series of summits here in Washington. We brought in people. Many of us have done this in our States as well, but here in Washington alone we had five of these conferences in 2014 and 2015. We brought experts in from around the country, but we also relied on expertise from the administration.

In April of 2014, we held a forum on criminal justice and how it is affected by this issue and treatment and alternatives to incarceration. One of the things this legislation does is it encourages diversion out of the criminal justice system for those who are addicts and gets them into treatment. It was an excellent forum. It featured Michael Botticelli. In my view, he has been a very effective Director of the Office of National Drug Control Policy. He is called the drug czar. This is within the White House.

Michael Botticelli came as a representative of the White House but so did a representative from the Drug Enforcement Agency and gave his great input.

In July of 2014, we held another forum. This was on how women are impacted by this drug epidemic, looking at addiction and treatment responses. We talked about pregnant women being addicted and their babies. Again, this forum featured Michael Botticelli, who is Director of the White House Office of Drug Control Policy.

In December 2014, at the end of the year, we held another forum. This was on the science of addiction and how we can potentially address the collateral consequences of addiction. This forum featured Dr. Nora Volkow, Director of the National Institute on Drug Abuse in the Obama administration. It also included the Department of Justice and Substance Abuse and Mental Health Services Administration officials. SAMHSA was there. DOJ was there. By the way, again, Director Botticelli was there as well. I appreciate him coming to that forum, which was very helpful to us.

Last year, in April of 2015, we held a forum on our youth and how we can better promote drug prevention as well as to develop communities of recovery for those who are suffering from addiction. Prevention and education is a big part of our legislation. Clearly, we need to do a better job to get people to make the right decisions to avoid getting into the funnel of addiction in the first place. This forum featured officials from the Office of National Drug Control Policy in the Obama administration. It also had officials from the National Institute on Drug Abuse.

Lastly, in July of 2015, we held a forum on the impact of substance abuse and PTSD on our veterans. It focused a lot on the issue of addiction and the high rates we see sometimes of mental health and addiction coming from some of our returning veterans. This forum featured one of the giants in this field, GEN Barry McCaffrey. General McCaffrey and I have worked together since his days as Director of the Office of National Drug Control Policy in the Clinton administration. He is not just a giant in this field, but he gave us great input as to how to write good legislation to help us with regard to veterans courts, which we have as part of this legislation where veterans can get the help they need to get their lives back on track. That forum also featured officials from the Department of Defense, Department of Veterans Affairs, and the Office of National Drug Control Policy.

From all these participants in this process, we received a lot of great feedback. It helped guide us as we wrote this legislation. In fact, we went back and forth with legislative language with all these experts in the Obama administration, as well as experts from around the country. This legislation is supported by over 130 groups—including those representing people who were in the trenches—providing treatment, providing services on prevention, law enforcement, and doctors. Those who are involved directly in this issue have

given us a lot of guidance, but that included the expertise of these experts in the Obama administration. I am appreciative for that expertise and for their support of our efforts.

Because it was such an inclusive process, because it was a bipartisan process, because of the encouragement and the assistance we received from the drug experts in the Obama administration, when we introduced this bill, we actually said: OK. Here is our final product. After the back-and-forth on all the legislative language and with all the experts, this bill received a lot of support immediately on a bipartisan basis.

As I said earlier, indeed, 130 national anti-drug groups now support it in part because they helped write it, in part because some of those who might not have been intimately involved in the process are looking at this problem and realizing this is a solution that will really help.

We also have dozens of groups from my home State of Ohio that support it, in addition to the 130 national groups, from the Fraternal Order of Police to the National Attorneys General Association, to the folks who are involved day-to-day in helping to deal with this issue at their local level.

I believe it was the day before yesterday that we received a Statement of Administration Policy from the political officials at the White House on the CARA bill, and I have talked about how the administration and their experts have been so helpful, but despite all the work they have done to support this bill, the White House did not issue a Statement of Administration Policy that supported the legislation. It didn't oppose the legislation, but instead it said that the drug epidemic would not be greatly affected by this legislation unless there was substantial new funding provided. This is kind of incredible given that this is the legislation we all worked on together. I know there is a difference between the political folks at the White House and the people who actually know the issue and are experts on the issue, but I hope we can get a strong statement of administration support for a bill that was drafted with them on a bipartisan basis with myself, Senator WHITEHOUSE, Senator KLOBUCHAR, and others, but we will see.

I support additional funding over and above the \$80 million of new funding that CARA provides for, and not just for this year but for next year and the year after that and the year after that. It is an authorization bill that is extremely important. I supported the Shaheen amendment yesterday, but it is factually wrong to say, as some of my colleagues have claimed and the White House seems to be saying, that there is not funding for these CARA programs. In fact, we have already appropriated, as my colleagues know, significantly more spending for this opioid problem for this fiscal year that we are in. Not a penny of that has been spent yet, by the way—over \$120 mil-

lion of additional spending. That \$120 million of additional spending is targeted on ways to spend the money more wisely through CARA because we worked with the appropriators and the Judiciary Committee to ensure that was the case.

Again, having said that, I would have loved to have seen more funding over and beyond that provided by an amendment that was offered by my colleague Senator SHAHEEN yesterday because I think that would have helped even more, but that doesn't mean we shouldn't strongly support the underlying CARA bill. In fact, my colleagues who endorsed it and voted with us, as well as my coauthor Senator WHITEHOUSE and others, agree with that because this bipartisan bill ensures that more Federal resources will be devoted to evidence-based education, treatment, and recovery programs that we know actually work. It is not just throwing money at the problem. This is actually legislation that we know works to address the problem based on all the background I just mentioned about getting all the expertise.

Again, these groups out there that are in the trenches every day working on this issue are the ones who will tell you why it is going to work, but what they will say is it is going to help these young mothers battling addiction. It will help those veterans who return home from duty and desperately need our help. It will help young people make the right decision. It will help that teenager struggling with drug abuse. It will help in terms of dealing with this problem we have right now where people can't get treatment because there is not enough access to treatment. It will help in terms of ensuring that we get prescription drugs off the bathroom shelves so they are not being used to get people addicted to opioids and then move on to heroin. It will be helpful to ensure that we have a drug monitoring program nationally so we know who is being overprescribed and who is not. These are changes in law that are part of this legislation.

Again, I thank the experts in the Obama administration who deal with this issue every day and strongly support CARA. On January 27, 2016—so at the end of January this year—the Judiciary Committee held a hearing on our bill. I was able to testify, as well as others, including experts. Here is what some of the leading administration experts said. First, Michael Botticelli—again, a guy who I think has been a very effective Director of the Office of National Drug Control Policy at the White House—said:

There is clear evidence that a comprehensive response looking at multidimensional aspects of this that are embedded in the CARA Act are tremendously important. We know we need to do more, and I think that all of those components put forward in the bill are critically important to make headway in terms of this epidemic.

Again, that was the Director of ONDCP.

Dr. Nora Volkow, the Director of the administration's National Institute on Drug Abuse, and a real expert, said:

We support the comprehensive program delineated, and it is one of the strategies to address the problem.

Here is Ms. Kana Enomoto. She is the Acting Administrator of SAMSHA, the Substance Abuse and Mental Health Services Administration. She said:

At SAMSHA we are so excited to be able to implement programs like medication-assisted treatment, prescription drug and opioid addiction, which Congress appropriated in 2015 and then another increase in 2016, which is very similar to some of the programs that were described in the CARA Act. Thank you, Senator Whitehouse, for your leadership on this issue and continued support of our mission. We believe that the public health approach of the CARA Act is vitally important to moving forward on this issue.

The next statement I have is by Mr. Milione. He is the Deputy Assistant Administrator for the Drug Enforcement Administration Office of Diversion Control. He said:

I am happy to work with you or anyone on any legislation that will help with this epidemic.

Again, I am thankful for these experts in the Obama administration who have put politics aside to work to support CARA. They helped us to come up with better legislation, and they support it because they know it will help support education and prevention so we can stop drug abuse before it begins. They support CARA because they know it will help with treatment and recovery and will help to reduce overdoses which will help to save lives. They support CARA because they know it will help our veterans as well as women and babies who are suffering from addiction. They also support CARA because they know there are more than 130 national groups out there that understand the importance of this bill and support it, including the National Association of Addiction Treatment Providers, Faces and Voices of Recovery, Children's Health, Children's Hospital Association, the Partnership for Drug-Free Kids, Fraternal Order of Police—again, I thank our law enforcement for stepping up on this—the National District Attorneys Association, and the Major Counties Sheriff's Association.

I understand that some folks in Washington like to play politics with everything around here, but politics has never been a part of this bill. It has been inclusive from the start and it has been bipartisan from the start. We are here to help those suffering from addiction and to save lives, and that is exactly what this measure will do. Let's get on with it and pass this legislation so we can get it to the President's desk for signature and it can begin to help.

I yield back.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Madam President, I ask unanimous consent that it be in order to call up Manchin amendment No. 3420; that at 1:45 p.m. today the

Senate vote in relation to the Manchin amendment No. 3420; and that there be no second-degree amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Madam President, last Thursday I was on the floor honoring the victims of the mass shooting in Kalamazoo, MI, another shooting spree that left six people dead and two others injured, and on that very same day another shooting spree broke out in Kansas that forever changed another town—another community in this country like the change that has overcome Sandy Hook, CT, since that fateful day in December of 2012.

This was a shooting spree in Kansas that spanned several miles in nearly 30 minutes. Three people were killed. It could have been a lot more. Fourteen were wounded. The shooting spree took place in two locations as well as the Kansas workplace.

The gunman had multiple felony convictions which prohibited him from buying a firearm, but he used his former girlfriend as a straw purchaser to buy yet another military-style semiautomatic weapon that he used in the shootings. It sounds a lot like many of the other shootings I talked about on the floor.

As has been the case, I try to come down to the floor, seemingly every week, to tell the stories of who these victims are because the numbers don't seem to be moving my colleagues—31,000 a year, 2,600 a month, and 86 a day are being killed by guns in this country. My hope is that by learning who these people are and learning the ripples of tragedy that unfold after a family member is killed by guns, that maybe that psychology and connection to the emotion of these shootings will move my colleagues to do something—anything at this point—to address this epidemic.

Brian Sadowsky was 44 years old when he was killed in the shooting. He was one of three people who were killed at their workplace, Excel Industries, in Hesston, KS. Brian was remembered by his coworkers as a very outgoing guy who was always telling jokes, always fun to be around, and had a biting sense of humor. He rabidly rooted for the Pittsburgh Steelers. He wore Pittsburgh Steelers paraphernalia and gear to work almost every day. He would drop whatever he was doing in order to help his friends who were in need.

A friend of Brian's remembered him as being "a little rough around the edges" at times, but he was the kind soul who was "always there to help. He was a big teddy bear once you got to know him."

His friends said he was a recovering addict who was clean and sober for many years and was instrumental in helping a lot of others overcome addiction.

Renee Benjamin was 30 years old when she was killed. Her friend remembered her by saying that "she's smart, she's beautiful. She was dedicated to Excel. She loved that job. She loved the people. I remember the way she loved people."

"If you ever saw someone smile from the inside out, she was an inside out person," one of her friends remembered.

Another friend said:

She is a person who always gave her all into whatever she did and whoever she loved. She was so smart, but shy about it. She was so funny, so beautiful, inside and out. She was my best friend. We shared everything. We shared a life. . . . All she wanted was to love and be loved.

Josh Higbee was just a year older. He was 31. People who knew Josh said he was a loving, hard-working man. He loved to fish and spend time with his fiancée and his 4-year-old son. His older brother said that Josh was "Mr. Fix-It." He loved tractors and toy cars, anything automotive. He was a car guy. He liked to work with his hands."

His sister-in-law said that Josh was "taught to be a very loving, kind man. He has a son that he adores, takes care of. . . . Josh would give you the shirt off his back and worked long, hard hours to take care of his family."

We pay a lot of attention to these victims of mass shootings because they tend to make the news. We see them on TV, but every single day there are 86 people who are being killed by guns. A lot of them are suicides, but many of them are homicides. It is happening all across this country, and not all of them make the national news.

Andre Lamont O'Neal, Jr., died earlier this year in Louisville, KY. Andre was 8 years old and his babysitter was grilling and also had a gun in his pocket. He had slippery fingers, and when he attempted to remove the gun from his pocket, it accidentally fired. It struck Andre's arm and chest. His babysitter panicked and apparently put Andre in a car and took him to a nearby hospital, but it was too late.

Andre's father, as you can imagine, was overwhelmed. He was "a good little boy," he told reporters.

A few weeks later, Nicholas Hawkins, 19 years old and from Winfield, AL, told his mother that someone was trying to kill him. That was the last time anybody heard from Nicholas. Four days later his body was found shot to death.

He left high school because of bullying and was only 2 weeks away from completing his GED. He intended to go into cosmetology or a related field. He loved to dance, sing, write music, and play guitar. He was good with hair and makeup and described as very funny, quirky, and had a bubbly personality. His friends said he often stole the show.

Every day 86 people die in this country. You don't hear about all of them because this has just kind of become the wallpaper of American news.

Shootings have become routine. This doesn't happen anywhere else in the world, and I just want to finish by talking a little bit about this unfortunate, tragic American exceptionalism.

America has 4.4 percent of the world's population, but we have 42 percent of the civilian-owned guns in the world. We have 4 percent of the population, but nearly half of all of the guns are in this country. It used to be that about half of Americans own guns. Today only about one-third of Americans own guns, but a small number of Americans own a lot of weapons. There are more high-powered guns, like the one that was used in Kansas, than ever before.

Why does this matter? Well, it is because the United States also has more gun deaths than any other nation in the developed world, and it is not even close. This chart shows the figures of homicides by firearm per 1 million people. Australia, New Zealand, and Germany have less than two. Switzerland gets all the way up to 7.7. In the United States it is 29.7. There is no other country in the world that comes close to the United States when it comes to the number of homicides in this country. This isn't aggregate numbers. This is per 1 million people.

The reason I show you these two charts is that when you put it together, it tells a pretty interesting and simple story. Here is the chart correlating guns per 100,000 people and gun-related deaths per 100,000 people. Here is the line of correlation. It is a pretty simple story.

With a handful of outliers such as Argentina and Cyprus, the story is that the more guns you have in a country, the more gun homicides are going to occur. Here is the United States on the line, but it is an outlier in terms of the number of guns and the number of deaths—simply an extrapolation of a story that all of our other first world competitors could tell by themselves. This rebuts this ridiculous mythology by the gun industry, which tells us that if you have more guns, you are going to be safer. The solution in Sandy Hook was just that the Sandy Hook Elementary School didn't have enough firearms. If all the teachers had had weapons, that shooter would have been killed, and the best way to stop a shooter from attacking you is to arm yourself. That is not what the evidence tells us. The evidence tells us: The more guns there are in a community, the more people get killed.

I will show at another time this same chart on a State-by-State basis, and it will tell you the exact same story. A State that has more firearms has more gun homicides. You are more likely to be the victim of gun violence if you have a gun in your house than if you don't have a gun in your house.

Now, the Second Amendment is an incredibly important, vital, integral piece of the fabric of the U.S. Constitution, and I honor people's decisions to buy a weapon in order to protect them-

selves. Some people live in violent places. Some people live in very isolated places, and they have made that choice, and that is theirs to make. Of course, there are millions of Americans who own weapons in order to hunt, in order to shoot for sport, a pastime they enjoy and have the right to. But they should purchase those weapons with the understanding that there is no data that tells them they are safer with a weapon in their arm, no data that suggests that the more guns you have in a particular place, the less likely there are to be homicides and gun deaths. It is exactly the opposite.

Every single day there are 86 people who are killed in this country from guns, 2,600 a month, 31,000 a year—another mass shooting in Kansas, another one in Kalamazoo. My entire point is just to say that at some point we have to recognize that our silence has become complicity in these murders. If we are not willing to forge political consensus in this session on legislation that changes gun laws, then at least let's make a commitment to fix our mental health system to make sure law enforcement has the resources they need, to make sure we make straw purchasing illegal so the method by which the shooter in Kansas got the gun has consequences at the Federal level, potentially, as well as at the State level. Let us do something to honor the thousands of voices of victims that mount by the day.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Connecticut.

MAHAN AIR

Mr. BLUMENTHAL. Mr. President, I begin by calling attention to a private Iranian airline, designated by the U.S. Department of Treasury for its support for terrorism and funneling of weapons to Hezbollah and to the Assad regime in Syria. This airline continues to operate and even expand its international business network, despite tough words from the administration. But this kind of tough language is insufficient.

The time to impose sanctions on Mahan Air is now. The time to impose sanctions on Mahan Air is clearly now. I have called on the administration in a letter, which I helped to lead and on which I am joined by a number of my colleagues, in late February—February 29—to the Secretary of the Treasury. Sanctions might be forthcoming against this airline if this body were to approve Adam Szubin to be Under Secretary for Terrorism and Financial Intelligence, but so far we have failed to do so. His confirmation has been blocked. I regret it. Whether or not he is confirmed, sanctions should be imposed on this airline. Mahan Air relies on a host of local partners who provide financial and other services for it to maintain this robust international flight network.

So taking this action against Mahan Air will not only send a signal, it will end actions by Mahan Air that are

against international law and support terrorism and the funneling of weapons to some terrorist groups that can do harm to the United States as well as to our allies and partners abroad.

Mr. President, I also want to talk about the Comprehensive Addiction and Recovery Act. Hopefully, we will vote today in support of it. It is a great bipartisan bill. I am privileged to have worked on it as a member of the Judiciary Committee. I thank all of the members of that committee and others, most especially Senator WHITEHOUSE and Senator LEAHY, for incorporating provisions that I have helped to offer in this bill.

We heard from our colleagues around the country about the public health crisis that we face today. It is more than a crisis. It is a hurricane—almost like a public health hurricane—a natural disaster that requires us to act now. Abuse and addiction are crippling our communities, shattering our families, carrying enormous financial and human costs. The overdose deaths have steadily increased. They now surpass automobile accidents as the leading cause of injury-related deaths for Americans between the age of 25 and 64.

The United States consumes over 80 percent of prescription opioids, even though we make up only 4.6 percent of the world's population. In Connecticut, I have held roundtables across our State, and I hear again and again the tragic stories of young people who begin taking powerful painkillers when they break a leg or a wrist in a sports injury or when they have wisdom teeth removed and they receive a prescription for 30 days. They only need 3 days' worth of painkillers, if they need them at all. But the overprescription and the abuse that results from it often leads to addiction.

The gateway to addiction is these powerful painkillers that provide the beginnings of the problem. One university counselor wrote to me recently:

When I first began this position 14 years ago, it was extremely uncommon to be working with a student who abused a substance besides alcohol. Today, I have a recovery house and a program full of students battling addiction from [prescription opioids].

I have heard from mothers and families, from teachers and counselors who have struggled to find quality substance abuse treatment programs and behavioral health services for their loved ones. One mother wrote to me about her two sons. Some 8 years ago, her oldest son died from a heroin overdose after a prescription program released him early. Her younger son continues to struggle with addiction but was recently told by his insurance company that he lacked a long enough history of substance abuse to qualify for inpatient treatment.

We must address these problems, and the solution is multifaceted. Supporting law enforcement is part of the solution, with resources and with other measures that will enable interdiction

of the supplies of heroin and cracking down on the illicit supplies of painkillers. But law enforcement has told me, as a former colleague, that we are not going to arrest our way out of this problem. The jails and prisons alone do not provide a solution.

There is a need for more treatment and services. I hear that point again and again and again, but that source of solution alone will not be the panacea. There is no one solution. Education for our doctors and providers and prescribers is part of what is needed. Again, alone, no single solution is sufficient.

I want to thank the bill sponsors for incorporating the provision that I wrote with Senator COATS, the Expanding Access to Prescription Drug Monitoring Programs Act. This provision would allow nurse practitioners and physician assistants to access the information they need. Specifically, they would be able to access State prescription drug monitoring programs to consult a patient's prescription opioid history and determine if that patient has a history of addiction or is receiving multiple prescriptions from multiple sources. It is critical that we recognize the key role that nurse practitioners and physician assistants play in curbing prescription drug abuse and diversion.

I propose a number of amendments that attack other elements of this problem. I am going to continue to advocate for them, whether they are in the final package or not—and some of them may well be. I will continue the effort to make them real and adopt them as law, whether or not they are included in this measure.

Over and again, we have heard that many struggling with addiction start by abusing those prescription drugs after receiving a legitimate prescription. That is why Senator MARKEY and I have submitted amendment No. 3382, which would cut down on overprescribing opioids by requiring providers, when they apply for a license from the DEA to prescribe these controlled substances, to first complete education programs so they are encouraged to adopt responsible prescribing practices. Those practices can be as simple as keeping track and scrutinizing the use of these painkillers. Every licensee, every provider, every nurse practitioner, everyone writing out a slip of paper that enables somebody to purchase these powerful prescription painkillers would have to take a course and complete this training.

In Blumenthal amendment No. 3327, a separate measure that I am proposing as ranking member of the Veterans' Affairs Committee, there would be better access to naloxone, known as Narcan, by veterans. We have seen how naloxone or Narcan is a lifesaver. It can bring people back from the brink of death. There should be more of it. It should be more available to our police, firefighters, and first responders on the streets of Connecticut and in neighbor-

hoods and communities across the country. It is insufficiently available. It has skyrocketed in price, and there have been shortages. But I have seen how the opioid epidemic has affected, particularly, our veterans, and often, again, with overprescriptions in certain parts of the country.

We have moved to address that problem. In Wisconsin, for example, and with the great help of Senator BALDWIN, my colleague on the Veterans' Affairs Committee, we have worked to craft legislation that will help contain and cut that abusive prescription of opioids. I believe that this measure will give information to veterans and the tools they need also to prevent deaths in case of an overdose.

Much of the work of the Veterans' Affairs Committee is focused on the opioid epidemic and the Jason Simcakoski Memorial Opioid Safety Act we are working to pass into law. But safe prescribing of opioids is vital because many veterans, even when legitimately prescribed, have serious pain issues that can lead to abuse once those issues are addressed.

So I have filed this amendment that would eliminate the requirement that veterans pay a copay for naloxone kits and for education for providers as to how to use them. In other words, the providers will provide education, along with providing the prescriptions, as to how to use the Narcan kits that veterans could receive without any copay. Naloxone is necessary for those first responders, and the underlying bill includes provisions that would help to provide it, but this measure would focus particularly on veterans, where the need is great and growing greater.

I wish to point out that the cost of this measure would be less than \$100,000 per year. The savings in dollars long term would vastly exceed that amount, and the savings in lives more than justifies this, even without the savings in dollars. We are talking here about the ability to save veterans' lives. We have an obligation to leave no veteran behind, to keep faith with our veterans, and to make sure that a minimum amount of spending will enable the saving of lives.

I appreciate again the work of my colleagues in crafting this bill. I hope we will move forward in passing it and that the amendments I have suggested will be adopted to strengthen it even further.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF ROBERTA JACOBSON

Mr. FLAKE. Mr. President, it has now been 7 months since the United

States has had an Ambassador to Mexico. As we all know, Mexico is our third largest trading partner. Bilateral trade totals more than half a trillion dollars. There is more than \$1 billion in two-way trader exchanges between the United States and Mexico every day.

The border States obviously enjoy a close relationship and robust trade with Mexico. My home State of Arizona exports about \$9.2 billion in goods every year. Arizona has expanded its trade relationship with Mexico by reopening a trade office in Mexico City. Mexico has reciprocated by opening an office in Arizona. Yet, for more than half of the year, we have not had a representative in place with the Mexican Government to deal with issues of mutual cooperation, issues of importance and concern.

The bilateral relationship between the United States and Mexico is not the only issue of importance, obviously, between our two countries. Transportation issues, security threats, national resource management, and environmental issues are just a few of the fronts on which we can cooperate with Mexico, and such cooperation requires a close partnership between our countries. The longer we go without an Ambassador there, the more this partnership will suffer.

The relationship between the United States and Mexico has historically been important, and previous administrations have acknowledged this by appointing top-notch candidates to serve as our envoy to Mexico. The current nominee to serve in Mexico is no exception to this historical trend. As a career member of the Senior Executive Service, Roberta Jacobson has spent more than three decades working on Latin American policy for Presidents on both sides of the aisle. She is obviously fluent in Spanish. She has earned the respect of her colleagues. I can attest to her professionalism and her experience. She was reported out of the Foreign Relations Committee by a vote of 12 to 7 in November; yet the post with Mexico City remains open 3 months later.

Our relationship with Mexico is far too important to let this post go vacant any longer, particularly when we have a qualified candidate who has been vetted by the Foreign Relations Committee and reported to the Senate with a majority of its members. I urge the Senate to take up this matter expeditiously.

I yield back.

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

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

AMENDMENT NO. 3420 TO AMENDMENT NO. 3378

Mr. MANCHIN. Mr. President, I call up my amendment No. 3420.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows: The Senator from West Virginia [Mr. MANCHIN] proposes an amendment numbered 3420 to amendment No. 3378.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strengthen consumer education about the risks of opioid abuse and addiction)

On page 14, line 10, insert “consumers,” after “patients.”

On page 14, line 12, strike “prescribed.” and insert “prescribed, including opioid and methadone abuse. Such education and awareness campaigns shall include information on the dangers of opioid abuse, how to prevent opioid abuse including through safe disposal of prescription medications and other safety precautions, and detection of early warning signs of addiction.”

On page 16, line 22, strike “or”.

On page 17, line 2, insert “or” at the end.

On page 17, between lines 2 and 3, insert the following:

“(C) a sudden increase in opioid-related deaths, as documented by local data;

On page 18, line 23, strike “1997.” and insert “1997, and may also include an evaluation of the effectiveness at reducing abuse of opioids, methadone, or methamphetamines.”

Mr. MANCHIN. Mr. President, I rise today to urge my colleagues to vote in favor of my amendment No. 3420 to the Comprehensive Addiction and Recovery Act of 2015.

As my colleagues know, our country is facing a prescription drug epidemic. Every one of our States—all 50—is having a horrific problem. The CARA Act that we are working on and are about to pass is a good start to addressing this crisis, which is why I am a proud cosponsor.

My amendment simply does what you would think common sense would already entail. My amendment improves the bill by helping those on the frontlines of this terrible epidemic provide their communities with the information they need to help stop the spread of opioid addiction and help seek treatment.

It will better enable us to educate individuals about the dangers of opioid abuse, practices to help prevent opioid abuse, including the safe disposal of unused medication, and how to detect the early warning signs of addiction.

This amendment will help to save lives by raising awareness about the dangers of prescription opioid medications to prevent opiate addiction in the first place and ensuring that loved ones will know how to help when a friend or family member becomes addicted.

We have over 2 million Americans who are addicted to opioids. Many of these individuals began the road to addiction with a seemingly innocent prescription and little or no warning about the dangers from their physicians. Or it began when a friend offered a pill that they thought couldn't be

that dangerous because it was prescribed by their doctor.

There is simply too little understanding about the dangers of these drugs. Too many people get sucked into opioid addiction because they don't understand the risks. Likewise, the people close to them don't recognize the signs of addiction or know how to access the resources to help their loved ones.

The PRESIDING OFFICER. All time for debate has expired.

Mr. MANCHIN. Mr. President, I ask unanimous consent for 30 additional seconds.

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

Mr. MANCHIN. I thank Senator MURRAY, Senator ALEXANDER, Senator GRASSLEY, and all the people who have helped me in considering this bipartisan amendment with a bipartisan piece of legislation.

If we want to stop opioid addiction, we ought to start by preventing it. Preventing it starts with information and education that people do not have today. This helps every one of us in all parts of this great country.

I yield the floor.

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

Mr. GRASSLEY. 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. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from Kansas (Mr. ROBERTS), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted “yea” and the Senator from Pennsylvania (Mr. TOOMEY) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 31 Leg.]

YEAS—90

Alexander	Brown	Cochran
Ayotte	Burr	Collins
Baldwin	Cantwell	Coons
Barrasso	Capito	Corker
Bennet	Cardin	Cotton
Blumenthal	Carper	Crapo
Blunt	Casey	Daines
Booker	Cassidy	Donnelly
Boozman	Coats	Durbin

Enzi	Klobuchar	Risch
Ernst	Lankford	Rounds
Feinstein	Leahy	Sasse
Fischer	Lee	Schatz
Flake	Manchin	Schumer
Franken	Markey	Scott
Gillibrand	McCain	Sessions
Graham	McConnell	Shaheen
Grassley	Menendez	Shelby
Hatch	Merkley	Stabenow
Heinrich	Mikulski	Sullivan
Heitkamp	Moran	Tester
Heller	Murkowski	Thune
Hirono	Murphy	Tillis
Hoeven	Murray	Udall
Inhofe	Paul	Vitter
Isakson	Perdue	Warner
Johnson	Peters	Warren
Kaine	Portman	Whitehouse
King	Reed	Wicker
Kirk	Reid	Wyden

NOT VOTING—10

Boxer	McCaskill	Sanders
Cornyn	Nelson	Toomey
Cruz	Roberts	
Gardner	Rubio	

The amendment (No. 3420) was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. UDALL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 365; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. RISCH. Mr. President, on behalf of myself and Senator RUBIO, from the great State of Florida, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. UDALL. Mr. President, I ask unanimous consent to be recognized in morning business for such time as I may consume.

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

NOMINATION OF ROBERTA JACOBSON

Mr. UDALL. Mr. President, my good friend, Senator JEFF FLAKE from Arizona, appeared here just an hour or so before and also spoke on the issue that I am going to speak about today. That issue is the ambassadorship to Mexico and the woman who has been nominated by President Obama, Roberta Jacobson. Senator FLAKE made a very strong case. It has been a pleasure working with him in a bipartisan way. We believe this nomination has very strong bipartisan support, and we look forward to working together to get this to the floor and get an up-or-down vote.

So I rise again today to urge support for Roberta Jacobson. She is a dedicated public servant. She is more than ready to be our Ambassador to Mexico. The Los Angeles Times has called Roberta Jacobson “among the most qualified people ever to be tapped to represent the U.S. in Mexico.”

We have a distinguished candidate, a career member of the Senior Executive Service. She is ready to serve. We have strong support for her on both sides of the aisle. What we need now is an up-or-down vote. Once again, we failed to get one.

It is hard to explain this dysfunction when I talk to my constituents in New Mexico. They just don't understand this kind of dysfunction. They don't understand it, and, frankly, neither do I. We are a border State. This is a critical position. It is critical to our security, and it is critical to our economy.

Earlier today, Senators FLAKE, KLOBUCHAR, HEINRICH, and I met with the Hispanic Chamber of Commerce about the urgent need to confirm this nomination. Our business leaders in New Mexico, Arizona, and every other State in our country are telling us they need an ambassador in Mexico City. We have ongoing border-related business issues that need attention. From time to time, we will call on the Mexican government to take some action, to work with us on coordinating with ports of entry, infrastructure, and other important issues. We are at a disadvantage without an advocate for America in Mexico City. It is very frustrating.

This is not the first time we have faced this kind of dysfunction. I pushed for reform of the Senate rules in the last two Congresses, and we did change the rules to allow majority votes for executive and judicial nominees to the lower courts. But that does no good if they remain blocked, and that is what is happening in this Congress. The line gets longer and longer of perfectly qualified nominees who are denied a vote, denied an opportunity to be heard.

Roberta Jacobson was approved by the Senate Foreign Relations Committee months ago with bipartisan support. Yet the weeks go by, and still we wait. What is holding up her nomination? It isn't her qualifications; those aren't the problem. A big part of the problem is Presidential politics and the policy differences with the administration over her work with Cuba.

This year, we reopened diplomatic relations between the United States and Cuba. As the Assistant Secretary for Western Hemisphere Affairs, Roberta helped negotiate on behalf of the administration. After 50 years of failed policy toward Cuba, we have opened a 21st-century relationship with the people of Cuba, one that is already seeing change as more Cubans enter the private sector. And more Americans, who are our best diplomats, continue to increase their engagement with the Cuban people. I congratulate the President for leading this historic change. Some disagree. I understand that. But their objection is with the President's Cuba policy. We are talking here about Mexico and an important position that has been unfilled since last summer because a few Senators would rather return to the failed policies of yesterday and are using Roberta to make a political point.

FAIR ELECTIONS

Mr. President, just when we think things can't get any worse, they do. Now a seat on the Supreme Court is empty, and the majority leader is actually arguing that it should stay empty for over a year, no matter who is nominated by the President. This isn't governing; this is a failure to do one's job.

Is it any wonder that the American people are frustrated, fed up with political games, with obstruction in the Senate, with special deals for insiders, and with campaigns that are being sold to the highest bidder? They see this obstruction as just another example of how our democracy is being taken away from the people.

Each year we have a Student Leadership Institute in my State. High school juniors and seniors attend to learn about and discuss the challenges affecting our State and the Nation. I always look forward to meeting with these bright, young people. They are smart and committed, and they raise thoughtful points about how government works and how sometimes it doesn't work. One thing we talked about this year was how important it is to listen. This is one of the most underrated virtues, especially in politics—stating your views but also listening to the views of others. I am always optimistic when I see students engaged in that process. I only wish we could see more of it in Washington.

The art of politics is standing your ground, but also finding common ground and listening to the American people. Our democracy depends on every voice being heard and on every vote being counted. We are losing that. We have to get it back or we will continue to pay a heavy price. We can be sure of one thing: Beyond all the money, beyond all the special interests, these students and all Americans deserve to be heard, and they deserve a democracy that works.

Campaigns should be about the best ideas, not the biggest checkbooks or rigged districts. The U.S. Supreme Court created a Wild West of campaign finance regulations with their decision in *Citizens United* and their 2014 *McCutcheon* decision. It opened a fire sale of super PACs trying to buy elections nationwide. We are seeing the results—from the Iowa caucuses to local elections in Las Cruces, NM.

We need to overturn those bad decisions. That is why I have led efforts to amend the Constitution to restore power to Congress and to the States to pass commonsense campaign finance laws. We need to listen to the voters, not to the billionaires hiding in dark corners. That is why earlier this week I introduced legislation to abolish the broken Federal Election Commission.

Congress created the Federal Election Commission to fight political corruption when they created it after Watergate. But today, partisan gridlock leaves the agency powerless and dysfunctional. It even fails to enforce the few campaign finance laws remaining

on the books. The Federal Election Administration Act would create a new agency, with five members appointed by the President and confirmed by the Senate. A chair would lead the agency, and the remaining members would equally represent both political parties. It is modeled after a bipartisan proposal previously introduced by Senator JOHN MCCAIN and former Senator Russ Feingold.

Super Tuesday was just 2 days ago. Once again, we are seeing record spending, including millions of dollars in undisclosed dark money. Without a strong watchdog looking over their shoulders, super PACs and billionaire donors have free rein to push the limits.

It is clear that the FEC has outlived its usefulness. We need a new agency, one with the power and the will to crack down on campaign finance violations.

The Supreme Court has put billionaires and other special interests on a galloping horse. They are running away with our democracy—running away with our elections. We have created a dark money, special interest, gerrymandered train wreck, and the losers are the American people. That is why I have also introduced the Fairness and Independence in Redistricting Act, because part of that train wreck is the secretive and highly partisan congressional redistricting process, and we need to end it.

The President highlighted this issue in his State of the Union address, saying, "We've got to end the practice of drawing our congressional districts so that politicians can pick their voters and not the other way around." In most States today, congressional maps are drawn behind closed doors by partisan lawmakers. Their aim is to keep incumbents in office, and they do that. Pick almost any district in the country, and we will see that almost every one is skewed to favor one party or another.

We can end the gerrymandering status quo. Redistricting commissions should be independent. They should be led by citizens, not politicians. Arizona and California voted for reform, and they are already bringing new faces to Congress. The American people deserve fair elections—elections that are free of unlimited and hidden special interest money and free of rigged district lines.

Next year, I will meet again with students in my State. We will talk about leadership, about challenges, and about how government works. I hope I will be able to say to them that we have moved forward; we have reformed a broken system. I hope I can say to them that we have done our job and made sure that voters, not powerful elites, have their say.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. 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. PETERS. Mr. President, I rise to speak in support of amendment No. 3391 to the Comprehensive Addiction and Recovery Act of 2015. I am proud to join Senator DAINES in filing this important amendment.

The Daines-Peters amendment would make it possible for certain dishonorably discharged veterans to be eligible for veterans treatment courts. Specifically, the amendment would allow the Attorney General to determine veterans treatment court eligibility on a case-by-case basis for dishonorably discharged veterans who have been diagnosed with service-connected post-traumatic stress disorder, military sexual trauma, or traumatic brain injuries.

Currently, veterans treatment courts are open to any veteran with a discharge other than dishonorable or a dishonorable discharge that can be attributed to substance abuse. However, studies have shown a direct connection to PTSD, TBI, and MST are a leading cause of substance abuse disorder. In general, drug courts reduce correctional costs, protect community safety, and improve public welfare. Veterans treatment courts take the work of drug courts one step further.

According to the National Association of Drug Court Professionals, veterans treatment courts bring the U.S. Department of Veterans Affairs health care networks, the Veterans Benefits Administration, the State departments of veterans affairs, volunteer veteran mentors and veterans family support organizations together in one place in order to provide support for veterans. These are resources that speak to the unique needs of this Nation's veterans.

In my home State of Michigan, Judge Michelle Friedman Appel's veterans treatment court in Oak Park is the site of weekly accountability, encouragement, and rehabilitation, and I commend her work.

Our veterans treatment court judges are committed to the well-being of this Nation's veterans, connecting them to services they need to reach their full potential. Servicemembers suffering from the invisible wounds of war who are discharged, regardless of the characterization of that discharge, truly need the assistance provided by veterans treatment courts. That is why the Daines-Peters amendment is so important. Former servicemembers, particularly those suffering from PTSD, TBI, and MST should have access to veterans treatment centers and courts.

I urge my colleagues to support the Daines-Peters amendment No. 3391.

FAIRNESS FOR VETERANS ACT

Mr. President, I wish to stay on the subject of veterans for a moment longer. Behavioral changes are often seen in individuals suffering from mental traumas, such as PTSD and trau-

matic brain injury, or TBI. Unfortunately, those individuals will often receive a less-than-honorable discharge, also known as a bad paper discharge rather than an honorable discharge. This discharge status makes veterans ineligible for certain benefits, including GI benefits and VA home loans. This is simply unacceptable, and we need to make a change. Our Nation's heroes who honorably serve their country deserve access to the care and benefits they have earned, and that is why I introduced the Fairness for Veterans Act, which will help these veterans.

The Fairness for Veterans Act will create a presumption in favor of the veteran with a bad paper discharge when petitioning the Secretary of Defense for an upgrade in discharge status based on hard medical evidence that is certified by the VA or appropriate medical professional. This bill has the support of both parties in both Chambers.

I introduced the Fairness for Veterans Act with my Republican colleagues, STEVE DAINES from Montana and THOM TILLIS from North Carolina. I appreciate the many Senators who have cosponsored the bill since its introduction, particularly Senator GILLIBRAND, who has been a champion for the bill on the Armed Services Committee.

Today, in the House of Representatives, MIKE COFFMAN, a Republican from Colorado; TIM WALZ, a Democrat from Minnesota; LEE ZELDIN, a Republican from New York; and KATHLEEN RICE, a Democrat from New York, led a number of Members introducing the bipartisan bill.

This legislation is also supported by a number of veterans groups, including Iraq and Afghanistan Veterans of America, Veterans of Foreign Wars, Disabled Veterans of America, Military Officers Association of America, the American Legion, Paralyzed Veterans of America, Vietnam Veterans of America, the Veterans Health Council, United Soldiers and Sailors of America, and the Military-Veterans Advocacy, Inc.

Improperly discharged servicemembers should not lose access to the benefits they have earned through their service. That is why we must ensure they are getting the fairness they deserve when petitioning for an upgraded discharge status. This is a nonpartisan issue, and I am committed to fighting on behalf of our Nation's veterans.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, the bill we are debating today is an important step forward in helping to combat addiction and opioid abuse.

According to the Department of Veterans Affairs, 20 percent of veterans with PTSD also have a substance abuse disorder. Let me repeat that statistic. In our country, 20 percent of veterans, or one in five, with PTSD have a sub-

stance abuse disorder, and that is why we need to ensure that they have all the avenues to care and treatments available to them. We cannot allow them to suffer in silence. That is why I have offered two amendments to the bill that will help our veterans struggling with the invisible wounds of war.

My first amendment, No. 3390, makes sure that these veterans are not forgotten, including their struggles in the findings. My second amendment, No. 3391, allows veterans with post-traumatic stress disorder, military sexual trauma, and service-related traumatic brain injuries that received a dishonorable discharge to have access to veterans treatment courts.

I am proud to be joined by Senator PETERS in ensuring that veterans at risk of substance abuse have access to the veterans treatment courts, particularly those most at risk. We cannot turn our backs on those who answer the call to protect our country and are now struggling, many of whom are struggling in silence. We must do everything we can to uphold the promises our government made to our veterans, and I am honored to be doing just that.

I thank Senator PETERS for this bipartisan effort we are moving forward here to fight on behalf of our veterans.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. HOEVEN. Mr. President, I rise today to discuss two amendments I am submitting to S. 524, the Comprehensive Addiction and Recovery Act.

Across the country, including in my home State of North Dakota, families are experiencing the devastating effects of opioid and heroin addiction. In fact, in 2014, 61 percent of all overdose deaths in the United States were related to opioids. In North Dakota alone, overdose deaths have tripled in the past decade. It is no mystery why. In 2014, the North Dakota Bureau of Criminal Investigation seized 1,549 dosage units of opioids. In 2015, they seized 5,593. That is a 3½-fold increase in just 1 year, so an increase of more than three times in just 1 year.

Similarly, law enforcement seizures of heroin from Canada have grown exponentially. But our data about cross-border drug smuggling is limited. To battle drug abuse effectively, we need to know not just how much but how those drugs are getting into our country. The amendments I am proposing today will strengthen the overall bill by providing law enforcement with additional resources to address security vulnerabilities at the northern border that could be exploited by drug traffickers.

My first amendment allows State law enforcement to use grant funds to partner with local and Federal law enforcement agencies. In the underlying bill, the Attorney General may make grants to State law enforcement agencies to investigate the distribution of heroin and prescription opioids. My amendment allows States to use those grants to partner with local agencies, as well as the Drug Enforcement Administration—the DEA—and the Federal Bureau of Investigation.

In North Dakota, our law enforcement has faced increased challenges in combatting the flow of illegal drugs, including prescription opioids and heroin; however, our State has had a successful track record of partnering with local, State and Federal law enforcement to investigate and prevent criminal activities, specifically drug-related offenses. One successful example of these partnerships is the Bakken Organized Crime Strike Force. This task force was created in part by North Dakota's attorney general, Wayne Stenehjem, along with the Organized Crime and Drug Enforcement Task Force, to address the increased drug activity in the Bakken oil-producing region in western North Dakota.

My amendment will give States greater opportunities to partner with local and Federal agencies to investigate the trafficking of heroin, opioids, and other illicit drugs, as we have done successfully by creating these task forces in North Dakota.

My next amendment also addresses drug smuggling. It requires a study of drug trafficking in States along the northern border. While there is much attention and energy focused on the trafficking of drugs through our southern border, there are vulnerabilities that exist on our northern border as well.

My amendment directs the Secretary of Homeland Security, in coordination with the Attorney General, to conduct a study on the trafficking of narcotics, specifically opioids and heroin, in States along the northern border. The Secretary of DHS and the Attorney General must submit a report on those findings to Congress. Those findings will give Congress greater insight into the security needs at our northern border to prevent the trafficking of illegal drugs into the United States.

Opioid and heroin addiction is a scourge that ruins lives and crushes the spirit. S. 524 is a potent weapon in the fight against them. I urge my colleagues to support the underlying bill, as well as my amendments, which seek to make the legislation even stronger by increasing collaboration among law enforcement and addressing the security needs of our northern border.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MAHAN AIR AND IRAN

Mr. COONS. Mr. President, earlier this week, I joined a bipartisan group of Senate colleagues, including Senator GRAHAM, Senator AYOTTE, and Senator BLUMENTHAL—Republicans and Democrats alike—to send a letter to the United States Department of the Treasury. In our letter, we urged Secretary Jack Lew to continue the Obama administration's necessary and vital efforts to crack down on Mahan Air, a private Iranian airline that provides support for Iran's terrorist proxies and funnels weapons to Hezbollah and the murderous Assad regime in Syria.

Mahan Air is only the latest example of a pattern of behavior we have come to expect from Iran: Supporting terrorism and conducting destabilizing activities in the Middle East, conducting illegal ballistic missile tests in violation of U.N. Security Council resolution 1929, and committing ongoing, major human rights violations.

Indeed, as we wrote in the letter to the Secretary of the Treasury: "Strong and swift sanctions enforcement is vital to hold Iran to account for its ongoing support of terrorism, ballistic missile development, and human rights violations."

Today I would like to dive further into Mahan Air activities and explain why it is important that America work with our allies to continue to push back on Iran's bad behavior and to hold Tehran to the terms of the agreement reached last summer with regard to Iran's nuclear agreement.

I will also explain why it is critical that the Senate confirm Adam Szubin, Treasury's now-Acting Under Secretary for Terrorism and Financial Intelligence, who plays a key role in pressuring our allies to push back on Iran and who, in the absence of confirmation, is weakened in that vital role. If we are serious about our shared intentions to hold Iran accountable, then this Senate must confirm Adam Szubin, and our European allies must work with us to sanction Mahan Air.

Although Mahan Air is technically a private Iranian airline, it supports the operations of the IRGC—the Iranian Revolutionary Guard Corps—the hard-line military force committed to the preservation of the revolutionary and extremist Iranian regime. Mahan Air also provides services to the Quds Force, an elite IRGC military force that is designated as a terrorist group by the U.S. Treasury Department under Executive Order 13224.

Through its ties to the IRGC and the Quds Force, Mahan Air directly and indirectly provides men and materiel to Hezbollah, a terrorist organization based in Lebanon, and to the murderous regime of Bashar al-Assad in Syria. Yet, despite these known ties,

Mahan Air is still flying into 24 airports in countries around the region and world, including the United Kingdom, Germany, France, and Italy, and it is successfully procuring aircraft and equipment using front companies—an evasive approach that mirrors Iran's strategy in a number of industries, not just in airlines.

Since October of 2011, the Treasury Department has taken key steps to sanction Mahan Air. In that month—October of 2011—Mahan Air provided travel for members of the Quds Force, who flew to and from Iran and Syria for military training, and other suspected officers who flew covertly in and out of Iran.

Less than a year later, in September of 2012, Treasury further cracked down on Mahan Air and two other airlines for a series of bad actions, including sending military and crowd control equipment to the Assad regime in Syria in coordination with Hezbollah, often under the cover of being humanitarian aid. Later, in both February of 2014 and May of 2015, our Department of the Treasury took further action against two front companies that helped Mahan Air procure equipment and parts. The 2014 action penalized personnel and companies in the United Arab Emirates who helped Mahan Air transfer money and procure aircraft and other parts.

This ongoing, long-term pattern of behavior by Iran and its IRGC makes clear why the United States and our other vital allies must work together to cut off Mahan Air's access to international markets and airports, and I commend our Department of Treasury for taking these important steps to designate Mahan and its employees.

These actions alone are important—but not sufficient. Both the United States and our European allies must do more. To start, I urge governments across the European Union to also designate Mahan Air and its many front companies for their support for terrorism.

By continuing to support Syria's violent and discredited President, Bashar al-Assad, Iran has directly contributed to the slow and grinding collapse of Syria, to the enormous humanitarian crisis that has resulted, and to the destabilization of the region. There is a direct correlation between Iran's destabilizing actions in Syria, but also in Yemen, Lebanon, and Iraq, and the migrant crisis now facing all of Western Europe. The more that Iran uses Mahan Airlines to transport the very goods that supply Hezbollah, the longer the instability inside Syria will persist and the more refugees and migrants will flee Syria toward our allies in Western Europe.

Without the support of companies such as Mahan Air and the many front companies that it depends on, Iran and the IRGC would find supporting the Assad regime substantially more difficult and expensive. We must work together to keep Mahan Air from purchasing engines, aircraft, and other

equipment for these maligning purposes.

The second step our allies can and should take is simple: to stop allowing Mahan Air to land at their airports. A company like Mahan Air, which supports terrorism in defiance of international norms, should not have easy access to international airports.

More broadly, combating Iran's destabilizing actions in the Middle East and successfully and rigorously enforcing the terms of the nuclear deal with Iran will require meaningful international coordination.

As I recently wrote in an editorial that ran in the *Guardian*, while I understand that many European companies will seek to do business with Iran, now that certain economic sanctions have been lifted in compliance with the terms of the nuclear agreement, I urge our allies to remember three simple things.

First, the United States and the U.N. continue to maintain and enforce economic sanctions against Iran. The United States' designation of Mahan Air is one of many unilateral sanctions examples, and many that we continue to keep in place.

Second, stopping Iran's quest for a nuclear weapon must always remain a top priority. We are counting on our European allies to continue to share this view and to act in accordance with it—a view that they stated they shared during our negotiations that led up to the nuclear deal.

Third, as Iran's relationship with Mahan Air shows, the Iranian Government remains a revolutionary regime with a long history of pursuing nuclear weapons and a long track record of supporting terrorism and destabilization in the Middle East.

Iran's use of Mahan Air to evade international scrutiny is yet another reminder that we must remain vigilant in our oversight of Iran. Here in the United States, we appreciate the partnership of our European allies. In fact, the strength of this allegiance and our ability to act as one were key factors that led Iran to agree to the strict terms of the nuclear agreement. We must continue to advocate for and keep front of mind the idea that the most important contract with Iran is the one we have already signed in the nuclear agreement. We must pursue every possible means of enforcing it, and that means cracking down on front companies that facilitate Mahan Air, and companies that are playing a direct role in fomenting instability in the Middle East.

Just as importantly, I urge my colleagues today to put politics aside and confirm Adam Szubin, who oversees the implementation of sanctions in the Treasury Department. With experience in both the Bush and Obama administrations, Adam Szubin is the definition of an outstanding career public servant: nonpartisan, dedicated to his job, and committed to his country. He has been widely praised by Senators of

both parties, but his confirmation has been blocked for nearly a year for reasons utterly unrelated to his capabilities or his performance of the job.

The cause of this hold is and has been raw politics, but the consequences of the hold go far beyond that.

When Acting Under Secretary Szubin sits down at the negotiating table, the individuals on the other side, whether from the private sector or a foreign government, friend or foe, should know that he speaks for the American people and has the weight of the Senate and the whole Government of the United States behind him. When Adam Szubin travels around the world to ask senior officials from foreign governments to sanction Mahan Air and its front companies or to prevent Mahan from flying into their airports, he is trying to convince foreign governments to do something difficult, but necessary. Those foreign officials should know that he speaks not just for the Obama administration but for the executive and legislative branches of our whole government and that we as a people stand united against Iranian aggression.

Let's demonstrate to our allies and to Iran that Congress takes these issues as seriously as we proclaim. Let's confirm Adam Szubin and other nominees who are vital to this effort and whose confirmations have been stalled for too long. Let's work together to crack down on Mahan Air and other Iranian avenues for sowing terror throughout the Middle East. And, in the same spirit of collaboration that led to the nuclear agreement, let's come together to rigorously enforce the terms of the deal.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I thank the Senator from Delaware, Mr. COONS, for his leadership on this very important topic. I could not agree with him more that we need to fund the IAEA, that we need to confirm Adam Szubin for the position of Under Secretary for Terrorism and Financial Intelligence, and that our European allies must join us in sanctions against Mahan Air.

The JCPOA is focused upon one clear goal: preventing Iran from acquiring a nuclear weapon. The fact that an agreement like this was able to be achieved at the negotiating table is a testament to the strong economic sanctions that were imposed on Iran in direct response to Iran's past illicit nuclear activities.

The JCPOA required Iran to complete key nuclear-related steps, verified by the IAEA, before any sanctions were removed. Iran has shipped out 25,000 pounds of low-enriched uranium, thereby tripling its breakout time. Iran has removed the core of the Arak heavy water plutonium reactor and has rendered it unusable. Iran is also limited to 300 kilograms of uranium enriched to only 3.67 percent, which is below weapons grade. These

are positive steps toward preventing Iran from acquiring a nuclear weapon.

But they came at a time when the world community possessed the most leverage, and Iran had the most to lose by not complying with the deal. Now, in the aftermath of implementation day and with certain sanctions relief provided to Iran, we must remain increasingly vigilant in our efforts to counter the Iranian regime's support for terrorism and violations of human rights of their own people.

The Iranian regime must understand that there will be consequences for violations, however minor, of the JCPOA. If Iran seeks a nuclear weapon, the world community, led by the United States, is ready to implement the snapback of sanctions in response. And if Iran attempts to test our resolve through small but persistent violations of the JCPOA, they need to be punished swiftly.

I recently traveled to Vienna, along with Senator COONS and several of my colleagues, to meet directly with the U.S. Mission to the International Organization in Vienna, including the International Atomic Energy Agency, the IAEA. The IAEA is the world's "nuclear watchdog" and the organization that, under the terms of the JCPOA, is responsible for verifying Iran's compliance with the terms of the deal. We must ensure that the IAEA, which serves as our eyes and ears on the ground in Iran, with direct access and 24/7 online monitoring capabilities of nuclear sites, has the resources necessary to execute its critical mission.

It is incredibly important that we continue to ensure strict compliance with the Joint Comprehensive Plan of Action. The terms of the JCPOA do not change, regardless of progress or setbacks in Iran's politics, and our resolve to vigorously enforce the deal will not waver. We will judge Iran's leadership by its actions and not words.

Last week, Iran conducted some elections. But let's be clear: Many of the Iranian candidates being touted as so-called moderates are labeled that way simply because of their support for, or connections to, Iranian President Rouhani. But it is important to remember that, according to the United Nations, Iran continues to "execute more individuals per capita than any other country in the world."

Executions peaked at 753 in 2014, during President Rouhani's second year in office, including those conducted in public, along with executions of women and at least one juvenile. Amnesty International has reported on continued crackdowns against artists and activists who were tortured into confessions to crimes such as "spreading propaganda against the system" and "insulting Islamic sanctities." And we know that Iran remains a leading state sponsor of terrorism.

Unfortunately, I do not believe that the election results in Iran are in any way transformational. I agree with my colleague's assessment that Iran's elections are neither free nor fair. The

Guardian Council, a top clerical body of the Iranian regime, disqualified thousands of candidates from standing for election. We cannot reasonably expect a transformational shift in Iran's foreign policy, human rights record or support for terrorism when the hardline regime elements that promote these disturbing policies are allowed to prescreen and disqualify candidates for office.

Iran's support for terrorism and the ability to foster instability in the region has serious consequences for our European allies and for our own homeland security. I served in the U.S. Navy Reserve, including time in the Persian Gulf, where I saw firsthand the Strait of Hormuz and the strategic chokepoint that exists there. Last year Iran seized a commercial vessel in the States, requiring the U.S. Navy to accompany vessels and provide security when moving in and out of the Persian Gulf. The Iranian regime is a threat not just to the Middle East but to the security and stability of the entire world.

In closing, I want to reiterate the need to confirm highly qualified nominees like Alan Szubin, who will oversee Treasury Department sanctions against Iran and the front companies used to support illicit activities, and we need to urge our allies to join us in imposing these sanctions. We need to ensure that we provide the IAEA with the resources required to do its job and conduct rigorous daily oversight of the JCPOA.

Most importantly, we must continue to provide strict oversight of the JCPOA and ensure compliance with its terms. We cannot let up or be distracted by perceived improvements or setbacks in Iran's politics. We made a commitment to the American people that Iran must never be allowed to acquire a nuclear weapon. This is a commitment we must uphold and be focused on each and every day.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARDIN. Mr. President, I take this time to explain four amendments that I have filed and would like to make pending on S. 524. I understand we are in a position now that we need consent in order to have these amendments pending. I am not going to ask for consent, but I will explain the four amendments in hopes I will have an opportunity to present these amendments and have them considered by the full Senate. I know Leader MCCONNELL wants an open amendment process, and I think all four of these amendments are very much relevant to the underlying bill which is aimed at authorizing

the Attorney General to address the national epidemic of prescription opioid abuse and heroin use.

The first amendment I wish to talk about is an amendment on which I am joined by Senator CORNYN. It is amendment No. 3421, which would allow grants for 24/7 treatment centers.

I am proud to join with my colleague Senator CORNYN on this amendment, which clarifies that grants under section 301 of CARA may be awarded for the establishment and support of treatment centers that operate 24 hours a day, 7 days a week to provide immediate access to behavioral health services.

The epidemic of opioid abuse and addiction impacts every State in our country. Many of us know individuals and families who have been deeply affected by this tragic crisis. Heroin and opioid drug dependency has more than doubled in Maryland over the last decade. The number of deaths related to heroin and opioid drug dependency has increased by more than 100 percent in the last 5 years. In 2013, there were 464 heroin-related overdose deaths in Maryland, greater than the number of homicides. Some parts of Maryland have had the highest per capita rate of heroin and opioid drug use in the United States. In some regions of the State an estimated 1 in 10 citizens are addicted to heroin.

Improving access to behavioral health care—meaning both mental health and substance abuse treatment—is essential in combating this epidemic. According to the National Alliance on Mental Illness, more than half of the individuals with substance use disorders also have at least one serious mental health condition. There is often a small window of opportunity for getting an individual with substance abuse or mental health issues into treatment. If treatment cannot be provided on demand, often the opportunity is lost. Allowing grants for the establishment and support of 24/7 treatment centers providing behavioral health services on demand will help ensure those individuals in need have access to behavioral health services at the time they need it.

I ask my colleagues to join me in helping to get this amendment pending and adopted. It is a bipartisan amendment, as I said. I am joined by Senator CORNYN in presenting it to our colleagues.

The second amendment is pretty simple. It requests a GAO report on naloxone price increases. I am pleased this amendment I would offer would require a study of the most recent dramatic increase in the price of this medicine. Naloxone is a lifesaving drug that is used to reverse the effects of opioid overdose. However, according to the Baltimore City Health Department, the cost per dose in Baltimore has quadrupled over the past 2 years—quadrupled in 2 years. This GAO study would evaluate the impact of the ability of States and local health depart-

ments to reduce the number of deaths due to opioid overdose. It is a pretty simple amendment, and I would hope we could get it pending and included in this legislation because I think it would save lives.

The next amendment I wish to talk about is again a bipartisan amendment that is being offered with Senator HELLER. This amendment would repeal the therapy cap. I was in the House of Representatives when the therapy cap was imposed on therapeutic rehab services. It was included in the Balanced Budget Act of 1997 and imposed annual financial limits on outpatient physical therapy and speech-language pathology services, as well as occupational therapy services. The decision to impose those caps was not based upon data, concerns about quality of care or clinical judgment. The sole purpose was to limit spending in order to balance the Federal budget.

I was in the Ways and Means Committee room when Chairman Thomas brought this issue up to include in the Balanced Budget Act, and I asked the question: Why are we doing this? He said: Well, we need these dollar amounts to equal the numbers. I said: What is the policy reason? None could be given.

These arbitrary caps create an unnecessary and burdensome financial barrier to Medicare beneficiaries who rely on essential rehab services such as physical and occupational therapy to live healthy and productive lives. Chronic pain, which is defined as pain that lasts for several months or in some cases years, affects at least 116 million Americans each year. Physical therapy plays an important role in managing chronic pain.

Recently, the Centers for Disease Control and Prevention published draft clinical guidelines on the use of opioids for chronic pain, making it clear nondrug approaches, such as physical therapy, are "preferred" treatment paths for chronic pain. Approaches such as physical therapy "have been underutilized and, therefore, can serve as a primary strategy to reduce prescription drug medication abuse and improving the lives of individuals with chronic pain."

I urge my colleagues to join me and Senator HELLER to permanently repeal the therapy cap and ensure that Medicare beneficiaries, including those suffering from chronic pain, continue to have access to medically necessary outpatient physical therapy services.

The fourth amendment I would like to offer is in title IV of this legislation. It addresses the so-called collateral consequences. Section 402 directs the Attorney General to establish a "Task Force on Recovery and Collateral Consequences." Collateral consequences refer to a penalty, disability or disadvantage experienced by an individual because of a criminal conviction, but that is separate from the court's judgment or sentencing. The commission will study these consequences and

whether they affect the ability of individuals to resume their personal and professional lives. In other words, we are talking about reentry into society.

But we do not have to wait for the results of a commission to take action to ameliorate one of the collateral consequences of a criminal conviction. Here, I am talking about the fundamental right to vote. An estimated 5.85 million citizens cannot vote as a result of criminal convictions, and nearly 4.4 million of those have already been released from prison. So 4.4 million people in our communities are denied the right to vote. Nationwide, 1 in 13 African Americans of voting age have lost the right to vote, a rate 4 times higher than the national average. Latino citizens are also impacted in an extreme way because they are disproportionately overrepresented in the criminal justice system. States have vastly different approaches to voting with a criminal conviction. This patchwork of State laws has caused confusion among election officials and the public, sometimes resulting in the disenfranchisement of even eligible voters. Some of these State laws are a holdover from the era of Jim Crow laws, where even misdemeanor convictions could take away an individual's right to vote. In some cases, the right to vote is lost permanently, with no ability for rehabilitation. This is just plain wrong.

The amendment I wish to offer would provide much-needed information into the hands of citizens returning from incarceration. My amendment would direct the Justice Department to provide to individuals released from the custody of the Bureau of Prisons information regarding their right to vote following release. It would require notifications to individuals of the impact on their voting rights when they accept a plea agreement from the U.S. attorney and require the Department of Justice to report on the disproportionate impact of both Federal and State criminal disenfranchisement laws on minority populations, including data on voter disenfranchisement rates by race and ethnicity.

My amendment does not change any existing Federal or State voting rights laws. It does not. It simply requires the Justice Department to provide additional information to ex-offenders upon their release from prison, and it makes sure that defendants are aware of the impact on their voting rights when accepting a plea agreement. The Department of Justice study can provide us additional information on the patchwork of State and Federal disenfranchisement laws, which Congress and the States can use to make further changes in the statute.

So I urge my colleagues to have a process where this amendment, along with the other three I have discussed, can be made pending so that we can vote on these amendments. I think they all would improve the underlying bill, and it is certainly consistent with the majority leader's commitment to

an open amendment process. I hope there will be a way that I will be able to offer these amendments and the full Senate will be able to vote on these amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

FILLING THE VACANCY ON THE SUPREME COURT

Mr. BROWN. Mr. President, earlier this week and last week I joined a number of my colleagues on the floor and spoke at length about the need for our fellow Senators on the other side of the aisle to do something simple—to do their jobs.

The PRESIDING OFFICER. The Senator does not have on his microphone.

Mr. BROWN. I thank the Presiding Officer.

Earlier this week and last I spoke at length about the need for my colleagues on the other side of the aisle to do their job and to move forward with hearings and an up-or-down vote on whomever the President nominates to the Supreme Court. The outcry from the public continues from every corner of our justice system. Let's just recount quickly what happened after the tragic and untimely death of Justice Scalia.

Within an hour or so, the Republican leader of the Senate said: Don't bother sending up a nominee. History suggests that we won't do this in the last year of the Presidency. We are not going to do hearings. Don't even bother.

Other Republican Senators, sort of like one bird flying off the telephone wire—they all fly off a telephone wire—one Republican Senator after another, first said no hearings. Then, after the majority leader said that he would not even meet with prospective nominees, other Republican Senators said they wouldn't meet with nominees.

Just imagine that. We work hard to run for these offices. It is hard to get to the Senate. When we win, within a month and a half or 2 months later, we take an oath of office. We get paid to do our jobs. But they are just not doing their job.

The Constitution says the President shall nominate to fill a vacancy on the Supreme Court, and the Constitution says the Senate shall advise and consent—not except in the last year of the President's term, not only if we feel like it. We are just saying to our Senate colleagues—along with Americans saying to Senate Republicans: Do your job.

It is pretty simple. We are not saying you have to vote for the President's nominee. Understandably, you may not want to, but at least meet the nominee, at least hold hearings on the nominee. Then let's bring him or her to the Senate floor and have a debate and vote up or down.

Earlier this week I quoted from four former U.S. attorneys from my State of Ohio, from Washington State, California, and Virginia. They wrote: "It is unfair and unsafe to expect good federal agents, police and prosecutors to

spend more than a year guessing whether their actions will hold up in court." These are criminal prosecutors, U.S. attorneys, saying how important it is that, ultimately, when something goes to the Supreme Court, there will be a decision made because there is an odd number of justices.

The last time there was a 1-year vacancy—which is what the Republican leader, MITCH MCCONNELL, is calling for—on the Supreme Court was 150 years ago, and that was because we were at war. It was during the Civil War. It is unprecedented to do what they are doing.

On Tuesday, former Ohio Court of Appeals Judge Mark Painter wrote an op-ed in the very conservative, very Republican Cincinnati Inquirer, sharing some of the same concerns. He wrote:

It would be irresponsible and unprecedented to let a vacancy on the court extend into 2017. If Congress fails to act, the Supreme Court will go two terms—well over a year—with a vacancy. The court will hear significant cases in the coming months and issue rulings that will impact our everyday lives.

As a judge for 30 years, I learned that it is important for the law to be settled.

Settled—not held in abeyance, not deadlocked, but settled—that is why we have an ultimate Supreme Court.

Uncertainty is bad for businesses, individuals and for commerce. Two court terms of possible 4-4 votes would be a nightmare.

There is no precedent for causing this damaging uncertainty. The only reason is politics.

That is the same Republican leader who some years ago said: My No. 1 political goal is to keep Barack Obama from being reelected, not, my No. 1 goal is to help improve the economy or to help wages go up or to preserve our freedom, our families or our economic security from attack. He said: My No. 1 goal is to make sure that Barack Obama isn't reelected.

Then this same crowd shut down the government in 2013, after Barack Obama was reelected. They didn't like that—understandably. But they shut the government down—not understandable. Now they want to shut the Supreme Court down by locking it in with an even number where we will see 4-to-4 votes.

Judge Painter points out that we elected Barack Obama to a 4-year term:

The nomination to fill the seat of Supreme Court Justice Scalia is bigger than party or politics. And there is no doubt that Scalia himself would interpret the Constitution as requiring a nomination and a vote by the Senate. It's that simple.

That's why President Obama will do the job that the American people elected him to do. And that's why the Senate should do its job also.

Under our Constitution, we elect presidents for four-year terms. Obama has almost a quarter of his term left. Should the process of government stop for a year?

Should the process of government stop for a year? It should not. My colleagues, pure and simple, ought to do

their jobs. They ought to meet the nominee. They ought to hold hearings. They ought to give an up-or-down vote to whomever the President nominates. Let's do our job.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to join my colleague from Ohio, Senator BROWN, in his message about our responsibility to do our job. It is very simple: Do our job. Do what the people of our State elected us to do.

Senator BROWN is absolutely correct. Article II, section 2 of the Constitution states that the President "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court." The last time I checked, the President was elected for a term of 4 years, not 3 years and 2 months. We still have 10 months left of President Obama's Presidency. There is plenty of time for the Senate to consider his nomination for the Supreme Court of the United States.

I find it shocking that my colleagues would suggest, even before the President has submitted a nomination, that the Senate would not conduct hearings or consider the nomination of the President to the Supreme Court, even though that is our constitutional responsibility and even though we were elected for a 6-year term. The last time I checked, we are in session until the end of this year. We don't adjourn in March. The President has 10 months left in office, and Senators should do our work and do our job. I think the American people will ultimately demand that the Senate do its job and not threaten to stop working simply to coddle and pander to the most extreme and fringe elements of its base.

Senators should look to the Constitution for the history and the precedents of the Senate on how to proceed. I say that because if we do not hold a hearing on President Obama's nomination for the Supreme Court, it will be the first time in the history of the United States that a nominee who requested a hearing is denied a hearing—the first time ever. This is a matter of what is the appropriate role in the Constitution of the United States. We all took an oath of office to uphold the Constitution of the United States, and it is our responsibility to respond with a serious effort.

The majority leader said that when we get a nomination, we should act with dignity. Well, we are not acting with dignity if we don't hold a hearing. Let me remind us that the last time a President nominated in an election year of the opposite party, President Reagan's nomination of Justice Kennedy was considered by a Democratic-controlled Senate and approved by a Democrat-controlled Senate.

Let me also remind us that there have been times where a nominee of the President has not been approved by the Judiciary Committee. They have still come to the floor of the Senate for

action. Justice Thomas was approved by a majority vote of the Senate even though he was not recommended by the Judiciary Committee. It was short of the 60-vote threshold, which means that if the Democratic majority had wanted to filibuster, they could have. So we are on uncharted waters here with what the Republicans are doing.

We have separation of branches of government. That is the history of our country. That is the democracy in which we live. It is our responsibility to preserve that. We, the legislative branch of the government, have the responsibility to advise and consent on the independent judiciary. The Supreme Court operates with nine justices, not with eight. It is an abuse of power of the majority in the Senate—the Republicans—to say that we are going to reduce the Supreme Court of the United States to eight by inaction. What happens when we have conflicting decisions made by different circuits and the only court that can determine the law is the Supreme Court in its interpretation and they are 4-to-4 deadlocked? If we do not take up this appointment and we go the full year into next year, it will be two terms of the U.S. Supreme Court without the full complement of justices.

Do your job, my colleagues. That is all we have to do. You don't have to vote yes. Vote. Have a hearing. Have the courage to vote yes or no on the President's nominee. They are saying we are not even going to have a chance for a hearing or vote, and we don't even know who the nominee is, and that is just plain wrong. I think the American people will speak with a clear voice and say that is not what the Senate should be doing.

I hope the Republican leadership will provide the dignity of the Senate, hold hearings, and allow the full Senate to vote up-or-down on the President's nominee for the Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

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

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

Mr. HEINRICH. Mr. President, addiction to prescription opioid pain relievers and heroin is a growing public health epidemic that is taking a heart-breaking toll on families and communities in every State of this country. In 2014, more than 47,000 Americans died because of prescription opioid and heroin overdoses.

This crisis is very real in my home State of New Mexico. For years, without adequate treatment resources, communities in my State have suffered through some of the highest rates of heroin and opioid addiction in the country. Far too many New Mexico families have lost loved ones, and many more are struggling to find treatment and recovery resources for a father, a mother, a son, a daughter, or for themselves.

Two weeks ago, I visited Espanola Valley in Rio Arriba County. Rio Arriba, which is largely rural and has predominantly Hispanic and tribal communities, is filled with beautiful mountain and desert landscapes, the kinds of places that attract artisan visitors from around the world. Families from Rio Arriba can trace their lineage to Spanish settlers who came to New Mexico in the 1600s and to Indian Pueblos and tribes who have lived in this region for millennia. Tragically, Rio Arriba County has also long been home to the highest rates of heroin addiction and overdose deaths in the Nation. In fact, between 2010 and 2014, the county's overdose death rate was more than five times the national average. This is not only tragic, it is simply unacceptable.

Last month, I convened a roundtable discussion in the area with U.S. Department of Health and Human Services Region 6 Director Marjorie Petty and a number of local stakeholders, including the Rio Arriba Community Health Council. We gathered at the Delancey Street Foundation in Ohkay Owingeh to discuss ongoing efforts and ways to better address the heroin and prescription drug crisis in my State. What I heard loud and clear from public health officials, from law enforcement and first responders, and, probably most importantly, from people who have coped directly with addiction, is that this crisis is hitting entire communities and hitting them hard. Everyone knows a family who has a child suffering through addiction or in recovery, and many have literally lost loved ones to drug-related deaths.

For decades, drug addiction and substance abuse have been passed down generation to generation in too many families in Rio Arriba and in communities across New Mexico. The introduction of prescription opioid pain medications such as oxycodone and hydrocodone into the market over the last two decades has poured fuel on this fire, creating even more cases of opioid abuse and heroin addiction. These prescription opioid pain medications, which are so chemically similar to heroin, have produced whole new onramps onto the highway of addiction. In many instances, by the time someone has finished their first prescription drug treatment, they are literally already hooked, so they turn to purchase new pills, legally or illegally, either through a new prescription or through other means. When they can't afford the pills anymore, all too often they turn to heroin.

Overprescription of opioid drugs and the widespread trafficking of lethal black tar heroin have both contributed enormously to the ongoing public health crisis in New Mexico and now across our Nation. The statistics alone should get our attention. From 2002 to 2013, opioid-related deaths quadrupled nationally. Drug overdoses were the leading cause of injury death in 2013. Among Americans ages 25 to 64 years

old, drug overdoses caused more deaths than motor vehicle crashes. Think about that.

Over this same period, New Mexico families and communities have borne the brunt of this epidemic. Between 2011 and 2013, New Mexico ranked second nationally for drug overdose deaths, and it is getting worse by the year. More New Mexicans died of drug overdoses in 2014 than in any other year on record. Some 547 people died in New Mexico due to drug poisoning, including deaths from prescription opioids and heroin overuse.

Rather than focus solely on these statistics, I want to talk a little bit about some of the people I met in my visit to Rio Arriba County because I think it puts a much more human and real face on the very nature of this problem.

Jesus toured me around Delancey Street.

The Delancey Street Foundation is a national residential self-help rehab organization that helps former substance abusers, ex-convicts, and others who have literally hit rock bottom turn their lives around, get clean, and learn academic and vocational and life skills. Residents have to commit to a minimum stay of at least 2 years. During that period, a comprehensive treatment program often produces dramatic results.

Delancey Street's facility in New Mexico is located on a 17-acre ranch in Ohkay Owingeh Pueblo. Residents there learn vocational skills to get jobs in livestock management, culinary arts, retail sales, construction, wastewater management, and landscaping.

Jesus came to Delancey Street after getting caught up using and selling pills and heroin in the Espanola Valley. He had two DUIs and suffered through alcoholism and substance abuse. In 2011, when a judge gave him the option of going to Delancey Street instead of serving a 9-year prison sentence, he took the chance. Through a long process, he received treatment and learned how to cope with his addiction. Jesus has stayed at Delancey Street well past his 2-year commitment and has taken on new responsibilities. He now serves as a mentor and a role model to new residents who are trying to overcome their addictions.

I met another man named Josh. He is a peer-to-peer support worker at Inside Out Recovery Center in Espanola. Josh was born and raised in Espanola, where he saw drug and alcohol use as the way of life in his community. When he was 14 years old, a high school friend with a prescription for hydrocodone offered him some pills. Josh quickly became addicted. Over time, his opioid addiction led him to the point where he was shooting 7 grams of heroin every day, stealing from family and friends to pay for that addiction, and going in and out of the prison system at the same time. At one point, while going through withdrawal in a jail cell, Josh was unable to eat for weeks. He literally lost

over a third of his body weight. He remembers later attempting suicide in an act of desperation to end his addiction and failing when his gun didn't go off.

In his late twenties, after going through these intense struggles, Josh was introduced to the Inside Out Recovery Center. He met a peer-to-peer support worker named Alex, who had done the same drugs and been through the same struggles. Josh realized there was a way to stop using, and he turned his life around. He got clean.

When a judge sentenced Josh to probation instead of prison for an offense, he was released from jail and went straight to Inside Out and committed to treatment. He said it was the first time he had been released and hadn't immediately returned to drug and alcohol abuse. At Inside Out, Josh received peer support and learned conflict resolution and coping skills. He credits the program with actually saving his life. Now that Josh has his life back, he is working to help others in his community to get their lives back from addiction.

Finally, I want to tell you about Rufus. Rufus is a 22-year-old Navajo Hopi man who lives in Pojoaque. When I met Rufus during my visit, he was getting ready to graduate from his treatment at New Moon Lodge treatment facility in Ohkay Owingeh Pueblo.

New Moon Lodge is a residential addiction treatment center that serves clients from New Mexico's American Indian communities. Although the center treats different types of addiction and substance abuse, including alcoholism, recently they have seen many more cases of opioid and heroin addiction.

Rufus's addiction to opioids began when he was prescribed hydrocodone to help with a hand injury he received when he was 16. He became addicted. Once his prescription ran out, he turned to buying pills illegally, moved up to higher dosages, and eventually moved on to heroin. He got expelled from high school his senior year and fell even deeper into this addiction.

After years of use and going in and out of jail for various offenses, Rufus came before the Pojoaque Tribal Court last year and was given the option to go to New Moon for treatment. New Moon helped him see the person he could be without the drugs. Rufus just graduated from his treatment at New Moon last week. Now he is looking forward to building a stable home life for his girlfriend and his baby by going back to school to get his GED and working toward being a mechanic or an artist.

I tell these stories to demonstrate that when we provide an opportunity to receive comprehensive treatment and receive rehabilitation, people who have suffered through the trials of opioid addiction can turn their lives around and help their communities heal in the process.

Sadly, in addition to hearing these success stories, I have heard far too often that people who are looking to get help have absolutely nowhere to go. Particularly in New Mexico's rural, tribal, and impoverished communities, there is a severe lack of access to proven treatment and rehabilitation resources. We desperately need more detoxification centers, more transitional housing facilities, more outpatient services, and more behavioral health facilities.

We as a nation are not doing even close to enough to provide adequate treatment facilities and resources to communities like those in the Espanola Valley that are struggling to meet the challenges of the growing heroin and opioid addiction crisis. That is why I am a cosponsor of the Comprehensive Addiction and Recovery Act, championed by our colleagues Senator SHELDON WHITEHOUSE of Rhode Island and ROB PORTMAN of Ohio.

This legislation provides a series of incentives and resources designed to encourage States and local communities to pursue a full array of proven strategies that combat addiction. To ensure that this effort meets the needs of rural and tribal communities such as those in New Mexico, I submitted a bipartisan amendment with my friend, the senior Senator from Wyoming, Mr. MIKE ENZI, to require that rural health professionals are included in the Pain Management Best Practices Interagency Task Force that is created by this legislation.

But, frankly, in order to truly provide local communities the tools they need to tackle this crisis head-on, we need funding, which is why I am also cosponsoring emergency funding legislation, championed by my colleague Senator JEANNE SHAHEEN of New Hampshire, to provide supplemental appropriations of \$600 million for drug prevention and treatment programs. I understand that Senator SHAHEEN's efforts to include her funding legislation as an amendment failed to get enough votes this week, which frankly I find deeply disappointing, but I think the Comprehensive Addiction and Recovery Act is still a good first step toward addressing this epidemic. You can be sure I will continue to fight to address it in the Senate and back in New Mexico.

Addiction is a disease that can happen to anyone. It transcends region, race, gender, and socioeconomic status. It is a vicious cycle we have seen all too frequently in New Mexico. By taking a comprehensive approach to combat this epidemic, we can ensure that people have the opportunity to get back on the road to recovery.

I yield the floor.

AMENDMENT NO. 3345

Mr. LEAHY. Mr. President, the American people sent all of us here to solve problems, to strengthen and support our Nation and its people, and to help make ours a more perfect union. They expect us to govern responsibly

and to work together to improve our communities. This week we are considering the Comprehensive Addiction and Recovery Act, or CARA. Few problems in our country have had as devastating an impact on American families as opioid addiction. From Vermont, to Kentucky, to Ohio, communities across the country are struggling, and they are reaching for answers and for help.

It is clear there is a strong, bipartisan interest in Congress to address the problems associated with opioid addiction. The legislation before us is a good bill. It demonstrates that Congress now sees addiction for what it is—a public health crisis. But CARA will not by itself pull our communities out of addiction. CARA is an unfunded framework. Addiction is too knotted and massive a challenge to address with a mere change in philosophy. We cannot pretend that solving a problem as large as opioid addiction costs nothing. The emergency funding amendment by Senator SHAHEEN is an essential part of this effort. It puts real dollars behind the rhetoric to ensure that the carefully crafted programs authorized in CARA can actually be implemented and can succeed.

Congress has approved much larger emergency funding bills in the past. Just last year we approved more than \$5 billion to combat the Ebola outbreak in Africa, far from our shores. To be clear, I believe this funding was appropriate. But we must now turn our attention to the public health crisis here at home, in our own communities. More than 40,000 Americans are dying each year from drug overdoses. In Vermont, State leaders like Governor Shumlin have tackled opioid addiction with an all-hands-on-deck approach. Other community leaders, like the Boys & Girls Club of Burlington, have done wonderful work expanding education efforts to prevent young people from becoming addicted in the first place. I am proud of their efforts, but they will be the first to acknowledge that many challenges remain. As in other States, addiction has spread across our State, and more Vermonters are dying from drug overdoses. Several have died while on waitlists for treatment.

Addiction is nothing less than an epidemic, and to solve it, this crisis must be treated as an epidemic. More resources for targeted efforts will save lives and help stabilize families, neighborhoods, and communities. That is why we need Senator SHAHEEN's amendment. This amendment would have provided resources to strengthen both the law enforcement and public health components needed to tackle the crisis. Her legislation would have delivered support to State and local law enforcement agencies, anti-heroin task forces, and treatment alternatives to incarceration. It would have also delivered necessary resources to health care professionals who are overwhelmed by a need they cannot meet. No one should be turned away when

seeking treatment for the terrible disease of addiction. If cancer patients were refused treatment, we would not hesitate to act, and this should be no different.

We must make a real investment in combatting this ravaging epidemic, and the Shaheen amendment would have ensured that. Actions speak louder than words, action requires resources, and budgets are where we set priorities. The American people are watching and waiting. It is time for us to stop talking and start acting. It is time for us to start investing in our own country, our own communities' needs, and our own people.

VOTE EXPLANATION

• Mr. NELSON. Mr. President, I was necessarily absent for today's vote on the Manchin amendment No. 3420 to S. 524, the Comprehensive Addiction and Recovery Bill. I would have voted yea.●

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

• Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's amendment vote in relation to S. 524, the Comprehensive Addiction and Recovery Act of 2015.

On amendment No. 3420 by Senator MANCHIN, I would have voted yea.●

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

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

WORLD WILDLIFE DAY

Mr. COONS. Mr. President, on a day that was sadly often marked by partisan differences, I thought I would take a moment near the end of this legislative day and simply remark on something where there has recently been some bipartisan progress, and I think it is worthy of some brief comment.

Today is the third annual World Wildlife Day. This day was declared by the United Nations and will soon be celebrated in another place on this Capitol complex by a wide range of organizations from all over the United States and the world that are dedicated to preserving wildlife in places in the world where it is under distinct pressure.

As I said, this is the third annual celebration of World Wildlife Day. It was first declared by the United Nations, and I want to briefly remark that a bipartisan delegation of this Senate recently went to Southern Africa. It was led by Senator FLAKE of Arizona, and he and Senator CARDIN, the ranking member of the Foreign Relations Committee, Senator COCHRAN, chairman of the Appropriations Committee, and I had an opportunity to meet with leaders from four different countries. They are working tirelessly

to try and contain an epidemic of poaching that has reached nearly catastrophic levels.

Nearly 100 elephants are killed every day now so their ivory tusks can be sold on the black market at prices higher than heroin or gold. In 2014 alone, more than 1,000 rhinoceroses were illegally killed in South Africa, which is a 9,000-percent increase in the poaching of rhinos since 2007.

I think this is of concern to all of us, not just because of the loss of these remarkable and iconic wildlife species but because it is also funding and fueling a multibillion-dollar industry of organized crime that also traffics in drugs, people, and weapons and destabilizes critical parts of the world.

We have a chance to make real progress. There is a bipartisan bill, the END Wildlife Trafficking Act, that Senator FLAKE and I have introduced, and that I am hopeful Senator CORKER and Senator CARDIN, as the chair and ranking member of the Foreign Relations Committee, will take up, consider, and markup in our next business meeting. I do think this legislation offers us a real opportunity to show that we can come together to support the President's plan for combating wildlife trafficking and can make a modest and responsible investment in helping countries on the other side of the world that are facing the same sort of scourge of lawlessness and violence that marks those places in America where drug trafficking is at its peak, but instead of trafficking illegal drugs, the actions they are carrying out is the slaughter and the export of the pieces of killed animals, whether elephant tusks or rhino horns.

Ralph Waldo Emerson once wrote, "Adopt the pace of nature: Her secret is patience." It is my hope that with patience, persistence, and bipartisanship, we can celebrate this World Wildlife Day by doing something together to make progress in combating the scourge of illegal wildlife trafficking.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that it be in order to call up the following amendments: No. 3336, Johnson, as modified; No. 3329, Durbin; further, that at 5:30 p.m. on Monday, March 7, the Senate vote in relation to the amendments in the order listed and that there be no second-degree amendments in order to these amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object.

Our respective cloakrooms have been working for the better part of this week to get a list of amendments that could get votes.

As everyone knows, we have had, on our side, more than 60 amendments filed. So I want to hold my friend to an often-expressed promise that we would have a robust amendment process. Now, I know we aren't going to get 60 amendments—I got that—but there have been objections from Republicans to a number of amendments my Senators want to offer. They want to do a few votes on a number of their amendments.

First of all, everyone should understand we are not holding up this bill. The leader has indicated he is going to file cloture today or tomorrow, so I got that. We are not going to oppose cloture, but we are not going to have the other side determine what amendments should be offered. We should be able to pick what amendments we want to offer. And I don't think it is appropriate—for example, one of the amendments he chose is from a Senator running for reelection. Is there some purpose to that? I think we should have a process where we have alternating amendments, and we pick our amendments.

So I would ask my colleague to agree to changing his unanimous consent request so that it would be in order to call up the amendments I mention now. There would be an hour of debate on each amendment. We could certainly even shorten that time significantly prior to a vote in relation to the amendments in the order listed, and no second-degree amendments be in order prior to the votes: Durbin No. 3329, Gillibrand No. 3354, Markey No. 3384—who has been begging me for 4 days now to get a vote on his amendment—Blumenthal No. 3327, Cardin No. 3421, McCaskill No. 3375, Wyden No. 3402, Heinrich No. 3372, Schatz No. 3413, and Markey No. 3382—10 out of 60.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. McCONNELL. Mr. President, I object to the modification.

The PRESIDING OFFICER. Objection is heard to the modification.

Mr. REID. Mr. President, I object to the original request.

The PRESIDING OFFICER. Objection is heard to the original request.

Mr. McCONNELL. Mr. President, I might just point out that apparently the amendment that was in my consent request that was objectionable to the other side was a simple amendment from the Senator from Wisconsin to include a representative of the Indian Health Service in the Pain Management Best Practices Inter-Agency Task Force.

Mr. REID. Mr. President, I understand, I am sure, the importance of this amendment, but the other amendments are important also.

Mr. McCONNELL. Mr. President, I ask unanimous consent that it be in

order to call up the following amendments: No. 3334, Kirk; No. 3336, Johnson, as modified; No. 3329, Durbin; No. 3337, Johnson, as modified; No. 3354, Gillibrand; No. 3366, Lankford; Markey-Paul related to the TREAT Act; No. 3407, McCain; and No. 3408, McCain; further, that at 5:30 p.m., Monday, March 7, the Senate vote in relation to the Durbin amendment No. 3329 and the Johnson amendment No. 3336; and that there be no second-degree amendments in order to these amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object. I don't like to admit this publicly that I have learned anything from the Republican leader, but I have. One of the things I have learned is that it is not right to have the majority pick the votes of the minority, so I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for the Grassley substitute amendment No. 3378.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3378, the substitute amendment to S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Mitch McConnell, Chuck Grassley, Deb Fischer, John Barrasso, Shelley Moore Capito, Roy Blunt, Johnny Isakson, John Boozman, Mike Crapo, David Vitter, Mike Rounds, Bill Cassidy, James E. Risch, Lindsey Graham, John McCain, Thom Tillis, Orrin G. Hatch.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 524.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Mitch McConnell, Chuck Grassley, Deb Fischer, John Barrasso, Shelley Moore Capito, Roy Blunt, Johnny Isakson, John Boozman, Mike Crapo, David Vitter, Mike Rounds, Bill Cassidy, James E. Risch, Lindsey Graham, John McCain, Thom Tillis, Orrin G. Hatch.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

Mr. McCONNELL. I ask unanimous consent that the filing deadline for first-degree amendments to amendment No. 3378 and S. 524 be at 3:30 p.m. on Monday, March 7.

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

Mr. McCONNELL. I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote on the Grassley substitute amendment No. 3378 occur at 5:30 p.m., Monday, March 7.

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

MORNING BUSINESS

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

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

REMEMBERING BERTA CACERES

Mr. LEAHY. Mr. President, last night Honduras lost one of its most courageous, charismatic indigenous leaders, Berta Caceres. Ms. Caceres was the general coordinator of the National Council of Popular and Indigenous Organizations of Honduras, and she was assassinated in her hometown of La Esperanza, Intibuca.

According to initial reports, at least two people broke down the door of the house where she was staying for the evening and shot and killed her.

Berta Caceres spent her life fighting in defense of indigenous rights, particularly to land and natural resources. In 2015, she won the prestigious Goldman Environmental Prize for her outstanding activism and leadership.

This horrific crime demonstrates that no one, not even an internationally known social activist, is safe in Honduras if they speak out against corruption or abuse of authority. Her death will have a profound impact on the many communities she worked with, her organization, Honduran civil society, and all who knew her.

Berta Caceres and COPINH have been supporting land struggles throughout western Honduras. In the last few weeks, threats and violence towards Berta and the communities she and her organization support had escalated.

In Rio Blanco on February 20, Berta, her organization, and the community of Rio Blanco were threatened as they engaged in a peaceful protest to protect the river and their way of life from the construction of a large hydroelectric dam by an internationally financed Honduran company.

As a result of supporting the Rio Blanco struggle, Berta had received many threats against her life and was granted, like dozens of other endangered Honduran social activists, precautionary measures by the Inter-

American Commission on Human Rights.

Berta Caceres was an inspiration to people around the world, and her death is a great loss for all the people of Honduras. The immediate question is what President Hernandez and his government, which has too often ignored or passively condoned attacks against Honduran social activists, will do to support an independent investigation, prosecution, and punishment of those responsible for this despicable crime and, beyond that, what steps will the government take to protect the many others, including members of COPINH, who are in need of protection, and to stand up for the rights of people like Berta who risk their lives peacefully defending the environment and their livelihoods.

The answers to those questions will weigh heavily on the Congress's support for future assistance for that government.

REMEMBERING JUSTICE ANTONIN SCALIA

Mr. COCHRAN. Mr. President, with the passing of Supreme Court Justice Antonin Scalia, our Nation has lost an exceptional jurist and unshakable defender of the U.S. Constitution.

Justice Scalia will be remembered for using his substantial intellect to affect how the American public views the Constitution and the role of the courts in interpreting the law. His thoughtful opinions over nearly 30 years on the Court shaped modern jurisprudence and helped facilitate a larger discussion on the role of the Constitution in contemporary terms and application.

Justice Scalia had an accomplished career as an attorney, law professor, general counsel for the Office of Telecommunications Policy, chairman of the Administrative Conference, Assistant Attorney General for the Office of Legal Counsel for the Department of Justice, and as a judge for the U.S. Court of Appeals for the District of Columbia Circuit. It was an honor for me to support his confirmation as an Associate Justice of the Supreme Court following his nomination by President Reagan in 1986.

Justice Scalia, who had a great love for the arts, education, and hunting, developed an affinity for the State of Mississippi and made many friends during his visits to my State. Many Mississippians shared Justice Scalia's interest in hunting deer, duck, quail, and turkey, but his most important influence on Mississippi may result from the generous time he invested speaking to young scholars during his visits to university campuses in my State.

We mark Justice Scalia's passing by rightfully acknowledging his many years of public service, his defense of the founding principles of our Nation, and his steadfast adherence to a conservative view of our Constitution. I am proud to have known and supported him.

I extend to his family sincere condolences and the thanks of a grateful Nation for Justice Scalia's distinguished contributions and service to our Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO JOHN MATTHEWS

• Ms. BALDWIN. Mr. President, today I wish to honor John Matthews on his recent retirement from Madison Teachers Incorporated, MTI, after serving the local teachers union for an impressive 48 years as executive director. Hired in 1968 as MTI's first executive secretary, a title subsequently changed to executive director, it is believed that John is one of the longest serving full-time heads of a teachers' union in the country.

Formed as the Madison Education Association, MEA, in the 1930s, MTI served as a predominantly professional organization until 1964 when it became certified as the exclusive collective bargaining agent for teachers serving in the Madison Metropolitan School District, MMSD. In rapid succession, the first professional negotiations committee, PNC, was elected in 1965, followed by a name change to Madison Teachers Incorporated, MTI, in 1966. With an expanding membership of approximately 1,125, MTI realized the need for professional staff, hiring John to lead their efforts in June of 1968.

Growing up in Billings, MT, as the son of the State budget director and the grandson of a Montana Supreme Court justice, John began to develop his passion for fighting injustice within his grandfather's chambers, as well as in and around the Montana State Capitol. In 1968, as a high school history and English teacher, John almost immediately found himself involved in negotiations regarding health care coverage for teachers. It was a path that would define both the man and his career in a profound way.

His almost five decades as MTI executive director have been dedicated to protecting MTI's employees and the teachers of Madison's public schools. His strong belief in the power of contracts, especially in a school district where contracts govern schools, has guided his every decision. Under his leadership, MTI has negotiated for the enforcement of strong contracts that uphold and strengthen the rights of teachers. His undeniable dedication to the teachers' union has been demonstrated in his fiery leadership style and tenacity to speak out and protect workers' rights to collectively bargain.

Described by others as engaged, insightful, and ever ready to not only listen to teachers' concerns but act on them, John's leadership exemplifies an unwavering dedication to the rights of public school teachers and public workers. His success in leading MTI is evidenced by the positive actions and outcomes achieved by organized labor,

particularly in a State where the role of unions has recently been challenged.

Over the years, I have been honored to stand in solidarity with John on the issues and am proud to call him my friend. On the occasion of his retirement, I am pleased to recognize John Matthew's longstanding dedication to Madison Teachers Incorporated and his fight to protect the rights and personal livelihood of the Madison teachers he served. He has impacted lives through his constant engagement, personal kindness, and fiery leadership. I wish John and his family all the best in his retirement and happiness for many years to come.●

TRIBUTE TO SERGEANT TIM LINGLE

• Mr. DAINES. Mr. President, today I wish to recognize Sergeant Tim Lingle of the Roosevelt County Sheriff's office. Sergeant Lingle has recently been named the Montana American Legion Law Enforcement Officer of the Year.

Sergeant Lingle has been living and working in Roosevelt County for 15 years, 9 of those years has been for the county's sheriff's office. He started his Montana law enforcement career with Poplar Police Department in 2000, then moved to the Fort Peck Department of Law and Justice before transferring to Roosevelt County Sheriff's Office.

Sergeant Lingle serves the Roosevelt County Sheriff's Office not only as a sergeant but also as deputy coroner, firearms instructor, and as the Culbertson-Bainville-Froid contract deputy. He has also served the State of Montana as a member of the American Legion and has attended training as a driving instructor and a DARE instructor.

Sergeant Lingle has always gone the extra mile for the county, community, and the sheriff's office. He never fails to show his loyalty and passion to the citizens of Roosevelt County.

I would also like to highlight the recent efforts by Sergeant Lingle and the entire Roosevelt County Sheriff's Office in the search of missing 4-year-old Maci Lilley, who I am happy to report has been found and reunited with her family.

Thank you Sergeant Lingle and all of Roosevelt County Sheriff's Office for their tireless efforts and dedication to law enforcement for the State of Montana.●

TRIBUTE TO PAULA FRANCIS

• Mr. HELLER. Mr. President, today I wish to congratulate Paula Francis on her retirement after bringing the great State of Nevada accurate and reliable news coverage for the last 30 years. Ms. Francis was an important icon in Nevada journalism, bringing local residents nightly news at 5, 6, and 11 p.m. Her passionate and in-depth coverage of southern Nevada's news will be sorely missed.

Ms. Francis's career began in Madison, WI, immediately after graduating

from the University of Wisconsin-Madison. In 1985, she moved to Las Vegas, beginning her experience in broadcast journalism for southern Nevada at KTNV. In 1988, Ms. Francis joined KLAS's news team, initially starting her extended tenure with the news station as a health reporter. After proving to be an invaluable resource to the news team, she moved into the anchor chair. During her time on air, Ms. Francis placed a special emphasis on health care issues, familiarizing viewers with important health information, in addition to bringing southern Nevada breaking news coverage.

Throughout her tenure, Ms. Francis was recognized as Best TV Anchor in Las Vegas by Las Vegas Review Journal readers more than 15 times and was inducted into the Nevada Broadcasters Association hall of fame and the KLAS TV Hall of Fame. Ms. Francis went above and beyond in her ambitions to bring Nevadans up-to-date and truthful news coverage. The accolades she has received are awarded to only the greatest of Nevada journalists, and without a doubt, she deserves each one.

For the past 30 years, Ms. Francis has been a tremendous contributor to southern Nevada journalism. Her commitment to the local community is without question, creating a great amount of trust between the viewers and the station. She stands as a role model to journalists across Nevada with her unwavering dedication to familiarizing herself with the local issues. The knowledge she gained throughout her tenure is irreplaceable to the newsroom. Ms. Francis's legacy both at KLAS and within Nevada journalism will be felt for years to come.

Outside of her career, Ms. Francis continues to be highly involved in a number of activities for the betterment of the local community. She is a founding member of the Nevada chapter of the International Women's Forum and serves as a member of the board of trustees for the Shade Tree Endowment Fund. She has also received numerous humanitarian awards for her efforts and spearheaded Buddy Check 8, a campaign to increase breast cancer awareness. I extend my deepest gratitude for all of her efforts on behalf of the Silver State.

I ask my colleagues and all Nevadans to join me in thanking Ms. Francis for her tireless dedication to bringing southern Nevada excellent news coverage and in congratulating her on her retirement. I wish her well in all of her future endeavors.●

TRIBUTE TO LEN STEVENS

● Mr. HELLER. Mr. President, today I wish to congratulate Len Stevens on his retirement after serving as CEO of the Chamber for nearly 14 years. It gives me great pleasure to recognize his years of dedication to creating growth and success for northern Nevada's business community.

Before joining the Chamber, Mr. Stevens served as a basketball coach for 34

years, guiding teams at both Washington State University and the University of Nevada, Reno successfully through numerous seasons. In 2002, he was chosen for the role of CEO at the Chamber, and he served the State of Nevada in this position for over a decade. As CEO, Mr. Stevens led the Chamber through challenging times, including the merger of chambers of commerce in Reno and Sparks. This merger, which was one of the largest and most complex mergers in northern Nevada history, led to creation of the Chamber in 2011. This incredible organization has helped businesses through times of economic downturn to stay on their feet and succeed. Through the incredible work of the Chamber, northern Nevada's business community continues to thrive and maintain a high quality of life for residents. We are fortunate to have had someone like Mr. Stevens leading the way at this important establishment.

Throughout his tenure, Mr. Stevens served as a powerful voice, advocating for businesses across northern Nevada. His hard work brought greater attention to the needs of this community, and I am grateful for everything he has done to support it. Under his leadership, the Chamber saw consistent growth in membership, as well as additional opportunities for business leaders to come together. He also implemented new programs to help residents, including the Young Entrepreneurs Academy, which is a yearlong program that teaches middle school and high school students the mechanics of operating a business. His work for northern Nevada is invaluable.

Mr. Stevens has demonstrated professionalism, commitment to excellence, and dedication to the highest standards during his tenure at the Chamber. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today I ask all of my colleagues to join me in congratulating Mr. Stevens on his retirement from the Chamber and in wishing him well in his future endeavors. I give my deepest appreciation for all that he has done for the Silver State.●

TRIBUTE TO EDITH TUCKER

● Mrs. SHAHEEN. Mr. President, last month, one of New Hampshire's most respected veteran journalists retired after two decades of prolific work at the Coos County Democrat, a weekly newspaper based in Lancaster, in my State's North Country. I have had the privilege of knowing Edith and admiring her work since I first ran for Governor in 1996. In particular, I have respected her extraordinary work ethic. She was the only full-time reporter with the Democrat, often filing several stories a day. At times, the front page would be filled with stories carrying her byline.

No story was too big or too small for Edith. She covered Presidential campaigns, select board meetings, fes-

tivals, factory openings, and, among her last stories, a characteristically detailed and colorful article on a proposal to renew bobcat hunting in the North Country.

Over the years, Edith became a fixture on the landscape of New Hampshire's first-in-the-Nation primary. Presidential candidates knew that to gain credibility with North Country voters, they needed to successfully navigate a grilling from Edith. She has been a regular public affairs commentator on "The Exchange with Laura Knoy," a popular New Hampshire Public Radio call-in show.

As State Representative Rebecca Brown, a longtime colleague of hers, noted: "Edith embraced small town reporting. She was indefatigable, including putting countless miles on the old Jeep, in which she took to carrying a step ladder in case she needed to get a better camera vantage over a taller crowd."

Edith speaks with unrivaled knowledge and insight about her beat, the North Country. No reporter has better captured the struggle and indomitable spirit of that region. In her early years with the Democrat, her stories documented the pain and upheaval of too many devastating factory closings and job losses. More recently, she has covered heartening stories of new businesses and development projects flowing to the region, creating new jobs and opportunities.

In many retirement tributes, Edith Tucker has been described as a North Country institution and icon, but I suspect Edith would prefer to be recognized simply as a skilled, hard-working beat journalist, always determined to get the story right and keep her community informed. She did exactly that for two decades.

Edith Tucker has made the Granite State a better place, both by what she has accomplished and by who she is. There are many more stories—and chapters—yet to be written in the life of this beloved and accomplished journalist. I join with people across the North Country in thanking Edith for a job superbly done and wishing her many happy years in retirement.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3716. An act to amend title XIX of the Social Security Act to require States to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes.

ENROLLED BILL SIGNED

At 11:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1596. An act to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the "Specialist Joseph W. Riley Post Office Building".

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

MEASURES REFERRED

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

H.R. 3716. An act to amend title XIX of the Social Security Act to require States to provide to the Secretary of Health and Human Services certain information with respect to provider terminations, and for other purposes; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4597. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zoxamide; Pesticide Tolerances" (FRL No. 9942-18-OCSPP) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4598. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Penoxsulam; Pesticide Tolerances" (FRL No. 9940-36-OCSPP) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4599. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Tolerance Actions; Correction" (FRL No. 9942-24-OCSPP) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4600. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluensulfone; Pesticide Tolerance for Emergency Exemption" (FRL No. 9942-10-OCSPP) received in the Office of the President of the Senate on March 2, 2016; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-4601. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

"Alpha-[2,4,6-Tris[1-(phenyl)ethyl]phenyl]-OMEGA-hydroxypoly(oxyethylene)poly(oxypropylene)copolymer; Tolerance Exemption" (FRL No. 9942-48-OCSPP) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4602. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trifloxystrobin; Pesticide Tolerances" (FRL No. 9941-92-OCSPP) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4603. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "D-Glucitol, 1-deoxy-1-(methylamino)-, N-C8-10 acyl derivatives; Exemption from the Requirement of a Tolerance" (FRL No. 9942-43-OCSPP) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4604. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Golden Nematode; Removal of Regulated Areas in Orleans, Nassau, and Suffolk Counties, New York" (Docket No. APHIS-2015-0040) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4605. A communication of from the Director of the Transparency and Accountability Reporting Division, Office of the Chief Financial Officer, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (RIN0505-AA15) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4606. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Lloyd J. Austin III, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-4607. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Mary A. Legere, United States Army, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4608. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting the report of ten (10) officers authorized to wear the insignia of the grade of major general or brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-4609. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-4610. A communication from the Program Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks" (RIN1557-AE01) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-4611. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Rulemaking to Affirm Interim Amendments to Dates in Federal Implementation Plans Addressing Interstate Transport of Ozone and Fine Particulate Matter" ((RIN2060-AS40) (FRL No. 9943-36-OAR)) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4612. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Arizona Air Plan Revisions; Phoenix, Arizona; Second 10-Year Carbon Monoxide Maintenance Plan" (FRL No. 9942-17-Region 9) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4613. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Disapproval; Georgia: Disapproval of Automatic Rescission Clause" (FRL No. 9943-35-Region 4) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4614. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; Base Year Emission Inventories for the 2008 8-Hour Ozone Standard" (FRL No. 9943-31-Region 5) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4615. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Regional Haze Glatfelter BART SIP Revision" (FRL No. 9943-29-Region 5) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4616. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Base Year Emission Inventories for the 2008 8-Hour Ozone Standard" (FRL No. 9943-33-Region 5) received in the Office of the President of the Senate on March 2, 2016; to the Committee on Environment and Public Works.

EC-4617. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010" ((RIN2060-AR77) (FRL No. 9940-50-OAR)) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Environment and Public Works.

EC-4618. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Iowa's Air Quality Implementation Plans; Iowa Plan for the 2008 Lead Standard" (FRL No. 9942-79-Region 7) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Environment and Public Works.

EC-4619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention of Significant Deterioration; Fine Particulate Matter" (FRL No. 9942-90-Region 3) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Environment and Public Works.

EC-4620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to the Utah Division of Administrative Rules, R307-300 Series; Area Source Rules for Attainment of Fine Particulate Matter Standards" (FRL No. 9935-54-Region 8) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Environment and Public Works.

EC-4621. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality: Revision to the Regulatory Definition of Volatile Organic Compounds—Requirements for t-Butyl Acetate" ((RIN2060-AR65) (FRL No. 9942-80-OAR)) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Environment and Public Works.

EC-4622. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending June 30, 2015"; to the Committee on Foreign Relations.

EC-4623. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution of 1991 (P.L. 102-1) for the August 15, 2015–October 13, 2015 reporting period; to the Committee on Foreign Relations.

EC-4624. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at Battelle Laboratories at the King Avenue site in Columbus, Ohio, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-4625. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Definition of Hancock County, Mississippi, to a Nonappropriated Fund Federal Wage System Wage Area" (RIN3206-AN20) received in the Office of the President of the Senate on February 25, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-4626. A communication from the Report to the Nation Delegation Director, Boy Scouts of America, transmitting, pursuant to law, the organization's 2015 annual report; to the Committee on the Judiciary.

EC-4627. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, transmitting proposed legislation entitled "Beijing Treaty Implementation Act of 2016"; to the Committee on the Judiciary.

EC-4628. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2016"; to the Committee on Veterans' Affairs.

EC-4629. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Automotive Fuel Ratings, Certification and Posting" (RIN3084-AB39) received in the Office of the President of the Senate on March 1, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-132. A petition from a citizen of the State of Minnesota relative to the election of a Senator; to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Thomas F. Scott Darling, III, of Massachusetts, to be Administrator of the Federal Motor Carrier Safety Administration.

*Daniel B. Maffei, of New York, to be a Federal Maritime Commissioner for a term expiring June 30, 2017.

*Coast Guard nomination of Francis S. Pelkowski, to be Rear Admiral.

*Coast Guard nomination of Rear Adm. Fred M. Midgette, to be Vice Admiral.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. GILLIBRAND:

S. 2622. A bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. WHITEHOUSE, Mr. BROWN, and Mr. UDALL):

S. 2623. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription drugs; to the Committee on Finance.

By Ms. WARREN (for herself, Mrs. MURRAY, Ms. MIKULSKI, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, and Mr. MURPHY):

S. 2624. A bill to establish the "Biomedical Innovation Fund", and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. 2625. A bill to protect our servicemembers' children from convicted pedophiles and other felons infiltrating the classroom; to the Committee on Armed Services.

By Mr. PETERS (for himself and Mr. MORAN):

S. 2626. A bill to authorize the operation of unmanned aircraft systems by institutions of higher education for educational and research purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 2627. A bill to adjust the boundary of the Mojave National Preserve; to the Committee on Energy and Natural Resources.

By Mr. COONS:

S. 2628. A bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself, Mr. ISAKSON, Mr. COONS, Mr. KAIN, and Mr. MARKEY):

S. 2629. A bill to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes; to the Committee on Foreign Relations.

By Mr. FRANKEN (for himself and Mrs. GILLIBRAND):

S. 2630. A bill to amend the Fair Labor Standards Act of 1938 to require certain disclosures be included on employee pay stubs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. MENENDEZ):

S. 2631. A bill to amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY:

S. 2632. A bill to promote freedom, human rights, and the rule of law as part of United States-Vietnam relations and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself, Mr. BLUMENTHAL, Mr. BENNET, Mr. UDALL, Mr. BROWN, and Ms. HEITKAMP):

S. 2633. A bill to improve the ability of the Secretary of Veterans Affairs to provide health care to veterans through non-Department health care providers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKEN:

S. 2634. A bill to establish an interagency One Health Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2635. A bill to enhance the ability of the United States to carry out icebreaking in the polar regions and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER:

S. 2636. A bill to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the

land is wholly within a reservation, and for other purposes; to the Committee on Indian Affairs.

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

S. 2637. A bill to amend the Migratory Bird Treaty Act to clarify the treatment of authentic Alaska Native articles of handicraft containing nonedible migratory bird parts, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SULLIVAN:

S. 2638. A bill to provide for the issuance of a Battle of Midway 75th Anniversary Semipostal Stamp; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself and Mr. MCCAIN):

S. 2639. A bill to direct the Director of the Government Publishing Office to provide members of the public with Internet access to Congressional Research Service reports, and for other purposes; to the Committee on Rules and Administration.

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

S. 2640. A bill to amend the market name of genetically altered salmon in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2641. A bill to amend the Public Health Service Act, in relation to requiring adrenoleukodystrophy screening of newborns; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. WARNER):

S. 2642. A bill to require air carriers to provide training to certain employees and contractors to combat human trafficking; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BOOKER (for himself, Mr. NELSON, Mr. CRUZ, Mr. PETERS, and Mr. MENENDEZ):

S. Res. 385. A resolution recognizing the historic achievement of astronaut Scott Joseph Kelly of the National Aeronautics and Space Administration as the first person of the United States to complete a continuous 1-year mission in space; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. LEAHY, Ms. MIKULSKI, Mr. COONS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. NELSON, Mrs. BOXER, Mrs. SHAHEEN, Mr. MERKLEY, Mr. UDALL, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. MARKEY, Mr. MENENDEZ, Ms. HIRONO, Mr. SCHATZ, Ms. WARREN, Mr. KING, Mr. WHITEHOUSE, Mr. MURPHY, and Mr. CARPER):

S. Res. 386. A resolution expressing the sense of the Senate that the United States should establish a goal of more than 50 percent clean and carbon-free electricity by 2030 to avoid the worst impacts of climate change, grow the economy, increase shared prosperity, improve public health, and preserve the national security of the United States; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 387. A resolution congratulating the Historic Columbia River Highway on its 100th year; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mrs. BOXER, Ms. MIKULSKI, Mr. MARKEY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Ms. BALDWIN, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. DURBIN, Mr. CARDIN, Mr. KIRK, Ms. WARREN, Mr. MURPHY, and Ms. CANTWELL):

S. Res. 388. A resolution supporting the goals of International Women's Day; to the Committee on Foreign Relations.

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

S. Res. 389. A resolution designating March 6, 2016, as the first annual "World Lymphedema Day"; considered and agreed to.

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

S. Res. 390. A resolution designating March 3, 2016 as "World Wildlife Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 578

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

S. 901

At the request of Mr. MORAN, the name of the Senator from North Carolina (Mr. BURR) 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. 1506

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 1506, a bill to provide for youth jobs, and for other purposes.

S. 1661

At the request of Mr. COONS, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1661, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 1775

At the request of Ms. COLLINS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1775, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from New Hamp-

shire (Mrs. SHAHEEN) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1989

At the request of Mr. CASSIDY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1989, a bill to improve access to primary care services.

S. 2185

At the request of Ms. HEITKAMP, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2426

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2426, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes.

S. 2536

At the request of Mr. SCHATZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2536, a bill to require the Administrator of the Federal Aviation Administration to issue a notice of proposed rulemaking regarding the inclusion in aircraft medical kits of medications and equipment to meet the emergency medical needs of children.

S. 2544

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2544, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2600

At the request of Mr. LEE, the names of the Senator from Louisiana (Mr.

VITTER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2600, a bill to amend the Military Selective Service Act to provide that any modification to the duty to register for purposes of the Military Selective Service Act may be made only through an Act of Congress, and for other purposes.

S. 2611

At the request of Mr. UDALL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2611, a bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 383

At the request of Mr. PERDUE, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 383, a resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation.

AMENDMENT NO. 3402

At the request of Mr. WYDEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of amendment No. 3402 intended to be proposed to S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. MCCAIN):

S. 2639. A bill to direct the Director of the Government Publishing Office to provide members of the public with Internet access to Congressional Research Service reports, and for other purposes; to the Committee on Rules and Administration.

Mr. LEAHY. Mr. President, Senator MCCAIN and I are introducing bipartisan, bicameral legislation to make reports published by the Congressional Research Service, CRS, available to the American public online. This legislation will open up an invaluable, taxpayer-funded resource for use by schools, universities, researchers, libraries, and individuals across the country.

The CRS was founded more than 100 years ago to provide comprehensive, non-partisan information on vital issues affecting national policy. In 2015, CRS issued over 1200 new reports and updated almost 2500 existing products, on matters ranging from the structure

of government agencies, to summaries of legislative proposals, foreign policy primers, and everything in between. These reports are posted on an internal website for use by Members of Congress and their staff, but they are not distributed directly to the public. In an informal arrangement that is all too familiar in Washington, this unnecessary restriction has created a cottage industry of services that make copies of the reports available to lobbyists for a subscription fee. Schools and the general public cannot access them, nor do readers know whether the scattering of CRS reports they can find online through third-party websites are authentic, complete, or up-to-date. That's not very 'public' and does nothing for the average citizen in Vermont or the rest of the country who does not have easy access to Washington.

Our bipartisan, bicameral legislation stops this unequal access by providing for CRS Reports to be published online in a comprehensive free, and searchable database on the website of the Government Publishing Office, GPO. This straightforward but important step has long been called for by libraries, educators, and public interest groups across the country. It is also supported by retired and former CRS employees, who note that "CRS reports are widely available on Capitol Hill to staff and lobbyists alike, are released with no expectation of confidentiality, and could be of immense value to the general public."

The century-old CRS was founded on the principles of nonpartisanship and respect for accurate, thoughtful information to inform the policy conversations of the day. It is a testament to the best ideals of Congress, and all Americans should benefit from the work and resources it provides. When I think of my grandchildren working on research reports for school, I want them to have access to this resource. I also want the American people to know what information their Members of Congress are receiving on leading policy issues of the day.

The legislation includes several important measures—responsive to concerns from CRS—to ensure that only appropriate materials are shared online. It makes clear that the GPO website will include only final, non-confidential CRS Reports and similar written, non-confidential CRS products that are intended for general Congressional distribution. It firmly excludes from publication any memoranda or other custom materials that CRS provides in response to a research request from an individual Member of Congress. The bill allows for identifying information for individual CRS researchers to be redacted so that CRS, not individual staffers, is the named author of a work. It also requires the inclusion of a written notification in all CRS Reports to explain that the materials were prepared by CRS for use by Congress, and should not be relied upon for purposes other than public un-

derstanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role.

This is an exciting time for the Library of Congress and its divisions such as CRS. For the first time since 1987, the President has nominated, and I hope the Senate Rules Committee will soon consider, a new Librarian of Congress to lead one of the largest libraries in the world. As we move further into the digital age, now is an important moment to consider the promise of this great American institution and the resources it provides.

I thank Senator MCCAIN for his long partnership with me on this effort, as well as Representatives LANCE and QUIGLEY who today are introducing bipartisan companion legislation in the House. I hope members will join us in supporting this straightforward, but important, step to make CRS reports available to the public so that all Americans may enjoy this invaluable resource equally.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

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

OCTOBER 22, 2015.

DEAR CHAIRMAN BLUNT, CHAIRMAN CAPITO, CHAIRMAN MILLER, CHAIRMAN GRAVES, RANKING MEMBER SCHUMER, RANKING MEMBER SCHATZ, RANKING MEMBER BRADY, RANKING MEMBER WASSERMAN SCHULTZ, AND VICE CHAIRMAN HARPER: We are former employees of the Congressional Research Service (CRS), with more than a collective five hundred years with the agency. We write in strong support of timely, comprehensive free public access to CRS reports. In doing so, we distinguish between CRS reports, which are non-confidential, and other CRS products, such as memoranda, which are confidential.

CRS plays a vital role in our legislative process by informing lawmakers and staff about important policy issues. To that end, nothing should impair CRS's ability to provide confidential support to members of Congress, such as through briefings and confidential memoranda. Nor should Congress take any steps to weaken the Constitutionally-protected status of CRS's work product. In contrast, CRS reports are widely available on Capitol Hill to staff and lobbyists alike, are released with no expectation of confidentiality, and could be of immense value to the general public.

Longstanding congressional policy allows Members and committees to distribute CRS products to the public, which they do in a variety of ways. In addition, CRS provides reports upon request to the judicial branch, to journalists, and to the executive branch, which often publishes them on agency websites. Insiders with relationships to congressional staff can easily obtain the reports, and well-resourced groups pay for access from third-party subscription services. Members of the public, however, can freely access only a subset of CRS reports, usually via third parties.

It is difficult for the public to know the scope of CRS products they could obtain from Congress. A Google search returned over 27,000 products including 4,260 hosted on .gov domains, but there is no way to know if those documents are up to date, whether the search is comprehensive, or when the documents might disappear from view.

We believe Congress should provide a central online source for timely public access to CRS reports. That would place all members of the public on an equal footing to one another with respect to access. It would resolve concerns around public and congressional use of the most up-to-date version. Additionally, it would ensure the public can verify it is using an authentic version. And it would diminish requests to analysts to provide a copy of the most recent report. Other legislative support agencies, i.e., the Congressional Budget Office and the Government Accountability Office, publish non-confidential reports on their websites as a matter of course. Doing so does not appear to harm their ability to perform their mission for Congress.

We thank you for the opportunity to share our thoughts on implementing full public access to non-confidential CRS reports. If you wish to discuss this further, please contact Daniel Schuman, Demand Progress policy director, at daniel@demandprogress.org, or Kevin Kosar, R Street Institute senior fellow and governance director, at kkosar@rstreet.org. Thank you for your consideration of this matter.

With best regards,

Henry Cohen, George Costello, Heather Durkin, Gregg Esenwein, Louis Fisher, Peggy Garvin, Bernie Gelb, Jeffrey C. Griffith, Pamela Hairston, Glennon J. Harrison, Kevin Holland, Thomas Hungerford, W. Jackson, Kevin Kosar, Jon Medalia, Elizabeth Palmer, Harold Relyea, Morton Rosenberg, Daniel Schuman, Christine Scott, Sherry Shapiro, Nye Stevens.

NOVEMBER 12, 2015.

DEAR CHAIRMAN BLUNT, CHAIRMAN MILLER, RANKING MEMBER SCHUMER, RANKING MEMBER BRADY, AND VICE CHAIRMAN HARPER: We write in support of expanded public access to Congressional Research Service (CRS) reports. Longstanding congressional policy allows Members and committees to use their websites to disseminate CRS products to the public, although CRS itself may not engage in direct public dissemination. This results in a disheartening inequity. Insiders with Capitol Hill connections can easily obtain CRS reports from any of the 20,000 congressional staffers and well-resourced groups can pay for access from subscription services. However, members of the public can access only a small subset of CRS reports that are posted on an assortment of not-for-profit websites on an intermittent basis. Now is the time for a systematic solution that provides timely, comprehensive free public access to and preservation of non-confidential reports while protecting confidential communications between CRS and Members and committees of Congress.

CRS reports—not to be confused with confidential CRS memoranda and other products—play a critical role in our legislative process by informing lawmakers and staff about the important issues of the day. The public should have the same access to information. In 2014 CRS completed over 1,000 new reports and updated over 2,500 existing products. (CRS also produced nearly 3,000 confidential memoranda.)

Our interest in free public access to non-confidential CRS reports illustrates the esteem in which the agency is held. CRS reports are regularly requested by members of the public and are frequently cited by the courts and the media. For example, over the last decade CRS reports were cited in 190 federal court opinions, including 64 at the appellate level. Over the same time period, CRS reports were cited 67 times in the Washington Post and 45 times the New York Times. CRS reports often are published in the record of legislative proceedings.

Taxpayers provide more than \$100 million annually in support of CRS, and yet members of the public often must look to private companies for consistent access. Some citizens are priced out of these services, resulting in inequitable access to information about government activity that is produced at public expense.

In fact, while CRS generates a list of all the reports it has issued over the previous year, it silently redacts that information from the public-facing version of its annual report, making it difficult for the public to even know the scope of CRS products they could obtain from Congress. A Google search returned over 27,000 reports including 4,260 hosted on .gov domains, but there is no way to know if those documents are up to date, what might be missing, or when they might disappear from view.

Comprehensive free public access to non-confidential CRS reports would place the reports in line with publications by other legislative support agencies in the United States and around the globe. The Government Accountability Office, the Congressional Budget Office, the Law Library of Congress, and 85% of G-20 countries whose parliaments have subject matter experts routinely make reports available to the public.

We hasten to emphasize that we are not calling for public access to CRS products that should be kept confidential or are distributed only to a small network on Capitol Hill. Memoranda produced at the request of a Member or committee and provided to an office in direct response to a request should remain confidential unless the office itself chooses to release the report. By comparison, we believe no such protection should attach to reports typically published on CRS' internal website or otherwise widely disseminated.

We value the work of CRS and in no way wish to impede its ability to serve Congress. CRS reports already undergo multiple levels of administrative review to ensure they are accurate, non-partisan, balanced, and well-written. Authors of every CRS product are aware of the likelihood that reports will become publicly available.

We do not make a specific recommendation on who should comprehensively publish non-confidential CRS reports online, although the approaches outlined in H. Res. 34 (114th Congress) and S. Res. 118 (111th Congress) are reasonable. The Clerk of the House, the Secretary of the Senate, the Government Publishing Office (GPO), the Library of Congress and libraries in the Federal Depository Library Program (FDLP) are all reasonable places for the public to gain access to these documents. Even bulk publication on GPO's website would be a major step forward.

We ask only that all non-confidential reports be published as they are released, updated, or withdrawn; that they be published in their full, final form; that they are freely downloadable individually and in bulk; and that they be accompanied by an index or metadata that includes the report ID, the date issued/updated, the report name, a hyperlink to the report, the division that produced the report, and possibly the report author(s) as well.

In the attached appendix we briefly address concerns often raised by CRS regarding public access to reports. In doing so, we note that many committees, including the Senate Rules Committee, have published CRS reports on their websites. Also, that many CRS reports are available through third parties. We urge you to give great weight to the significant public benefit that would result from comprehensive, timely access.

We welcome the opportunity to further discuss implementing systematic public access to non-confidential CRS reports. Please con-

tact Daniel Schuman, Demand Progress policy director, at daniel@demandprogress.org, or Kevin Kosar, R Street Institute senior fellow and governance director, at kkosar@rstreet.org. Thank you for your thoughtful consideration of this matter.

With best regards,

American Association of Law Libraries, American Civil Liberties Union, American Library Association, Americans for Tax Reform, Association of Research Libraries, Bill of Rights Defense Committee, California State University San Marcos, Cause of Action, Center for Democracy and Technology, Center for Effective Government, Center for Media and Democracy, Center for Responsive Politics, Citizens Against Government Waste, Citizens for Responsibility and Ethics in Washington, Congressional Data Coalition, Data Transparency Coalition, Defending Dissent Foundation, Demand Progress, Engine, Essential Information.

Federation of American Scientists, Freedom Works, Free Government Information, Government Accountability Project, Middlebury College Library, Minnesota Coalition On Government Information, National Coalition for History, National Security Archive, National Security Counselors, National Taxpayers Union, NewFields Research Library, Niskanen Center, OpenTheGovernment.org, Project on Government Oversight, Public Citizen, R Street Institute, Sunlight Foundation, Taxpayers for Common Sense, Transactional Records Access Clearinghouse (TRAC) at Syracuse University, Union of Concerned Scientists, Western Illinois University Libraries.

Amy Spare, Andrew Lopez, Connecticut College, Barbara Jones, Ben Amata, California State University, Sacramento, Ben Doherty, Bernadine Abbott Hoduski, Professional Staff Member, Joint Committee on Printing, retired, Bert Chapman, Purdue University Libraries, Bill Olbrich, Bradley Seybold, Brandon Burnette, Southeastern Oklahoma State University, Brenda Ellis, BWS Johnson, Carol Bredemeyer, Carrie Russell, Christine Alvey, Maryland State Archives, Claire King, Kansas Supreme Court Law Library, Crystal Davidson, King College, Daniel Barkley, University of New Mexico, Danya Leebaw, Dave Morrison, Marriott Library, University of Utah.

Deborah Melnick, LLAGNY, Dianne Oster, Donna Burton, Union College, Dorothy Ormes, Edward Herman, Eileen Heaser, CSUS Library, Ellen Simmons, Eric Mill, Francis Buckley, former Superintendent of Documents, U.S. Government Printing Office, Gail Fithian, Gail Whittemore, Genevieve Nicholson, Helen Burke, Jacques Howell, Jane Larrington, Janetta Paschal, Jeanette Sparks, Jennifer Pesetsky, JoAnne Deeken, Joy T. Pile, Middlebury College.

Judith Downie, Julia Hughes, Karen Heil, Government Information Librarian, Middletown Thrall Library, Karen Russ, Kathleen L. Amen, Kathy Carmichael, KC Halstead, Kelly McGlynn, Kristine R. Kreilick, LaRita Schandorff, Larry Romans, Laura G. Harper, Linda Johnson, University of New Hampshire, Lois Fundis, Mary H. Weir Public Library, Lori Gwinett, Lori L. Smith, Louise Buckley, University of New Hampshire Library, Louise England, Marna Morland, Mamita Simpson, University of Virginia Law Library.

Mary Anne Curlee, Mary Jo Lazun, Megan Brooks, Melissa Pinch, Michael J. Malbin, Professor of Political Science, SUNY Albany, Michele Hayslett, UNC at Chapel Hill, Mike Lynch, Mohamed Haian Abdirahman, Norman Ornstein, P. Duerr, Patricia J. Powell, Government Documents Librarian, Roanoke College Library, Professor Patricia B.M. Brennan, Rachel H. Carpenter, Reference Government Documents Librarian,

Rhode Island College, Rebecca Richardson, Robert Sippel, Florida Institute of Technology, Rosemary Campagna, Sandy Schiefer, University of Missouri—Columbia, Schuyler M. Cook, Scott Casper, Shari Last-er.

Stephanie Braunstein, Stephen Hayes, Hesburgh Libraries, University of Notre Dame, Susan Bucks, Monmouth University, Susan Udry, Tammy Savinski, Taylor Fitchett, Thomas E. Hickman, Thomas E. Mann, Victoria Mitchell, Wendy Swanberg, Wilhelmina Randtke.

FEBRUARY 29, 2016.

DEAR CHAIRMAN MILLER, CHAIRMAN BLUNT, AND VICE CHAIRMAN HARPER: As a coalition of 12 conservative, free market organizations we urge you to expand public access to Congressional Research Service (CRS) reports.

Each year CRS receives \$100 million in taxpayer funding to produce and update thousands of nonpartisan reports describing government agencies, explaining public policy, and tallying government spending. They are an invaluable resource to Congress in its efforts to oversee our massive federal government and hold it accountable.

Members of Congress and their staff have easy access to CRS reports. So too do lobbyists and other Beltway insiders, who often pay for the reports through expensive subscription services. But taxpayers cannot easily get copies of CRS reports.

This policy is unfair and outdated. It also stands in stark contrast to other legislative branch agencies: both the Congressional Budget Office and the Government Accountability Office release their reports to the public.

Making CRS reports easily accessible by the public will increase transparency in government, and allow everyday citizens access to important information that will better educate them on the issues before Congress. The bottom line is taxpayers pay for these reports. It is only fair that they have easy access to them.

Sincerely,

Phil Kerpen, President, American Commitment; Grover Norquist, President, Americans for Tax Reform; Norm Singleton, President, Campaign for Liberty; Neil Bradley, Chief Strategy Officer, Conservative Reform Network; Tom Schatz, President, Council for Citizens Against Government Waste; Adam Brandon, President and CEO, Freedom Works; Michael Needham, CEO, Heritage Action for America; Michael Ostrolenk, Co-Founder, Liberty Coalition; Brandon Arnold, Executive Director, National Taxpayers Union; Jerry Taylor, President, Niskanen Center; Kevin Kosar, Senior Fellow and Director of the Governance Project, R Street Institute; David Williams, President, Taxpayers Protection Alliance.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 385—RECOGNIZING THE HISTORIC ACHIEVEMENT OF ASTRONAUT SCOTT JOSEPH KELLY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AS THE FIRST PERSON OF THE UNITED STATES TO COMPLETE A CONTINUOUS 1-YEAR MISSION IN SPACE

Mr. BOOKER (for himself, Mr. NELSON, Mr. CRUZ, Mr. PETERS, and Mr. MENENDEZ) submitted the following

resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 385

Whereas Scott Joseph Kelly was born on February 21, 1964, to Richard and Patricia Kelly in Orange, New Jersey, and raised in West Orange, New Jersey;

Whereas Scott Kelly received—

(1) a Bachelor of Science degree in electrical engineering from the State University of New York Maritime College in 1987; and

(2) a Master of Science degree in aviation systems from the University of Tennessee in 1996;

Whereas in July 1989, Scott Kelly was designated as a naval aviator in Beeville, Texas, and subsequently made overseas deployments aboard the *USS Dwight D. Eisenhower* to—

(1) the North Atlantic Ocean;

(2) the Mediterranean Sea;

(3) the Red Sea; and

(4) the Persian Gulf;

Whereas since completing training at the United States Naval Test Pilot School in June 1994, Scott Kelly has—

(1) logged over 8,000 hours in not fewer than 40 different aircraft and spacecraft; and

(2) made not fewer than 250 carrier landings;

Whereas in 2012, Scott Kelly retired from the Navy as a captain;

Whereas since being selected by the National Aeronautics and Space Administration (referred to in this preamble as “NASA”) for astronaut training in 1996, Scott Kelly has served—

(1) in 1999, as a pilot of the Space Shuttle Discovery on STS-103 to service the Hubble Space Telescope;

(2) in 2007, as Mission Commander of the Space Shuttle Endeavor on STS-118 to the International Space Station (referred to in this preamble as the “ISS”);

(3) as a flight engineer for ISS Expedition 25;

(4) as the Commander of ISS Expedition 26; and

(5) as a 1-year crew member of ISS Expeditions 43, 44, 45, and 46, including 6 months of service as Commander;

Whereas on March 27, 2015, Scott Kelly launched into space for a 340-day mission aboard the ISS;

Whereas during his 340-day voyage aboard the ISS, Scott Kelly—

(1) remained in continuous orbit around the Earth;

(2) achieved the longest continuous amount of time that a United States astronaut has spent living in space;

(3) in addition to his regular duties of ISS maintenance, participated in hundreds of scientific studies; and

(4) conducted 3 space walks;

Whereas Scott Kelly participated in a 1-year twins study in space while his identical twin brother, former NASA astronaut Mark Kelly, acted as a human control specimen on Earth, providing an understanding of the physical, behavioral, microbiological, and molecular reaction of the human body to an extended period of time in space, which could—

(1) be pivotal for the United States goal for humans to explore Mars; and

(2) contribute to unforeseen scientific innovations that benefit all of humanity;

Whereas the 340-day space mission of Scott Kelly—

(1) generated new insight into how the human body adjusts to weightlessness, isolation, radiation, and the stress of long-duration space flight; and

(2) will help support astronaut physical and mental well-being during longer space exploration missions in the future;

Whereas Scott Kelly completed the 340-day mission with Russian cosmonaut Mikhail Kornienko, embodying peaceful international cooperation in outer space;

Whereas on March 1, 2016, Scott Kelly touched down on Earth, ending his 340-day space voyage; and

Whereas, the 1-year mission of Scott Kelly marks a significant step in reaching the goals of NASA of future missions to Mars, elsewhere in the solar system, and beyond: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates National Aeronautics and Space Administration astronaut Scott Kelly for—

(A) the historic achievement in completing a 1-year mission in space; and

(B) a successful return to Earth, the United States, and his family;

(2) recognizes that—

(A) the 1-year mission of Scott Kelly contributed to research on the effects of long-duration space flight on the human body and mind; and

(B) continuing studies of human health are critical to future human exploration of space; and

(3) applauds the contributions of the 1-year journey in space of Scott Kelly to the scientific progress of the United States.

SENATE RESOLUTION 386—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD ESTABLISH A GOAL OF MORE THAN 50 PERCENT CLEAN AND CARBON-FREE ELECTRICITY BY 2030 TO AVOID THE WORST IMPACTS OF CLIMATE CHANGE, GROW THE ECONOMY, INCREASE SHARED PROSPERITY, IMPROVE PUBLIC HEALTH, AND PRESERVE THE NATIONAL SECURITY OF THE UNITED STATES

Mr. CARDIN (for himself, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. LEAHY, Ms. MIKULSKI, Mr. COONS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. NELSON, Mrs. BOXER, Mrs. SHAHEEN, Mr. MERKLEY, Mr. UDALL, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. MARKEY, Mr. MENENDEZ, Ms. HIRONO, Mr. SCHATZ, Ms. WARREN, Mr. KING, Mr. WHITEHOUSE, Mr. MURPHY, and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 386

Whereas failing to act on climate change will have a devastating impact on the United States economy, costing billions of dollars in lost gross domestic product;

Whereas extreme weather, intensified by climate change, has already cost taxpayers billions of dollars each year in recovery efforts and the amount will continue to grow if climate change is not addressed;

Whereas decreased economic growth and increased costs of infrastructure repairs and other recovery efforts due to climate change will significantly increase the budget deficit and undermine the fiscal stability of the United States;

Whereas climate change will have devastating public health implications, including—

(1) increased rates of asthma and other respiratory diseases, especially in vulnerable

populations, including children and low income communities;

- (2) the spread of infectious diseases;
- (3) risks to food and water supplies; and
- (4) an increased number of premature deaths;

Whereas inaction on climate change will disproportionately impact communities of color and exacerbate economic inequalities;

Whereas the Secretary of Defense has identified climate change as a threat multiplier that will increase global instability and conflict;

Whereas the transition to a clean energy economy is feasible with existing technology; and

Whereas the transition to clean energy will—

- (1) create millions of jobs;
- (2) increase—
 - (A) the gross domestic product of the United States; and
 - (B) household income;
- (3) save—
 - (A) billions of dollars in avoidable health costs; and
 - (B) lives and improve public health;
- (4) lower energy bills for businesses and consumers;
- (5) help the United States achieve the international emissions reduction goal of reducing greenhouse gas emissions to 26 to 28 percent of 2005 levels by 2025; and
- (6) unlock billions of dollars in private investment: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should—

- (1) establish a national goal of more than 50 percent clean and carbon-free electricity by 2030; and
- (2) enact legislation to accelerate the transition to clean energy to meet that goal.

SENATE RESOLUTION 387—CONGRATULATING THE HISTORIC COLUMBIA RIVER HIGHWAY ON ITS 100TH YEAR

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 387

Whereas June 7, 2016 marks the 100th anniversary of the Historic Columbia River Highway, a 75-mile-long scenic highway designed by Samuel C. Lancaster that runs through the Columbia River Gorge between Troutdale and The Dalles, Oregon;

Whereas the Historic Columbia River Highway, the first scenic highway in the United States and the first modern highway in the Pacific Northwest, is a National Historic Landmark;

Whereas Samuel C. Lancaster wrote that, when engineering the Historic Columbia River Highway, Lancaster aimed “to find . . . the points where the most beautiful things along the line might be seen to the best advantage, and if possible to locate the road in such a way as to reach them”;

Whereas the Historic Columbia River Highway is an engineering masterpiece that successfully used innovative engineering techniques to complement the magnificent natural landscape of the Columbia River Gorge;

Whereas the Historic Columbia River Highway showcases all aspects of the rich and diverse natural landscape of Oregon, including Multnomah Falls, the fourth-largest waterfall in the United States;

Whereas the construction of a water-level route through the Columbia River Gorge, now Interstate 84, destroyed many sections of the Historic Columbia River Highway;

Whereas, in the Columbia River Gorge National Scenic Area Act of 1986 (Public Law 99-663; 100 Stat. 4274), Congress directed the Oregon Department of Transportation to prepare a program to preserve and restore the Historic Columbia River Highway for public use as a historic road;

Whereas the State of Oregon is working to connect intact and usable highway segments with recreation trails, where feasible, to create a continuous historic road route through the Columbia River Gorge that links local, State, and Federal recreation facilities; and

Whereas the continued preservation and restoration of the Historic Columbia River Highway will provide greater access to the Columbia River Gorge for recreation and tourism, which will help to boost the economies of the region: Now, therefore, be it

Resolved, That the Senate—

- (1) congratulates the Historic Columbia River Highway on its 100th year;
- (2) recognizes the cultural, economic, and environmental importance of the Historic Columbia River Highway;
- (3) expresses support for the continued success of the restoration of the Historic Columbia River Highway; and
- (4) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to Senator Wyden, Senator Merkley, and Kevin Gorman of Friends of the Columbia Gorge.

SENATE RESOLUTION 388—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Ms. COLLINS, Mrs. BOXER, Ms. MIKULSKI, Mr. MARKEY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Ms. BALDWIN, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. DURBIN, Mr. CARDIN, Mr. KIRK, Ms. WARREN, Mr. MURPHY, and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 388

Whereas, in March 2016, there are more than 3,640,000,000 women in the world;

- Whereas women around the world—
 - (1) have fundamental rights;
 - (2) participate in the political, social, and economic lives of their communities;
 - (3) play a critical role in providing and caring for their families;
 - (4) contribute substantially to economic growth and the prevention and resolution of conflict; and
 - (5) as farmers and caregivers, play an important role in the advancement of food security for their communities;

Whereas the advancement of women around the world is a foreign policy priority for the United States;

Whereas, on July 28, 2015, in Mandela Hall at the African Union in Addis Ababa, Ethiopia, the President told individuals in Africa—

- (1) “if you want your country to grow and succeed, you have to empower your women. And if you want to empower more women, America will be your partner”; and
- (2) “girls cannot go to school and grow up not knowing how to read or write—that denies the world future women engineers, future women doctors, future women business owners, future women presidents—that sets us all back”;

Whereas 2015 marked the 20th anniversary of the adoption of the Beijing Declaration at the Fourth World Conference on Women, in September 1995, which reaffirmed—

- (1) the commitment of the international community to the full implementation of

the rights of women and girls as an inalienable, integral, and indivisible part of all human rights; and

- (2) that local, regional, national, and global peace is attainable and inextricably linked to the advancement of women, who are a fundamental force for leadership, conflict resolution, and the promotion of lasting peace at all levels;

Whereas 2016 will mark the 5-year anniversary of the establishment of the first United States National Action Plan on Women, Peace, and Security, which includes a comprehensive set of commitments by the United States to advance the meaningful participation of women in decisionmaking relating to matters of war or peace;

Whereas the first United States National Action Plan on Women, Peace, and Security states that, “Deadly conflicts can be more effectively avoided, and peace can be best forged and sustained, when women become equal partners in all aspects of peace-building and conflict prevention, when their lives are protected, their experiences considered, and their voices heard.”;

Whereas there are 58 national action plans around the world, and there are 15 national action plans known to be in development;

Whereas at the White House Summit on Countering Violent Extremism in February 2015, leaders from more than 60 countries, multilateral bodies, civil society, and private sector organizations agreed to a comprehensive action agenda against violent extremism that—

- (1) highlights the importance of the inclusion of women in countering the threat of violent extremism; and
- (2) notes that “women are partners in prevention and response, as well as agents of change”;

Whereas women remain underrepresented in conflict prevention and conflict resolution efforts, despite the proven success of women in conflict-affected regions in—

- (1) moderating violent extremism;
- (2) countering terrorism;
- (3) resolving disputes through nonviolent mediation and negotiation; and
- (4) stabilizing societies by improving access to peace and security—

- (A) services;
- (B) institutions; and
- (C) venues for decisionmaking;

Whereas peace negotiations are more likely to end in a peace agreement when women's groups play an influential role in the negotiation process;

Whereas studies show that a peace agreement is 35 percent more likely to last not less than 15 years if women participate in the development of the peace agreement;

Whereas according to the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State, the full and meaningful participation of women in security forces vastly enhances the effectiveness of the security forces;

Whereas, on August 30, 2015, the Secretary of State and the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom highlighted, “our goal must be to build societies in which sexual violence is treated—legally and by every institution of authority—as the serious and wholly intolerable crime that it is. We have seen global campaigns and calls to action draw attention to this issue and mobilize governments and organizations to act. But transformation requires the active participation of men and women everywhere. We must settle for nothing less than a united world saying no to sexual violence and yes to justice, fairness and peace.”;

Whereas, in 2014—

- (1) 700,000,000 women or girls had been married before the age of 18; and

(2) 250,000,000 women or girls had been married before the age of 15;

Whereas, on October 11, 2013, the President strongly condemned the practice of child marriage;

Whereas approximately ¼ of girls between the ages of 15 and 19 are victims of physical violence;

Whereas it is estimated that 1 in 3 women around the world has experienced some form of physical or sexual violence;

Whereas according to the 2012 report of the United Nations Office on Drugs and Crime entitled the "Global Report on Trafficking in Persons"—

(1) adult women account for between 55 and 60 percent of all known trafficking victims worldwide; and

(2) adult women and girls account for approximately 75 percent of all known trafficking victims worldwide;

Whereas according to the United Nations, women are subjected to physical or sexual violence, including rape, other forms of sexual violence, and human trafficking, as a weapon of war;

Whereas 603,000,000 women live in countries in which domestic violence is not criminalized;

Whereas, on August 10, 2012, the President announced the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, the first interagency strategy to address gender-based violence around the world;

Whereas, in December 2015, the Department of State released a report on the implementation of the United States Strategy to Prevent and Respond to Gender-Based Violence Globally that states, "Addressing GBV is intimately tied to a range of global efforts that address gender equality and women's and girls' empowerment, whether in peacetime or in the midst of conflict. This includes addressing GBV as part of efforts to raise the status of adolescent girls and through women's economic empowerment activities.";

Whereas the ability of women and girls to realize their full potential is critical to the ability of a country to achieve—

(1) strong and lasting economic growth; and

(2) political and social stability;

Whereas according to the United Nations Educational, Scientific, and Cultural Organization, ⅓ of the 775,000,000 illiterate individuals in the world are female;

Whereas 150,000,000 children currently enrolled in school will drop out before completing primary school, not less than 100,000,000 of whom are girls;

Whereas according to the United States Agency for International Development, in comparison with uneducated women, educated women are—

(1) less likely to marry as children; and

(2) more likely to have healthier families;

Whereas a goal of the United Nations Millennium Project, to eliminate gender disparity in primary education, was achieved in most countries not later than 2015, but more work remains;

Whereas gender equality is 1 of the 17 Sustainable Development Goals adopted at the United Nations Sustainable Development Summit on September 25, 2015;

Whereas according to the United Nations, women have access to fewer income earning opportunities and are more likely to manage the household or engage in agricultural work than men, making women more vulnerable to economic insecurity caused by—

(1) natural disasters;

(2) long term changes in weather patterns; or

(3) environmental degradation;

Whereas according to the World Bank Group, women own or partially own more

than ⅓ of small- and medium-sized enterprises in developing countries, and 40 percent of the global workforce is female, but female entrepreneurs and employers have disproportionately less access to capital and other financial services than men;

Whereas in the United States, women account for 45 percent of the overall labor force of companies included in the Standard & Poor's 500 Index, and 37 percent of the first or mid-level officials and managers in those companies are women, but—

(1) only 25 percent of the executive and senior level officials and managers in those companies are women;

(2) women only hold 19 percent of the seats on the boards of those companies; and

(3) only 4.6 percent of the Chief Executive Officers of those companies are women;

Whereas globally women earn an average of 24 percent less than men;

Whereas despite the achievements of individual female leaders—

(1) women around the world remain vastly underrepresented in—

(A) high-level positions; and

(B) national and local legislatures and governments; and

(2) according to the Inter-Parliamentary Union, women account for only 22 percent of national parliamentarians and 17.7 percent of government ministers;

Whereas according to the World Health Organization, during the period beginning in 1990 and ending in 2015, global maternal mortality decreased by approximately 44 percent, but approximately 830 women die from preventable causes relating to pregnancy or childbirth each day, and 99 percent of all maternal deaths occur in developing countries;

Whereas a target of the 2030 Agenda for Sustainable Development, adopted at the United Nations Sustainable Development Summit on September 25, 2015, is to reduce global maternal mortality to less than 70 deaths for every 100,000 live births not later than 2030;

Whereas according to the World Health Organization—

(1) suicide is the leading cause of death for girls between the ages of 15 and 19; and

(2) complications from pregnancy or childbirth is the second-leading cause of death for those girls;

Whereas the Office of the United Nations High Commissioner for Refugees reports that approximately ½ of—

(1) refugees and internally displaced or stateless individuals are women; and

(2) the 59,500,000 displaced individuals in the world are women;

Whereas it is imperative—

(1) to alleviate violence and discrimination against women; and

(2) to afford women every opportunity to be full and productive members of their communities;

Whereas, on October 10, 2014, Malala Yousafzai became the youngest ever Nobel Peace Prize laureate for her work promoting the access of girls to education; and

Whereas March 8, 2016, is recognized as International Women's Day, a global day—

(1) to celebrate the economic, political, and social achievements of women in the past, present, and future; and

(2) to recognize the obstacles that women face in the struggle for equal rights and opportunities; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of a country to generate—

(A) economic growth;

(B) sustainable democracy; and

(C) inclusive security;

(3) recognizes and honors individuals in the United States and around the world, including women human rights defenders and civil society leaders, that have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) reaffirms the commitment—

(A) to end discrimination and violence against women and girls;

(B) to ensure the safety and welfare of women and girls;

(C) to pursue policies that guarantee the basic human rights of women and girls worldwide; and

(D) to promote meaningful and significant participation of women in every aspect of society and community;

(5) supports inclusive, sustainable development, including through the promotion of the access of women to each tool, skill, and bargaining power needed—

(A) to promote peace and stability in society;

(B) to sustain long term economic prosperity; and

(C) to achieve gender equality and the empowerment of women; and

(6) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

SENATE RESOLUTION 389—DESIGNATING MARCH 6, 2016, AS THE FIRST ANNUAL "WORLD LYMPHEDEMA DAY"

Mr. SCHUMER (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 389

Whereas lymphedema is a condition that—

(1) occurs when—

(A) the natural lymphatic drainage system of the body is damaged, blocked, or does not develop properly; and

(B) the lymphatic fluid within a certain area, such as the arm, leg, torso, head, or neck, is unable to drain properly;

(2) results in extreme swelling that impairs mobility and function; and

(3) can cause pain and significantly impair the quality of life of the affected individual;

Whereas the total number of individuals living with or at risk for lymphedema is difficult to establish because lymphedema is underreported and often misdiagnosed;

Whereas the underdiagnosis and undertreatment of lymphedema patients costs healthcare providers and healthcare insurers, including the Medicare program, millions of dollars each year because if lymphedema is left untreated—

(1) the potential for infection is greatly increased;

(2) infection may occur in the course of a few hours; and

(3) immediate treatment on an emergency basis is required;

Whereas the World Health Organization estimates that—

(1) more than 150,000,000 individuals worldwide have secondary lymphedema; and

(2) 120,000,000 individuals worldwide are infected with lymphatic filariasis, which leads to lymphedema;

Whereas Stanford University estimates that as many as 10,000,000 individuals in the United States are affected by lymphedema;

Whereas lymphedema can—

(1) as primary lymphedema, be inherited and either be present at birth or manifest itself later in life; or

(2) as secondary lymphedema, develop after cancer treatment, radiation therapy, major

surgery, severe burn, or certain other traumatic injuries, including injuries affecting combat-tested veterans of the United States;

Whereas the Centers for Disease Control and Prevention estimate that a high percentage of elderly cancer survivors will develop lymphedema;

Whereas the National Cancer Institute predicts that, not later than 2020—

(1) the number of cancer survivors aged 65 or older will increase by 42 percent; and

(2) as many as 3,000,000 Medicare beneficiaries that are cancer survivors will require treatment for lymphedema;

Whereas lymphedema affects an estimated 15 percent of all cancer survivors and 40 percent of all breast cancer patients; and

Whereas, in recognition of the financial, physical, and psychological impact that lymphedema has on each individual afflicted with lymphedema, it is incumbent on the people of the United States to support—

(1) each courageous individual living and coping with lymphedema, a debilitating condition; and

(2) each caregiver, whether a professional or not a professional, of each individual afflicted with lymphedema: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that each tireless advocate and healthcare provider that spends much time and many resources battling lymphedema, a painful and destructive condition that affects many individuals, should be recognized; and

(2) the Senate designates March 6, 2016, as “World Lymphedema Day”.

SENATE RESOLUTION 390—DESIGNATING MARCH 3, 2016 AS “WORLD WILDLIFE DAY”

Mr. COONS (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 390

Whereas wildlife has provided numerous economic, environmental, social, and cultural benefits during the course of human history, and wildlife conservation will secure these gifts for future generations;

Whereas plant and animal species play an important role in the stability of diverse ecosystems around the world, and the conservation of this biodiversity is critical to maintain the delicate balance of nature and keep complex ecosystems thriving;

Whereas observation of wild plants and animals in their natural habitat provides individuals with a more enriching world view and a greater appreciation of the wonders of the natural environment;

Whereas tens of millions of individuals in the United States strongly support the conservation of wildlife, both domestically and abroad, and wish to ensure the survival of species in the wild, such as rhinoceroses, tigers, elephants, pangolins, turtles, seahorses, sharks, ginseng, mahogany, and cacti;

Whereas the trafficking of wildlife, including timber and fish, comprises the fourth largest global illegal trade after narcotics, the counterfeiting of products and currency, and human trafficking, and has become a major transnational organized crime with an estimated worth of as much as \$19,000,000,000 annually;

Whereas increased demand in Asia for high-value illegal wildlife products, particularly elephant ivory and rhinoceros horns, has recently triggered substantial and rapid increases in poaching of these species, particularly in Africa;

Whereas trafficking of wildlife is a primary threat to many wildlife species, including

elephants, rhinoceroses, tigers, pangolins, and sharks;

Whereas many different kinds of criminals, including some terrorist entities and rogue security personnel, often in collusion with corrupt government officials, are involved in wildlife poaching and the movement of ivory and rhinoceros horns across Africa;

Whereas wildlife poaching presents significant security and stability challenges for military and police forces in African nations that are often threatened by heavily armed poachers and the criminal and extremist allies of those poachers;

Whereas wildlife poaching negatively impacts local communities that rely on natural resources for economic development, including tourism;

Whereas penal and financial deterrents can improve the ability of African governments to reduce poaching and trafficking and enhance their capabilities of managing their resources;

Whereas assisting institutions in developing nations, including material, training, legal, and diplomatic support, can reduce illegal wildlife trade;

Whereas wildlife provides a multitude of benefits to all nations, and wildlife crime has wide-ranging economic, environmental, and social impacts;

Whereas, between 2010 and 2013, the number of elephants killed in Africa by poachers is estimated to have been 100,000 out of a remaining population of roughly 500,000 elephants;

Whereas, from 2007 to 2012, the number of elephants killed in Kenya increased by more than 800 percent, from 47 to 387 elephants killed;

Whereas the number of forest elephants in the Congo Basin in Central Africa declined by approximately $\frac{2}{3}$ between 2002 and 2012, placing forest elephants on track for extinction in the next decade;

Whereas the number of rhinoceroses killed by poachers in South Africa increased by almost 10,000 percent between 2007 and 2014, from 13 to more than 1,200 rhinoceroses killed;

Whereas as few as 3,200 tigers remain in the wild throughout all of Asia;

Whereas pangolins are often referred to as the most trafficked mammal in the world and all 8 pangolin species spanning Africa and Asia are faced with extinction because pangolin scales are sought after in the practice of traditional Chinese medicine and pangolin meat is considered a delicacy;

Whereas approximately 100,000,000 sharks are killed annually, often targeted solely for their fins, and unsustainable trade is the primary cause of serious population decline in several shark species, including scalloped hammerhead sharks, great hammerhead sharks, and oceanic whitetip sharks;

Whereas the United States is developing and implementing measures to address the criminal, financial, security, and environmental aspects of wildlife trafficking;

Whereas Congress has allocated specific resources to combat wildlife trafficking and address the threats posed by poaching and the illegal wildlife trade;

Whereas, in December 2013, the United Nations General Assembly proclaimed March 3 as World Wildlife Day to celebrate and raise awareness of the wild fauna and flora around the world;

Whereas March 3, 2016 represents the third annual celebration of World Wildlife Day;

Whereas, in 2016, the theme of World Wildlife Day is “The future of wildlife is in our hands”; and

Whereas, in 2016, World Wildlife Day commemorations will “celebrate the many beautiful and varied forms of wild fauna and flora, raise awareness of the multitude of

benefits that wildlife provides to people, and raise awareness of the urgent need to step up the fight against wildlife crime, which has wide-ranging economic, environmental, and social impacts”: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 3, 2016 as “World Wildlife Day”;;

(2) supports raising awareness of the benefits that wildlife provides to people and the threats facing wildlife around the world;

(3) supports escalating the fight against wildlife crime, including wildlife trafficking;

(4) applauds the domestic and international efforts to escalate the fight against wildlife crime;

(5) commends the efforts of the United States to mobilize the entire Government in a coordinated, efficient, and effective manner for dramatic progress in the fight against wildlife crime; and

(6) encourages continued cooperation between the United States, international partners, local communities, nonprofit organizations, private industry, and other partner organizations in an effort to conserve and celebrate wildlife, preserving this precious resource for future generations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3417. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table.

SA 3418. Mr. FRANKEN (for himself, Mr. BROWN, Mr. DURBIN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 524, supra; which was ordered to lie on the table.

SA 3419. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 524, supra; which was ordered to lie on the table.

SA 3420. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, supra.

SA 3421. Mr. CARDIN (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, supra; which was ordered to lie on the table.

SA 3422. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 524, supra; which was ordered to lie on the table.

SA 3423. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, supra; which was ordered to lie on the table.

SA 3424. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 524, supra; which was ordered to lie on the table.

SA 3425. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, supra; which was ordered to lie on the table.

SA 3426. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, *supra*; which was ordered to lie on the table.

SA 3427. Mr. MCCONNELL (for Mrs. FISCHER (for herself, Mr. DAINES, Mr. BOOKER, Mr. PETERS, Mrs. BOXER, and Mrs. FEINSTEIN)) proposed an amendment to the bill S. 2276, to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

TEXT OF AMENDMENTS

SA 3417. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 705. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON VETERANS TREATMENT COURTS AND VETERANS JUSTICE OUTREACH PROGRAM.

(a) **STUDY AND REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study on the effectiveness of Veterans Treatment Courts and the Veterans Justice Outreach Program of the Department of Veterans Affairs; and

(2) submit to Congress a report on the findings of the Comptroller General with respect to the study completed under paragraph (1).

(b) **ELEMENTS.**—As part of the study required by subsection (a), the Comptroller General shall assess the following:

(1) The extent to which Veterans Treatment Courts—

(A) provide a benefit to veterans with a mental illness or substance abuse problem; and

(B) provide timely access to services furnished by the Veterans Health Administration.

(2) The number of Veterans Treatment Courts in operation.

(3) The number of Veterans Treatment Courts in the process of being established.

(4) What is known about the effectiveness of Veterans Treatment Courts and what data are reported to the Federal Government about the use and performance of such courts.

(5) The number of veterans assigned to each Veterans Justice Outreach Specialist that is assigned to a Veterans Treatment Court.

(6) The method by which the Secretary of Veterans Affairs allocates the number and location of Veterans Justice Outreach Specialists and whether such method adequately ensures appropriate representation in Veterans Treatment Courts.

(7) To what extent would having additional Veterans Justice Outreach Specialists—

(A) provide veterans with better access to services furnished by the Veterans Health Administration; and

(B) allow for the establishment of additional Veterans Treatment Courts.

SA 3418. Mr. FRANKEN (for himself, Mr. BROWN, Mr. DURBIN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 524, to authorize the Attorney

General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. REMOVAL OF INMATE LIMITATION ON BENEFITS UNDER MEDICAID.

(a) **IN GENERAL.**—The subdivision (A) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) that follows paragraph (29) is amended by inserting “or in custody pending disposition of charges” after “patient in a medical institution”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the first day of the first calendar quarter beginning more than 60 days after the date of the enactment of this Act and shall apply to items and services furnished for periods beginning on or after such date.

SA 3419. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

In section 101, strike subsection (c)(5) and all that follows through the end of the section, and insert the following:

(5) representatives of hospitals;

(6) representatives of—

(A) pain management professional organizations;

(B) the mental health treatment community;

(C) the addiction treatment community;

(D) pain advocacy groups;

(E) groups with expertise around overdose reversal;

(F) State agencies that manage State prescription drug monitoring programs; and

(G) State agencies that administer grants under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.); and

(7) other stakeholders, as the Secretary determines appropriate.

(d) **DUTIES.**—The task force shall—

(1) not later than 180 days after the date on which the task force is convened under subsection (b), review, modify, and update, as appropriate, best practices for pain management (including chronic and acute pain) and prescribing pain medication, taking into consideration—

(A) existing pain management research;

(B) recommendations from relevant conferences and existing relevant evidence-based guidelines;

(C) ongoing efforts at the State and local levels and by medical professional organizations to develop improved pain management strategies, including consideration of alternatives to opioids to reduce opioid monotherapy in appropriate cases;

(D) the management of high-risk populations, other than populations who suffer pain, who—

(i) may use or be prescribed benzodiazepines, alcohol, and diverted opioids; or

(ii) receive opioids in the course of medical care;

(E) whether the State prescription drug monitoring programs are sufficiently available, functional, and useful to be integrated into the process for prescribing pain medication; and

(F) the Proposed 2016 Guideline for Prescribing Opioids for Chronic Pain issued by the Centers for Disease Control and Prevention (80 Fed. Reg. 77351 (December 14, 2015))

and any final guidelines issued by the Centers for Disease Control and Prevention;

(2) solicit and take into consideration public comment on the practices developed under paragraph (1), amending such best practices if appropriate; and

(3) develop a strategy for disseminating information about the best practices to stakeholders, as appropriate.

(e) **LIMITATION.**—The task force shall not have rulemaking authority.

(f) **REPORT.**—Not later than 270 days after the date on which the task force is convened under subsection (b), the task force shall submit to Congress a report that includes—

(1) the strategy for disseminating best practices for pain management (including chronic and acute pain) and prescribing pain medication, as reviewed, modified, or updated under subsection (d);

(2) the results of a feasibility study on linking the best practices described in paragraph (1) to receiving and renewing registrations under section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)); and

(3) recommendations for effectively applying the best practices described in paragraph (1) to improve prescribing practices at medical facilities, including medical facilities of the Veterans Health Administration.

(g) **GAO REPORT ON STATE PRESCRIPTION DRUG MONITORING PROGRAMS.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report examining the variations that exist across State prescription drug monitoring programs that have been supported by Federal funds. The Comptroller General shall review, and include in the report recommendations on, best practices to maximize the effectiveness of such programs and State strategies to increase queries to such programs by health care providers.

SA 3420. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; as follows:

On page 14, line 10, insert “consumers,” after “patients.”

On page 14, line 12, strike “prescribed.” and insert “prescribed, including opioid and methadone abuse. Such education and awareness campaigns shall include information on the dangers of opioid abuse, how to prevent opioid abuse including through safe disposal of prescription medications and other safety precautions, and detection of early warning signs of addiction.”

On page 16, line 22, strike “or”.

On page 17, line 2, insert “or” at the end.

On page 17, between lines 2 and 3, insert the following:

“(C) a sudden increase in opioid-related deaths, as documented by local data;

On page 18, line 23, strike “1997.” and insert “1997, and may also include an evaluation of the effectiveness at reducing abuse of opioids, methadone, or methamphetamines.”

SA 3421. Mr. CARDIN (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr.

COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

On page 39, line 1, strike “other clinically appropriate services,” and insert “other clinically appropriate services and through the establishment and support of treatment centers that operate 24 hours a day, 7 days a week, to provide immediate access to behavioral health treatment.”.

SA 3422. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . VOTING RIGHTS.

(a) **INFORMATION FOR INCARCERATED INDIVIDUALS.**—The Director of the Bureau of Prisons shall immediately ensure that individuals in the custody of the Bureau of Prisons are provided information regarding the voting rights restoration process upon release and return to their home State.

(b) **NOTICE IN CRIMINAL CASES.**—The Attorney General shall require that the United States attorneys provide notice to defendants in Federal criminal cases regarding the loss of the right to vote as a result of a plea agreement to any disfranchising offense, whether the offense is a misdemeanor or felony.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the disproportionate impact of Federal and State criminal disenfranchisement laws on minority populations, which shall include data on disenfranchisement rates by race and ethnicity.

SA 3423. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. MANDATORY DISCLOSURE OF CERTAIN VETERAN INFORMATION TO STATE CONTROLLED SUBSTANCE MONITORING PROGRAMS.

Section 5701(l) of title 38, United States Code, is amended by striking “may” and inserting “shall”.

SA 3424. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMBAT HEROIN EPIDEMIC AND BACKLOG ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Combat Heroin Epidemic and Backlog Act of 2016”.

(b) **CONFRONTING THE USE OF HEROIN AND ASSOCIATED DRUGS.**—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following:

“PART II—CONFRONTING THE USE OF HEROIN AND ASSOCIATED DRUGS

“SEC. 3021. AUTHORITY TO MAKE GRANTS TO ADDRESS PUBLIC SAFETY AND HEROIN DISTRIBUTION, SALE, AND USE.

“(a) **PURPOSE.**—The purpose of this section is to assist States and Indian tribes to—

“(1) carry out programs to address the distribution, sale, and use of heroin, fentanyl, and associated synthetic drugs; and

“(2) improve the ability of State, tribal, and local government institutions to carry out such programs.

“(b) **GRANT AUTHORIZATION.**—The Attorney General, through the Bureau of Justice Assistance, may make grants to States and Indian tribes to address the distribution, sale, and use of heroin, fentanyl, and associated synthetic drugs to enhance public safety.

“(c) **GRANT PROJECTS TO ADDRESS DISTRIBUTION, SALE, AND USE OF HEROIN, FENTANYL, AND ASSOCIATED SYNTHETIC DRUGS.**—Grants made under subsection (b) may be used for programs, projects, and other activities to—

“(1) reimburse State, local, or other public crime laboratories and medical examiners to help address backlogs of untested samples of heroin, fentanyl, and associated synthetic drugs as well as associated toxicology testing;

“(2) reimburse State, local, or other public crime laboratories and medical examiners for procuring equipment, technology, or other support systems if the applicant for the grant demonstrates to the satisfaction of the Attorney General that expenditures for such purposes would result in improved efficiency of laboratory testing and help prevent future backlogs;

“(3) reimburse State, tribal, and local law enforcement agencies for procuring field-testing equipment for use in the identification or detection of heroin, fentanyl, and associated synthetic drugs;

“(4) investigate, arrest, and prosecute individuals violating laws related to the distribution or sale of heroin, fentanyl, and associated synthetic drugs; and

“(5) support State, tribal, and local health department services deployed to address the use of heroin, fentanyl, and associated synthetic drugs.

“(d) **LIMITATION.**—Not less than 60 percent of the amounts made available to carry out this section shall be awarded for the purposes under paragraph (1) or (2) of subsection (c).

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2017, 2018, and 2019.

“(f) **ALLOCATION.**—

“(1) **POPULATION ALLOCATION.**—Seventy-five percent of the amount made available to carry out this section in a fiscal year shall be allocated to each State that meets the requirements of section 2802 so that each State shall receive an amount that bears the same ratio to the 75 percent of the total amount made available to carry out this section for that fiscal year as the population of the State bears to the population of all States.

“(2) **DISCRETIONARY ALLOCATION.**—

“(A) **IN GENERAL.**—Twenty-five percent of the amount made available to carry out this section in a fiscal year shall be allocated

pursuant to the Attorney General’s discretion for competitive awards to States and Indian tribes.

“(B) **CONSIDERATIONS.**—In making awards under subparagraph (A), the Attorney General shall consider—

“(i) the average annual number of part 1 violent crimes reported by each State to the Federal Bureau of Investigation for the 3 most recent calendar years for which data is available; and

“(ii) the existing resources and current needs of the potential grant recipient.

“(3) **MINIMUM REQUIREMENT.**—Each State shall receive not less than 0.6 percent of the amount made available to carry out this section in each fiscal year.

“(4) **CERTAIN TERRITORIES.**—

“(A) **IN GENERAL.**—For purposes of the allocation under this section, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as 1 State.

“(B) **ALLOCATION AMONGST CERTAIN TERRITORIES.**—For purposes of subparagraph (A), 67 percent of the amount allocated shall be allocated to American Samoa and 33 percent shall be allocated to the Commonwealth of the Northern Mariana Islands.”.

SA 3425. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

On page 36, line 12, insert “and partnerships with law enforcement agencies of a unit of local government (including an Indian tribe), the Federal Bureau of Investigation, and the Drug Enforcement Administration” after “collaboration”.

On page 36, line 19, insert “including through partnerships with law enforcement agencies of a unit of local government (including an Indian tribe), the Federal Bureau of Investigation, and the Drug Enforcement Administration,” after “activities,”

SA 3426. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3378 proposed by Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. KLOBUCHAR, Ms. AYOTTE, Mr. GRAHAM, Mr. COONS, Mr. CORNYN, and Mr. DURBIN) to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—ACCESS TO MEDICATION-ASSISTED THERAPY

SEC. 801. EXPANDING PATIENT ACCESS TO MEDICATION-ASSISTED TREATMENT.

Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in subparagraph (B)—

(A) in clause (iii)—

(i) by inserting “(I)” before “The total”;

(ii) by striking “30” and inserting “100”;

(iii) by striking “, unless, not sooner” and all that follows through the end and inserting a period; and

(iv) by adding at the end the following:

“(II) If a patient is referred by a qualifying physician to another physician that provides short-term services, such as induction or titration, the patient shall only be included in

the total number of such patients of the qualifying physician that makes the referral.

“(III) In this clause, the term ‘the total number of such patients’ does not include a patient to whom a qualifying physician meeting the requirements described in clause (iv)(I), or an authorized agent of such qualifying physician, directly administers such drugs or combination drugs that are formulated to have a therapeutic effect lasting 7 days or more.”; and

(B) by adding at the end the following:

“(iv) Not earlier than 1 year after the date on which a qualifying physician obtained an initial waiver pursuant to clause (iii), the qualifying physician may submit a second notification to the Secretary of the need and intent of the qualifying physician to treat up to 500 patients, if the qualifying physician—

“(I)(aa) satisfies the requirements of subclause (I), (II), (III), or (IV) of subparagraph (G)(ii); and

“(bb) agrees to fully participate in the Prescription Drug Monitoring Program of the State in which the qualifying physician is licensed, pursuant to applicable State guidelines; or

“(II)(aa) satisfies the requirements of subclause (V), (VI), (VII), or (VIII) of subparagraph (G)(ii);

“(bb) agrees to fully participate in the Prescription Drug Monitoring Program of the State in which the qualifying physician is licensed, pursuant to applicable State guidelines; and

“(cc) has completed not less than 40 hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) with respect to the treatment and management of opiate-dependent patients for substance use disorders provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause after providing notice and an opportunity for public comment.

“(v) The qualifying physician shall maintain records relating to the dispensing of drugs or combinations of drugs to treat patients under this paragraph, including not less than 3 of the following:

“(I) The number of patients the qualifying physician treats, as compared to the maximum number of patients the qualifying physician may treat under this paragraph.

“(II) Whether the qualifying physician provides counseling services on-site, and how frequently patients are using such services.

“(III) Whether the qualifying physician referred patients for counseling services off-site, the percentage of the patients of the qualifying physician using such services, and how frequently the patients are using such services.

“(IV) Whether the qualifying physician uses toxicology testing, if applicable, to guide therapeutic dosing and treatment decision making.

“(V) The median period during which patients being treated under this paragraph have received treatment.

“(VI) The median period during which patients being treated under this paragraph with buprenorphine have received treatment.

“(VII) The rate at which patients being treated under this paragraph terminate the treatment against medical advice.

“(vi) The qualifying physician shall—

“(I) participate in not less than 24 hours of continuing education training during the 3-year period beginning on the date of the notification; and

“(II) when the qualifying physician completes the continuing education training described in subclause (I), submit a certification to that effect to the Substance Abuse and Mental Health Services Administration and, if required by the State in which the qualifying physician is licensed, to the State.”; and

(2) by adding at the end the following:

“(K) Notwithstanding section 708, nothing in this paragraph shall be construed to preempt any State law that—

“(i) permits a qualifying physician to dispense narcotic drugs in schedule III, IV, or V or combinations of such drugs to a total number of patients for maintenance or detoxification treatment in accordance with this paragraph that is fewer than or more than the applicable number described in clause (iii) or (iv) of subparagraph (B); or

“(ii) requires a qualifying physician to comply with additional requirements relating to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs, including requirements relating to the practice setting in which the qualifying physician practices and education, training, and reporting requirements.”.

SEC. 802. DEFINITIONS.

Section 303(g)(2)(G)(ii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(ii)) is amended—

(1) by redesignating subclauses (IV), (V), (VI), and (VII) as subclauses (V), (VI), (VII), and (VIII), respectively; and

(2) by inserting after subclause (III) the following:

“(IV) The physician holds a board certification from the American Board of Addiction Medicine.”.

SEC. 803. EVALUATIONS.

(a) DEFINITION.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Health, Education, Labor, and Pensions and the Committee on the Judiciary of the Senate; and

(2) the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives.

(b) HHS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Attorney General, shall submit to the appropriate committees of Congress a report on the effect on the amendments made by this title on the availability of evidence-based treatment and any increased risk in diversion.

(c) GAO.—

(1) IN GENERAL.—Four years after the date on which the first notification under clause (iv) of section 303(g)(2)(B) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(B)), as added by this Act, is received by the Secretary of Health and Human Services, the Comptroller General of the United States shall initiate an evaluation of the effectiveness of the amendments made by this Act, which shall include an evaluation of—

(A) any changes in the availability and use of medication-assisted treatment for opioid addiction;

(B) the quality of medication-assisted treatment programs;

(C) the integration of medication-assisted treatment with routine healthcare services;

(D) diversion of opioid addiction treatment medication;

(E) changes in State or local policies and legislation relating to opioid addiction treatment;

(F) the use of nurse practitioners and physician assistants who prescribe opioid addiction medication;

(G) the use of Prescription Drug Monitoring Programs by waived practitioners to

maximize safety of patient care and prevent diversion of opioid addiction medication;

(H) the findings of Drug Enforcement Agency inspections of waived practitioners, including the frequency with which the Drug Enforcement Agency finds no documentation of access to behavioral health services; and

(I) the effectiveness of cross-agency collaboration between Department of Health and Human Services and the Drug Enforcement Agency for expanding effective opioid addiction treatment.

(2) REPORT.—The Comptroller General shall submit to the appropriate committees of Congress a report regarding the evaluation conducted under paragraph (1).

SEC. 804. DEMONSTRATION PROJECT.

Section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)), as amended by section 801(2), is amended by adding at the end the following:

“(L)(i) In this subparagraph, the term ‘covered provider’ includes a person that—

“(I) is not a physician; and

“(II) is authorized to dispense narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance or detoxification treatment by the jurisdiction in which the provider is licensed.

“(ii) Notwithstanding subparagraph (B)(i), the Secretary may establish and carry out a demonstration project for the purposes of allowing each covered provider participating in the demonstration project to dispense narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance or detoxification treatment under this paragraph—

“(I) during an initial period, to be determined by the Secretary, to treat not more than 30 patients; and

“(II) after the initial period, to treat not more than 100 patients.

“(iii) The Secretary may enter into grants, contracts, or cooperative agreements with 1 or more research institutions, departments of health of a State, and public and nonprofit entities to assist in carrying out the demonstration project under this subparagraph.

“(iv) Amounts made available to the Attorney General for carrying out this section or to the Secretary of Health and Human Services for carrying out title V of the Public Health Service Act (42 U.S.C. 290aa) shall also be made available to carry out the demonstration project under this subparagraph.

“(v) The demonstration project under this subparagraph, including any authority to dispense narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance or detoxification treatment under this subparagraph, shall terminate on September 30, 2021.”.

SA 3427. Mr. MCCONNELL (for Mrs. FISCHER (for herself, Mr. DAINES, Mr. BOOKER, Mr. PETERS, Mrs. BOXER, and Mrs. FEINSTEIN)) proposed an amendment to the bill S. 2276, to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the “Securing America’s Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act” or the “SAFE PIPES Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.

- Sec. 2. Authorization of appropriations.
- Sec. 3. Regulatory updates.
- Sec. 4. Hazardous materials identification numbers.
- Sec. 5. Statutory preference.
- Sec. 6. Natural gas integrity management review.
- Sec. 7. Hazardous liquid integrity management review.
- Sec. 8. Technical safety standards committees.
- Sec. 9. Inspection report information.
- Sec. 10. Pipeline odorization study.
- Sec. 11. Improving damage prevention technology.
- Sec. 12. Workforce of Pipeline and Hazardous Materials Safety Administration.
- Sec. 13. Research and development.
- Sec. 14. Information sharing system.
- Sec. 15. Nationwide integrated pipeline safety regulatory database.
- Sec. 16. Underground natural gas storage facilities.
- Sec. 17. Joint inspection and oversight.
- Sec. 18. Response plans.
- Sec. 19. High consequence areas.
- Sec. 20. Surface transportation security review.
- Sec. 21. Small scale liquefied natural gas facilities.
- Sec. 22. Report on natural gas leak reporting.
- Sec. 23. Comptroller General review of State policies relating to natural gas leaks.
- Sec. 24. Provision of response plans to appropriate committees of Congress.
- Sec. 25. Consultation with FERC as part of pre-filing procedures and permitting process for new natural gas pipeline infrastructure.
- Sec. 26. Maintenance of effort.
- Sec. 27. Aliso Canyon natural gas leak task force.

(c) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended—

(1) in paragraph (1), by striking “there is authorized to be appropriated to the Department of Transportation for each of fiscal years 2012 through 2015, from fees collected under section 60301, \$90,679,000, of which \$4,746,000 is for carrying out such section 12 and \$ 36,194,000 is for making grants.” and inserting the following: “there are authorized to be appropriated to the Department of Transportation from fees collected under section 60301—

“(A) \$127,060,000 for fiscal year 2016, of which \$9,325,000 shall be expended for carrying out such section 12 and \$42,515,000 shall be expended for making grants;

“(B) \$129,671,000 for fiscal year 2017, of which \$9,418,000 shall be expended for carrying out such section 12 and \$42,941,000 shall be expended for making grants;

“(C) \$132,334,000 for fiscal year 2018, of which \$9,512,000 shall be expended for carrying out such section 12 and \$43,371,000 shall be expended for making grants; and

“(D) \$135,051,000 for fiscal year 2019, of which \$9,607,000 shall be expended for carrying out such section 12 and \$43,805,000 shall be expended for making grants.”; and

(2) in paragraph (2), by striking “there is authorized to be appropriated for each of fiscal years 2012 through 2015 from the Oil Spill

Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355), \$18,573,000, of which \$2,174,000 is for carrying out such section 12 and \$4,558,000 is for making grants.” and inserting the following: “there are authorized to be appropriated from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355)—”

“(A) \$19,890,000 for fiscal year 2016, of which \$3,108,000 shall be expended for carrying out such section 12 and \$8,708,000 shall be expended for making grants;

“(B) \$20,288,000 for fiscal year 2017, of which \$3,139,000 shall be expended for carrying out such section 12 and \$8,795,000 shall be expended for making grants;

“(C) \$20,694,000 for fiscal year 2018, of which \$3,171,000 shall be expended for carrying out such section 12 and \$8,883,000 shall be expended for making grants; and

“(D) \$21,108,000 for fiscal year 2019, of which \$3,203,000 shall be expended for carrying out such section 12 and \$8,972,000 shall be expended for making grants.”.

(b) EMERGENCY RESPONSE GRANTS.—Section 60125(b)(2) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(c) ONE-CALL NOTIFICATION PROGRAMS.—Section 6107 is amended—

(1) in subsection (a), by striking “\$1,000,000 for each of fiscal years 2012 through 2015” and inserting “\$1,060,000 for each of the fiscal years 2016 through 2019”; and

(2) in subsection (b), by striking “2012 through 2015” and inserting “2016 through 2019”.

(d) STATE DAMAGE PREVENTION PROGRAMS.—Section 60134(i) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(e) COMMUNITY PIPELINE SAFETY INFORMATION GRANTS.—Section 60130(c) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(f) PIPELINE INTEGRITY PROGRAM.—Section 12(f) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

SEC. 3. REGULATORY UPDATES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1), (2), and (3), the Secretary of Transportation shall publish an update on a public website regarding the status of a final rule for—

(1) regulations required under the Pipeline Safety Regulatory Certainty and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) for which no interim final rule or direct final rule has been issued;

(2) any regulation relating to pipeline safety required by law, other than a regulation described under paragraph (1), for which for more than 2 years after the date of the enacting statute or statutory deadline no interim final rule or direct final rule has been issued; and

(3) any other pipeline safety rulemaking categorized as significant.

(b) CONTENTS.—Each report under subsection (a) shall include—

(1) a description of the work plan for the outstanding regulation;

(2) an updated rulemaking timeline for the outstanding regulation;

(3) current staff allocations;

(4) any other information collection request with substantial changes;

(5) current data collection or research relating to the development of the rulemaking;

(6) current collaborative efforts with safety experts and other stakeholders;

(7) any resource constraints impacting the rulemaking process for the outstanding regulation; and

(8) any other details associated with the development of the rulemaking that impact the progress of the rulemaking.

SEC. 4. HAZARDOUS MATERIALS IDENTIFICATION NUMBERS.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall—

(1) rescind the implementation of the June 26, 2015 PHMSA interpretative letter (#14-0178); and

(2) reinstate paragraphs (4) and (5) of section 172.336(c) of title 49, Code of Federal Regulations, without the reference to “gas-ohol”, as was originally intended in the March 7, 2013 final rule (PHMSA–2011–0142).

SEC. 5. STATUTORY PREFERENCE.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall prioritize the use of Office of Pipeline Safety resources for the development of each outstanding pipeline safety statutory requirement, including requirements for rulemakings and information collection requests, for a rulemaking described in a report under section 3 before beginning any new rulemaking required after the date of the enactment of this Act unless the Secretary of Transportation certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 6. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.

(a) REPORT.—Not later than 18 months after the publication of a final rule regarding the safety of gas transmission pipelines (76 Fed. Reg. 53086), the Comptroller General of the United States shall submit a report to Congress regarding the natural gas integrity management program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an analysis of the extent to which the natural gas integrity management program under section 60109(c) of title 49, United States Code, has improved the safety of natural gas transmission pipelines;

(2) an analysis or recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that would prevent inadvertent releases from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area, or would expand integrity management beyond high consequence areas;

(3) a review of the cost effectiveness of the legacy class location regulations;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline;

(5) a description of any challenges affecting Federal or State regulators in their oversight of the program and how the challenges are being addressed; and

(6) a description of any challenges affecting the natural gas industry in complying with the program, and how the challenges are being addressed.

(c) DEFINITION OF HIGH CONSEQUENCE AREA.—In this section and in section 7, the term “high consequence area” means an area described in section 60109(a) of title 49, United States Code.

SEC. 7. HAZARDOUS LIQUID INTEGRITY MANAGEMENT REVIEW.

(a) **SAFETY STUDY.**—Not later than 18 months after the publication of a final rule regarding the safety of hazardous liquid pipelines (80 Fed. Reg. 61610), the Comptroller General of the United States shall submit a report to Congress regarding the hazardous liquid integrity management program.

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) an analysis of the extent to which liquid pipeline integrity management in high consequence areas for operators of certain hazardous liquid pipeline facilities, as regulated under sections 195.450 and 195.452 of title 49, Code of Federal Regulations, has improved the safety of hazardous liquid pipelines;

(2) recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that could prevent inadvertent releases from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area;

(3) an analysis of how surveying, assessment, mitigation, and monitoring activities, including real-time hazardous liquid pipeline monitoring during significant flood events and information sharing with other Federal agencies, are being used to address risks associated with the dynamic and unique nature of rivers, flood plains, and lakes;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline and what changes to the definition of high consequence area could be made to improve pipeline safety; and

(5) a description of any challenges affecting Federal or State regulators in their oversight of the program and how the challenges are being addressed.

SEC. 8. TECHNICAL SAFETY STANDARDS COMMITTEES.

Section 60115(b)(4)(A) is amended by striking “State commissioners. The Secretary shall consult with the national organization of State commissions before selecting those 2 individuals.” and inserting “State officials. The Secretary shall consult with national organizations representing State commissioners or governors when making a selection under this subparagraph.”

SEC. 9. INSPECTION REPORT INFORMATION.

(a) **IN GENERAL.**—Not later than 30 days after the completion of a pipeline safety inspection, the Administrator of the Pipeline and Hazardous Materials Safety Administration, or the State authority certified under section 60105 of title 49, United States Code, shall—

(1) conduct a post-inspection briefing with the operator outlining concerns, and to the extent practicable, provide written preliminary findings of the inspection; or

(2) issue to the operator a final report, notice of amendment of plans or procedures, safety order, or corrective action order, or such other applicable report, notice, or order.

(b) **REPORT.**—

(1) **IN GENERAL.**—The Administrator shall submit an annual report to Congress regarding—

(A) the actions that the Pipeline and Hazardous Materials Safety Administration has taken to ensure that inspections by State authorities provide effective and timely oversight; and

(B) statistics relating to the timeliness of the actions described in paragraphs (1) and (2) of subsection (a).

(2) **CESSATION OF EFFECTIVENESS.**—Paragraph (1) shall cease to be effective on September 30, 2019.

SEC. 10. PIPELINE ODORIZATION STUDY.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses—

(1) the feasibility of odorizing all combustible gas in transportation;

(2) the impacts of the odorization of all combustible gas in transportation on manufacturers, agriculture, and other end users; and

(3) the relative benefits and costs associated with odorizing all combustible gas in transportation, including impacts on health and safety, compared to using other methods to mitigate pipeline leaks.

SEC. 11. IMPROVING DAMAGE PREVENTION TECHNOLOGY.

(a) **STUDY.**—The Secretary of Transportation, in consultation with stakeholders, shall conduct a study on improving existing damage prevention programs through technological improvements in location, mapping, excavation, and communications practices to prevent accidental excavation damage to a pipe or its coating, including considerations of technical, operational, and economic feasibility and existing damage prevention programs.

(b) **CONTENTS.**—The study under subsection (a) shall include—

(1) an identification of any methods that could improve existing damage prevention programs through location and mapping practices or technologies in an effort to reduce unintended releases caused by excavation;

(2) an analysis of how increased use of GPS digital mapping technologies, predictive analytic tools, public awareness initiatives including one-call initiatives, the use of mobile devices, and other advanced technologies could supplement existing one-call notification and damage prevention programs to reduce the frequency and severity of incidents caused by excavation damage;

(3) an identification of any methods that could improve excavation practices or technologies in an effort to reduce pipeline damages;

(4) an analysis of the feasibility of a national data repository for pipeline excavation accident data that creates standardized data models for storing and sharing pipeline accident information; and

(5) an identification of opportunities for stakeholder engagement in preventing excavation damage.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the study under this section, including recommendations, that include the consideration of technical, operational, and economic feasibility, on how to incorporate, into existing damage prevention programs, technological improvements and practices that may help prevent accidental excavation damage.

SEC. 12. WORKFORCE OF PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION.

(a) **REVIEW.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a review of Pipeline and Hazardous Materials Safety Administration staff resource management, including geographic allocation plans, hiring challenges, and expected retirement rates and strategies. The review shall include recommendations to address hiring challenges, training needs, and any other identified staff resource challenges.

(b) **CRITICAL HIRING NEEDS.**—

(1) **IN GENERAL.**—Beginning on the date on which the review is submitted under subsection (a), the Administrator may certify to Congress, not less frequently than annually, that a severe shortage of qualified candidates or a critical hiring need exists for a position or group of positions in the Pipeline and Hazardous Material Safety Administration.

(2) **DIRECT HIRE AUTHORITY.**—Notwithstanding sections 3309 through 3318 of title 5, United States Code, the Administrator, after making a certification under paragraph (1), may hire a candidate for the position or candidates for the group of positions indicated in the certification, as applicable.

(3) **TERMINATIONS OF EFFECTIVENESS.**—The direct hire authority provided under paragraph (2) shall terminate on September 30, 2019.

SEC. 13. RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—In developing a research and development program plan under paragraph (3) of section 12(d) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note), the Administrator of the Pipeline and Hazardous Material Safety Administration, in consultation with the Assistant Secretary for Research and Technology, shall—

(1) detail compliance with the consultation requirement under paragraph (2) of such section;

(2) provide opportunities for joint research ventures with non-Federal entities, whenever practicable and appropriate, to leverage limited Federal research resources; and

(3) permit collaborative research and development projects with appropriate non-Federal organizations.

(b) **COLLABORATIVE SAFETY RESEARCH REPORT.**—Section 60124(a)(6) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) research activities in collaboration with non-Federal entities, including the intended improvements to safety technology, inspection technology, operator response time, and emergency responder incident response time.”

SEC. 14. INFORMATION SHARING SYSTEM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to consider the development of a voluntary no-fault information sharing system to encourage collaborative efforts to improve inspection information feedback and information sharing with the purpose of improving natural gas transmission and hazardous liquid pipeline integrity risk analysis.

(b) **MEMBERSHIP.**—The working group described in subsection (a) shall include representatives from—

(1) the Pipeline and Hazardous Materials Safety Administration;

(2) industry stakeholders, including operators of pipeline facilities, inspection technology vendors, and pipeline inspection organizations;

(3) safety advocacy groups;

(4) research institutions;

(5) State public utility commissions or State officials responsible for pipeline safety oversight;

- (6) State pipeline safety inspectors; and
- (7) labor representatives.

(c) **CONSIDERATIONS.**—The working group described in subsection (a) shall consider and provide recommendations, if applicable, to the Secretary on—

(1) the need for and the identification of a system to ensure that dig verification data is shared with inline inspection operators to the extent consistent with the need to maintain proprietary and security sensitive data in a confidential manner to improve pipeline safety and inspection technology;

(2) ways to encourage the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis;

(3) opportunities to share data, including dig verification data between operators of pipeline facilities and in-line inspector vendors to expand knowledge of the advantages and disadvantages of the different types of in-line inspection technology and methodologies;

(4) options to create a secure system that protects proprietary data while encouraging the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis; and

(5) regulatory, funding, and legal barriers to sharing the information described in paragraphs (1) through (4).

(d) **FACA.**—The working group shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **PUBLICATION.**—The Secretary shall publish the recommendations provided under subsection (c) on a publicly available website.

SEC. 15. NATIONWIDE INTEGRATED PIPELINE SAFETY REGULATORY DATABASE.

(a) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to Congress on the feasibility of a national integrated pipeline safety regulatory inspection database to improve communication and collaboration between the Pipeline and Hazardous Materials Safety Administration and State pipeline regulators.

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) a description of any efforts currently underway to test a secure information-sharing system for the purpose described in subsection (a);

(2) a description of any progress in establishing common standards for maintaining, collecting, and presenting pipeline safety regulatory inspection data, and a methodology for the sharing of the data;

(3) a description of any existing inadequacies or gaps in State and Federal inspection, enforcement, geospatial, or other pipeline safety regulatory inspection data;

(4) a description of the potential safety benefits of a national integrated pipeline database; and

(5) recommendations for how to implement a secure information-sharing system that protects proprietary and security sensitive information and data for the purpose described in subsection (a).

(c) **CONSULTATION.**—In preparing the report under subsection (a), the Secretary shall consult with stakeholders, including each State authority operating under a certification to regulate intrastate pipelines under section 60105 of title 49, United States Code.

SEC. 16. UNDERGROUND NATURAL GAS STORAGE FACILITIES.

(a) **DEFINED TERM.**—Section 60101(a) is amended—

(1) in paragraph (21)(B), by striking the period at the end and inserting a semicolon;

(2) in paragraph (24), by striking “and” at the end;

(3) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(27) ‘underground natural gas storage facility’ means a gas pipeline facility that stores gas in an underground facility, including—

“(A) a depleted hydrocarbon reservoir;

“(B) an aquifer reservoir; or

“(C) a solution mined salt cavern reservoir.”.

(b) **STANDARDS FOR UNDERGROUND NATURAL GAS STORAGE FACILITIES.**—Chapter 601 is amended by inserting after section 60103 the following:

“§ 60103A. Standards for underground natural gas storage facilities

“(a) **MINIMUM UNIFORM SAFETY STANDARDS.**—Not later than 2 years after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation, in consultation with the heads of other relevant Federal agencies, shall issue minimum uniform safety standards, incorporating, to the extent practicable, consensus standards for the operation, environmental protection, and integrity management of underground natural gas storage facilities.

“(b) **CONSIDERATIONS.**—In developing uniform safety standards under subsection (a), the Secretary shall—

“(1) consider the economic impacts of the regulations on individual gas customers to the extent practicable;

“(2) ensure that the regulations do not have a significant economic impact on end users to the extent practicable;

“(3) consider existing consensus standards; and

“(4) consider the recommendations of the Aliso Canyon Task Force under section 27 of the Securing America's Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act.

“(c) **USER FEES.**—

“(1) **IN GENERAL.**—A fee shall be imposed on an entity operating an underground natural gas storage facility to which this section applies. Any such fee imposed shall be collected before the end of the fiscal year to which it applies.

“(2) **MEANS OF COLLECTION.**—The Secretary shall prescribe procedures to collect fees under this subsection. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

“(3) **USE OF FEES.**—

“(A) **ACCOUNT.**—There is established an underground natural gas storage facility safety account in the Pipeline Safety Fund established under section 60301, in the Treasury of the United States.

“(B) **USE OF FEES.**—A fee collected under this subsection—

“(i) shall be deposited in the underground natural gas storage facility safety account; and

“(ii) if the fee is related to an underground natural gas storage facility, may be used only for an activity related to underground natural gas storage safety under this section.

“(C) **LIMITATION.**—Amounts collected under this subsection shall be made available only to the extent provided in advance in an appropriation law for an activity related to underground natural gas storage safety.

“(d) **RULES OF CONSTRUCTION.**—

“(1) **IN GENERAL.**—Nothing in this section may be construed to affect any Federal regulation relating to gas pipeline facilities that is in effect on the day before the date of enactment of the SAFE PIPES Act.

“(2) **LIMITATIONS.**—Nothing in this section may be construed to authorize the Secretary—

“(A) to prescribe the location of an underground natural gas storage facility; or

“(B) to require the Secretary's permission to construct a facility referred to in subparagraph (A).”.

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 601 is amended by inserting after the item relating to section 60103 the following:

“60103A. Standards for underground natural gas storage facilities.”.

SEC. 17. JOINT INSPECTION AND OVERSIGHT.

To ensure the safety of pipeline transportation, the Secretary of Transportation shall coordinate with States to ensure safety through the following:

(1) At the request of a State authority, the Secretary shall allow for a certified state authority under section 60105 of title 49, United States Code, to participate in the inspection of an interstate pipeline facility.

(2) Where appropriate, may provide temporary authority for a certified State authority under that section to participate in oversight of interstate pipeline safety transportation to ensure proper safety oversight and prevent an adverse impact on public safety.

SEC. 18. RESPONSE PLANS.

In preparing or reviewing a response plan under part 194 of title 49, Code of Federal Regulations, the Administrator of the Pipeline and Hazardous Materials Safety Administration and an operator shall each address, to the maximum extent practicable, the impact of a worse case discharge of oil, or the substantial threat of such a discharge, into or on any navigable waters or adjoining shorelines that may be covered in whole or in part by ice.

SEC. 19. HIGH CONSEQUENCE AREAS.

The Secretary of Transportation shall revise section 195.6(b) of title 49, Code of Federal Regulations to explicitly state that the Great Lakes are a USA ecological resource (as defined in section 195.6(b) of that title) for purposes of determining whether a pipeline is in a high consequence area (as defined in section 195.450 of that title).

SEC. 20. SURFACE TRANSPORTATION SECURITY REVIEW.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the staffing, resource allocation, oversight strategy, and management of the Transportation Security Administration's pipeline security program and other surface transportation programs. The report shall include information on the coordination between the Transportation Security Administration, other Federal stakeholders, and industry.

SEC. 21. SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.

(a) **DEFINED TERM.**—Section 60101(a), as amended by section 16, is further amended by inserting after paragraph (25) the following:

“(26) ‘small scale liquefied natural gas facility’ means a permanent intrastate liquefied natural gas facility (other than a peak shaving facility) that produces liquefied natural gas for—

“(A) use as a fuel in the United States; or

“(B) transportation in the United States by a means other than a pipeline facility; and”.

(b) **SITING STANDARDS FOR PERMANENT SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.**—Section 60103(a) is amended to read as follows:

“(a) **LOCATION STANDARDS.**—

“(1) **IN GENERAL.**—The Secretary of Transportation shall prescribe minimum safety

standards for deciding on the permanent location of a new liquefied natural gas pipeline facility or small scale liquefied natural gas facility.

“(2) LIQUEFIED NATURAL GAS FACILITIES.—In prescribing a minimum safety standard for deciding on the permanent location of a new liquefied natural gas facility, the Secretary of Transportation shall consider—

“(A) the kind and use of the facility;
“(B) the existing and projected population and demographic characteristics of the location;
“(C) the existing and proposed land uses near the location;
“(D) the natural physical aspects of the location;

“(E) medical, law enforcement, and fire prevention capabilities near the location that can cope with a risk caused by the facility; and
“(F) the need to encourage remote siting.

“(3) SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.—

“(A) IN GENERAL.—Not later than 18 months after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation shall prescribe minimum safety standards for permanent small scale liquefied natural gas facilities.

“(B) CONSIDERATIONS.—In prescribing minimum safety standards under this paragraph, the Secretary shall consider—

“(i) the value of establishing risk-based approaches;
“(ii) the benefit of incorporating industry standards and best practices;
“(iii) the need to encourage the use of best available technology; and
“(iv) the factors prescribed in paragraph (2), as appropriate.”.

SEC. 22. REPORT ON NATURAL GAS LEAK REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a report on the metrics provided to the Pipeline and Hazardous Materials Safety Administration and other Federal and State agencies related to lost and unaccounted for natural gas from distribution pipelines and systems.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An examination of different reporting requirements or standards for lost and unaccounted for natural gas to different agencies, the reasons for any such discrepancies, and recommendations for harmonizing and improving the accuracy of reporting.

(2) An analysis of whether separate or alternative reporting could better measure the amounts and identify the location of lost and unaccounted for natural gas from natural gas distribution systems.

(3) A description of potential safety issues associated with natural gas that is lost and unaccounted for from natural gas distribution systems.

(4) An assessment of whether alternate reporting and measures will resolve any safety issues identified under paragraph (3), including an analysis of the potential impact, including potential savings, on rate payers and end users of natural gas products of such reporting and measures.

(c) CONSIDERATION OF RECOMMENDATIONS.—If the Administrator determines that alternate reporting structures or recommendations included in the report required under subsection (a) would significantly improve the reporting and measurement of lost and unaccounted for gas or safety of systems, the Administrator shall, not later than 180 days after making such determination, issue regulations, as the Administrator determines ap-

propriate, to implement the recommendations.

SEC. 23. COMPTROLLER GENERAL REVIEW OF STATE POLICIES RELATING TO NATURAL GAS LEAKS.

(a) REVIEW.—The Comptroller General of the United States shall conduct a State-by-State review of State-level policies that—

(1) encourage the repair and replacement of leaking natural gas distribution pipelines or systems that pose a safety threat, such as timelines to repair leaks and limits on cost recovery from ratepayers; and

(2) that may create barriers for entities to conduct work to repair and replace leaking natural gas pipelines or distribution systems.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress and the Pipeline and Hazardous Materials Safety Administration a report summarizing the findings of the review conducted under subsection (a) and making recommendations on Federal or State policies or best practices that may improve safety by accelerating the repair and replacement of natural gas pipelines or systems that are leaking or releasing natural gas, including policies within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration. The report shall consider the potential impact, including potential savings, of the implementation of its recommendations on ratepayers or end users of the natural gas pipeline system.

(c) CONSIDERATION OF RECOMMENDATIONS.—If the Comptroller General makes recommendations in the report submitted under subsection (a) on Federal or State policies or best practices within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration, the Administrator shall, not later than 90 days after such submission, review such recommendations and report to Congress on the feasibility of implementing such recommendations. If the Administrator determines that the recommendations would significantly improve pipeline safety, the Administrator shall, not later than 180 days after making such determination and in coordination with the heads of other relevant agencies as appropriate, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 24. PROVISION OF RESPONSE PLANS TO APPROPRIATE COMMITTEES OF CONGRESS.

(a) PROVISION OF PLANS.—

(1) IN GENERAL.—Notwithstanding subsection (a)(2) of section 60138 of title 49, United States Code, and subject to paragraph (2), upon the request of the Chairperson or Ranking Member of an appropriate committee of Congress, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall provide the Chairperson or Ranking Member, as applicable, a uniquely identifiable, unredacted copy of an oil response plan under that section.

(2) PROTECTION OF INFORMATION.—Any information subject to exclusion under section 60138(a)(2) of title 49, United States Code, that is provided under paragraph (1) shall be afforded appropriate protection against unauthorized public disclosure, consistent with the rules and practices related to the protection of confidential information received by Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the provision of any other report, data, or other information to Congress, or its handling thereof.

SEC. 25. CONSULTATION WITH FERC AS PART OF PRE-FILING PROCEDURES AND PERMITTING PROCESS FOR NEW NATURAL GAS PIPELINE INFRASTRUCTURE.

Where appropriate, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall consult with the Federal Energy Regulatory Commission during its pre-filing procedures and permitting process for new natural gas pipeline infrastructure to ensure the protection of people and the environment from the potential risks of hazardous materials transportation by pipeline.

SEC. 26. MAINTENANCE OF EFFORT.

Section 60107(b) is amended to read as follows:

“(b) PAYMENTS.—After notifying and consulting with a State authority, the Secretary may withhold any part of a payment when the Secretary decides that the authority is not carrying out satisfactorily a safety program or not acting satisfactorily as an agent. The Secretary may pay an authority under this section only when the authority ensures the Secretary that it will provide the remaining costs of a safety program, except when the Secretary waives this requirement.”.

SEC. 27. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary of Energy shall lead and establish an Aliso Canyon Task Force (referred to in this section as the “task force”).

(b) MEMBERSHIP OF TASK FORCE.—In addition to the Secretary, the task force shall be composed of—

(1) 1 representative from the Pipeline and Hazardous Materials Safety Administration;
(2) 1 representative from the Department of Health and Human Services;
(3) 1 representative from the Environmental Protection Agency;
(4) 1 representative from the Department of the Interior;
(5) 1 representative from the Department of Commerce; and
(6) 1 representative from the Federal Energy Regulatory Commission.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the task force shall submit a final report that contains the information described in paragraph (2) to—

(A) the Committee on Energy and Natural Resources of the Senate;
(B) the Committee on Natural Resources of the House of Representatives;
(C) the Committee on Environment and Public Works of the Senate;
(D) the Committee on Transportation and Infrastructure of the House of Representatives;
(E) the Committee on Commerce, Science, and Transportation of the Senate;
(F) the Committee on Energy and Commerce of the House of Representatives;
(G) the Committee on Health, Education, Labor, and Pensions of the Senate;
(H) the Committee on Education and the Workforce of the House of Representatives;
(I) the President; and
(J) relevant Federal and State agencies.

(2) INFORMATION INCLUDED.—The report submitted under paragraph (1) shall include, at a minimum—

(A) an analysis and conclusion of the cause and contributing factors of the Aliso Canyon natural gas leak;

(B) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(C) an assessment of the impact of the natural gas leak on health, safety, the environment, and the economy of the residents and property surrounding Aliso Canyon, on wholesale and retail electricity prices, and on the reliability of the bulk-power system;

(D) an analysis of how Federal, State, and local agencies responded to the natural gas leak;

(E) in order to lessen the negative impacts of natural gas leaks from underground storage facilities, recommendations on how to improve—

(i) the response to a future leak; and

(ii) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(F) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(G) recommendations on how to prevent any future natural gas leaks;

(H) recommendations on whether to continue operations at Aliso Canyon and other underground storage facilities in close proximity to residential populations based on an assessment of the risk of a future natural gas leak; and

(I) a recommendation on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas storage infrastructure in the United States.

(3) PUBLICATION.—The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(4) FINDINGS.—If, before the final report is submitted under paragraph (1), the task force finds methods to solve the natural gas leak at Aliso Canyon, finds methods to better protect the affected communities, or finds methods to help prevent other leaks, the task force shall immediately submit such findings to the entities described in subparagraphs (A) through (J) of paragraph (1).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 3, 2016, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., in room SR-253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Re-

sources be authorized to meet during the session of the Senate on March 3, 2016, at 9:45 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Free Trade Agreement Implementation: Lessons from the Past.”

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., to conduct a hearing entitled “The Path Forward in Libya.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., to conduct a hearing entitled “Dogs of DHS: How Canine Programs Contribute to Homeland Security.”

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., in room 428A of the Russell Senate Office Building to conduct a hearing entitled “The Impacts of Federal Fisheries Management on Small Businesses.”

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 3, 2016, at 10 a.m., in room 345 of the Cannon House Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 3, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on March 3, 2016, to conduct a hearing entitled “Regulatory Reforms To Improve Equity Market Structure.”

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

SAFE PIPES ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 370, S. 2276.

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

The legislative clerk read as follows:

A bill (S. 2276) to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Securing America’s Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act” or the “SAFE PIPES Act”.

(b) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Regulatory updates.
- Sec. 4. Hazardous materials identification numbers.
- Sec. 5. Statutory preference.
- Sec. 6. Natural gas integrity management review.
- Sec. 7. Hazardous liquid integrity management review.
- Sec. 8. Technical safety standards committees.
- Sec. 9. Inspection report information.
- Sec. 10. Pipeline odorization study.
- Sec. 11. Improving damage prevention technology.
- Sec. 12. Workforce of Pipeline and Hazardous Materials Safety Administration.
- Sec. 13. Research and development.
- Sec. 14. Information sharing system.
- Sec. 15. Nationwide integrated pipeline safety regulatory database.
- Sec. 16. Underground natural gas storage facilities.
- Sec. 17. Joint inspection and oversight.
- Sec. 18. Response plans.
- Sec. 19. High consequence areas.
- Sec. 20. Surface transportation security review.
- Sec. 21. Small scale liquefied natural gas facilities.
- Sec. 22. Report on natural gas leak reporting.
- Sec. 23. Comptroller General review of State policies relating to natural gas leaks.
- Sec. 24. Provision of pipeline oil spill response plans to congressional committees.
- Sec. 25. Consultation with FERC as part of pre-filing procedures and permitting process for new natural gas pipeline infrastructure.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended—

(1) in paragraph (1), by striking “there is authorized to be appropriated to the Department of Transportation for each of fiscal years 2012 through 2015, from fees collected under section 60301, \$90,679,000, of which \$4,746,000 is for carrying out such section 12 and \$ 36,194,000 is for making grants.” and inserting the following: “there are authorized to be appropriated to the Department of Transportation from fees collected under section 60301—

“(A) \$127,060,000 for fiscal year 2016, of which \$9,325,000 shall be expended for carrying out such section 12 and \$42,515,000 shall be expended for making grants;

“(B) \$129,671,000 for fiscal year 2017, of which \$9,418,000 shall be expended for carrying out such section 12 and \$42,941,000 shall be expended for making grants;

“(C) \$132,334,000 for fiscal year 2018, of which \$9,512,000 shall be expended for carrying out such section 12 and \$43,371,000 shall be expended for making grants; and

“(D) \$135,051,000 for fiscal year 2019, of which \$9,607,000 shall be expended for carrying out such section 12 and \$43,805,000 shall be expended for making grants.”; and

(2) in paragraph (2), by striking “there is authorized to be appropriated for each of fiscal years 2012 through 2015 from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355), \$18,573,000, of which \$2,174,000 is for carrying out such section 12 and \$4,558,000 is for making grants.” and inserting the following: “there are authorized to be appropriated from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355)—”

“(A) \$19,890,000 for fiscal year 2016, of which \$3,108,000 shall be expended for carrying out such section 12 and \$8,708,000 shall be expended for making grants;

“(B) \$20,288,000 for fiscal year 2017, of which \$3,139,000 shall be expended for carrying out such section 12 and \$8,795,000 shall be expended for making grants;

“(C) \$20,694,000 for fiscal year 2018, of which \$3,171,000 shall be expended for carrying out such section 12 and \$8,883,000 shall be expended for making grants; and

“(D) \$21,108,000 for fiscal year 2019, of which \$3,203,000 shall be expended for carrying out such section 12 and \$8,972,000 shall be expended for making grants.”.

(b) EMERGENCY RESPONSE GRANTS.—Section 60125(b)(2) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(c) ONE-CALL NOTIFICATION PROGRAMS.—Section 6107 is amended—

(1) in subsection (a), by striking “\$1,000,000 for each of fiscal years 2012 through 2015” and inserting “\$1,060,000 for each of the fiscal years 2016 through 2019”; and

(2) in subsection (b), by striking “2012 through 2015” and inserting “2016 through 2019”.

(d) STATE DAMAGE PREVENTION PROGRAMS.—Section 60134(i) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(e) COMMUNITY PIPELINE SAFETY INFORMATION GRANTS.—Section 60130(c) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

(f) PIPELINE INTEGRITY PROGRAM.—Section 12(f) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

SEC. 3. REGULATORY UPDATES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and

every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1), (2), and (3), the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the status of a final rule for—

(1) regulations required under the Pipeline Safety Regulatory Certainty and Job Creation Act of 2011 (Public Law 112–90; 125 Stat. 1904) for which no interim final rule or direct final rule has been issued;

(2) any regulation relating to pipeline safety required by law, other than a regulation described under paragraph (1), for which for more than 2 years after the date of the enacting statute or statutory deadline no interim final rule or direct final rule has been issued; and

(3) any other pipeline safety rulemaking categorized as significant.

(b) CONTENTS.—Each report under subsection (a) shall include—

(1) a description of the work plan for the outstanding regulation;

(2) an updated rulemaking timeline for the outstanding regulation;

(3) current staff allocations;

(4) any other information collection request with substantial changes;

(5) current data collection or research relating to the development of the rulemaking;

(6) current collaborative efforts with safety experts and other stakeholders;

(7) any resource constraints impacting the rulemaking process for the outstanding regulation; and

(8) any other details associated with the development of the rulemaking that impact the progress of the rulemaking.

SEC. 4. HAZARDOUS MATERIALS IDENTIFICATION NUMBERS.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall—

(1) rescind the implementation of the June 26, 2015 PHMSA interpretative letter (#14-0178); and

(2) reinstate paragraphs (4) and (5) of section 172.336(c) of title 49, Code of Federal Regulations, without the reference to “gasohol”, as was originally intended in the March 7, 2013 final rule (PHMSA–2011–0142).

SEC. 5. STATUTORY PREFERENCE.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall prioritize the use of Pipeline and Hazardous Materials Safety Administration resources for the completion of each outstanding statutory requirement, including requirements for rulemakings and information collection requests, for a rulemaking described in a report under section 3 before beginning any new rulemaking required after the date of the enactment of this Act unless the Secretary of Transportation certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 6. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.

(a) REPORT.—Not later than 18 months after the publication of a final rule regarding the safety of gas transmission pipelines (76 Fed. Reg. 53086), the Comptroller General of the United States shall submit a report to Congress regarding the natural gas integrity management program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an analysis of the extent to which the natural gas integrity management program under section 60109(c) of title 49, United States Code, has improved the safety of natural gas transmission pipelines;

(2) an analysis or recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that would prevent inadvertent releases

from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area, or would expand integrity management beyond high consequence areas;

(3) a review of the cost effectiveness of the legacy class location regulations;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline;

(5) a description of any challenges affecting Federal or State regulators in their oversight of the program and how the challenges are being addressed; and

(6) a description of any challenges affecting the natural gas industry in complying with the program, and how the challenges are being addressed.

(c) DEFINITION OF HIGH CONSEQUENCE AREA.—In this section and in section 7, the term “high consequence area” means an area described in section 60109(a) of title 49, United States Code.

SEC. 7. HAZARDOUS LIQUID INTEGRITY MANAGEMENT REVIEW.

(a) SAFETY STUDY.—Not later than 18 months after the publication of a final rule regarding the safety of hazardous liquid pipelines (80 Fed. Reg. 61610), the Comptroller General of the United States shall submit a report to Congress regarding the hazardous liquid integrity management program.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an analysis of the extent to which liquid pipeline integrity management in high consequence areas for operators of certain hazardous liquid pipeline facilities, as regulated under sections 195.450 and 195.452 of title 49, Code of Federal Regulations, has improved the safety of hazardous liquid pipelines;

(2) recommendations, including consideration of technical, operational, and economic feasibility, regarding changes to the program that could prevent inadvertent releases from pipelines and mitigate any adverse consequences of an inadvertent release, including changes to the current definition of high consequence area;

(3) an analysis of how surveying, assessment, mitigation, and monitoring activities, including real-time hazardous liquid pipeline monitoring during significant flood events and information sharing with other Federal agencies, are being used to address risks associated with the dynamic and unique nature of rivers, flood plains, and lakes;

(4) an analysis of and recommendations regarding what impact pipeline features and conditions, including the age, condition, materials, and construction of a pipeline, should have on risk analysis of a particular pipeline and what changes to the definition of high consequence area could be made to improve pipeline safety; and

(5) a description of any challenges affecting Federal or State regulators in their oversight of the program and how the challenges are being addressed.

SEC. 8. TECHNICAL SAFETY STANDARDS COMMITTEES.

Section 60115(b)(4)(A) is amended by striking “State commissioners. The Secretary shall consult with the national organization of State commissions before selecting those 2 individuals.” and inserting “State officials. The Secretary shall consult with national organizations representing State commissioners or governors when making a selection under this subparagraph.”

SEC. 9. INSPECTION REPORT INFORMATION.

(a) IN GENERAL.—Not later than 30 days after the completion of a pipeline safety inspection, the Administrator of the Pipeline and Hazardous Materials Safety Administration, or the State authority certified under section 60105 of title 49, United States Code, shall—

(1) conduct a post-inspection briefing with the operator outlining concerns, and to the extent practicable, provide written preliminary findings of the inspection; or

(2) issue to the operator a final report, notice of amendment of plans or procedures, safety order, or corrective action order, or such other applicable report, notice, or order.

(b) **REPORT.**—

(1) **IN GENERAL.**—The Administrator shall submit an annual report to Congress regarding—

(A) the actions that the Pipeline and Hazardous Materials Safety Administration has taken to ensure that inspections by State authorities provide effective and timely oversight; and

(B) statistics relating to the timeliness of the actions described in paragraphs (1) and (2) of subsection (a).

(2) **CESSATION OF EFFECTIVENESS.**—Paragraph (1) shall cease to be effective on September 30, 2019.

SEC. 10. PIPELINE ODORIZATION STUDY.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses—

(1) the feasibility of odorizing all combustible gas in transportation;

(2) the impacts of the odorization of all combustible gas in transportation on manufacturers, agriculture, and other end users; and

(3) the relative benefits and costs associated with odorizing all combustible gas in transportation compared to using other methods to mitigate pipeline leaks.

SEC. 11. IMPROVING DAMAGE PREVENTION TECHNOLOGY.

(a) **STUDY.**—The Secretary of Transportation, in consultation with stakeholders, shall conduct a study on improving existing damage prevention programs through technological improvements in location, mapping, excavation, and communications practices to prevent accidental excavation damage to a pipe or its coating, including considerations of technical, operational, and economic feasibility and existing damage prevention programs.

(b) **CONTENTS.**—The study under subsection (a) shall include—

(1) an identification of any methods that could improve existing damage prevention programs through location and mapping practices or technologies in an effort to reduce unintended releases caused by excavation;

(2) an analysis of how increased use of GPS digital mapping technologies, predictive analytic tools, public awareness initiatives including one-call initiatives, the use of mobile devices, and other advanced technologies could supplement existing one-call notification and damage prevention programs to reduce the frequency and severity of incidents caused by excavation damage;

(3) an identification of any methods that could improve excavation practices or technologies in an effort to reduce pipeline damages;

(4) an analysis of the feasibility of a national data repository for pipeline excavation accident data that creates standardized data models for storing and sharing pipeline accident information; and

(5) an identification of opportunities for stakeholder engagement in preventing excavation damage.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the study under this section, including recommendations, that include the consideration of technical, oper-

ational, and economic feasibility, on how to incorporate, into existing damage prevention programs, technological improvements and practices that may help prevent accidental excavation damage.

SEC. 12. WORKFORCE OF PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION.

(a) **REVIEW.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a review of Pipeline and Hazardous Materials Safety Administration staff resource management, including geographic allocation plans, hiring challenges, and expected retirement rates and strategies. The review shall include recommendations to address hiring challenges, training needs, and any other identified staff resource challenges.

(b) **CRITICAL HIRING NEEDS.**—

(1) **IN GENERAL.**—Beginning on the date on which the review is submitted under subsection (a), the Administrator may certify to Congress, not less frequently than annually, that a severe shortage of qualified candidates or a critical hiring need exists for a position or group of positions in the Pipeline and Hazardous Material Safety Administration.

(2) **DIRECT HIRE AUTHORITY.**—Notwithstanding sections 3309 through 3318 of title 5, United States Code, the Administrator, after making a certification under paragraph (1), may hire a candidate for the position or candidates for the group of positions, as applicable.

(3) **TERMINATIONS OF EFFECTIVENESS.**—The direct hire authority provided under paragraph (2) shall terminate on September 30, 2019.

SEC. 13. RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—In developing a research and development program plan under paragraph (3) of section 12(d) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note), the Administrator of the Pipeline and Hazardous Material Safety Administration, in consultation with the Assistant Secretary for Research and Technology, shall—

(1) detail compliance with the consultation requirement under paragraph (2) of such section;

(2) provide opportunities for joint research ventures with non-Federal entities, whenever practicable and appropriate, to leverage limited Federal research resources; and

(3) permit collaborative research and development projects with appropriate non-Federal organizations.

(b) **COLLABORATIVE SAFETY RESEARCH REPORT.**—Section 60124(a)(6) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) research activities in collaboration with non-Federal entities, including the intended improvements to safety technology, inspection technology, operator response time, and emergency responder incident response time.”.

SEC. 14. INFORMATION SHARING SYSTEM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to consider the development of a voluntary no-fault information sharing system to encourage collaborative efforts to improve inspection information feedback and information sharing with the purpose of improving natural gas transmission and hazardous liquid pipeline integrity risk analysis.

(b) **MEMBERSHIP.**—The working group described in subsection (a) shall include representatives from—

(1) the Pipeline and Hazardous Materials Safety Administration;

(2) industry stakeholders, including operators of pipeline facilities, inspection technology vendors, and pipeline inspection organizations;

(3) safety advocacy groups;

(4) research institutions;

(5) State public utility commissions or State officials responsible for pipeline safety oversight;

(6) State pipeline safety inspectors; and

(7) labor representatives.

(c) **CONSIDERATIONS.**—The working group described in subsection (a) shall consider and provide recommendations, if applicable, to the Secretary on—

(1) the need for and the identification of a system to ensure that dig verification data is shared with inline inspection operators to the extent consistent with the need to maintain proprietary and security sensitive data in a confidential manner to improve pipeline safety and inspection technology;

(2) ways to encourage the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis;

(3) opportunities to share data, including dig verification data between operators of pipeline facilities and in-line inspector vendors to expand knowledge of the advantages and disadvantages of the different types of in-line inspection technology and methodologies;

(4) options to create a secure system that protects proprietary data while encouraging the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis; and

(5) regulatory, funding, and legal barriers to sharing the information described in paragraphs (1) through (4).

(d) **FACA.**—The working group shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) **PUBLICATION.**—The Secretary shall publish the recommendations provided under subsection (c) on a publicly available website.

SEC. 15. NATIONWIDE INTEGRATED PIPELINE SAFETY REGULATORY DATABASE.

(a) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to Congress on the feasibility of a national integrated pipeline safety regulatory inspection database to improve communication and collaboration between the Pipeline and Hazardous Materials Safety Administration and State pipeline regulators.

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) a description of any efforts currently underway to test a secure information-sharing system for the purpose described in subsection (a);

(2) a description of any progress in establishing common standards for maintaining, collecting, and presenting pipeline safety regulatory inspection data, and a methodology for the sharing of the data;

(3) a description of any existing inadequacies or gaps in State and Federal inspection, enforcement, geospatial, or other pipeline safety regulatory inspection data;

(4) a description of the potential safety benefits of a national integrated pipeline database; and

(5) recommendations for how to implement a secure information-sharing system that protects proprietary and security sensitive information and data for the purpose described in subsection (a).

(c) **CONSULTATION.**—In preparing the report under subsection (a), the Secretary shall consult with stakeholders, including each State authority operating under a certification to regulate intrastate pipelines under section 60105 of title 49, United States Code.

SEC. 16. UNDERGROUND NATURAL GAS STORAGE FACILITIES.

(a) **DEFINED TERM.**—Section 60101(a) is amended—

(1) in paragraph (21)(B), by striking the period at the end and inserting a semicolon;

(2) in paragraph (24), by striking “and” at the end;

(3) in paragraph (25), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(27) ‘underground natural gas storage facility’ means a gas pipeline facility that stores gas in an underground facility, including—

“(A) a depleted hydrocarbon reservoir;

“(B) an aquifer reservoir; or

“(C) a solution mined salt cavern reservoir.”.

(b) **STANDARDS FOR UNDERGROUND NATURAL GAS STORAGE FACILITIES.**—Chapter 601 is amended by inserting after section 60103 the following:

“§60103A. Standards for underground natural gas storage facilities

“(a) **MINIMUM UNIFORM SAFETY STANDARDS.**—Not later than 2 years after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation, in consultation with the heads of other relevant Federal agencies, shall issue minimum uniform safety standards, incorporating, to the extent practicable, consensus standards for the operation, environmental protection, and integrity management of underground natural gas storage facilities.

“(b) **CONSIDERATIONS.**—In developing uniform safety standards under subsection (a), the Secretary shall—

“(1) consider the economic impacts of the regulations on individual gas customers to the extent practicable;

“(2) ensure that the regulations do not have a significant economic impact on end users to the extent practicable; and

“(3) consider existing consensus standards.

“(c) **USER FEES.**—

“(1) **IN GENERAL.**—A fee shall be imposed on an entity operating an underground natural gas storage facility to which this section applies. Any such fee imposed shall be collected before the end of the fiscal year to which it applies.

“(2) **MEANS OF COLLECTION.**—The Secretary shall prescribe procedures to collect fees under this subsection. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

“(3) **USE OF FEES.**—

“(A) **ACCOUNT.**—There is established an underground natural gas storage facility safety account in the Pipeline Safety Fund established under section 60301, in the Treasury of the United States.

“(B) **USE OF FEES.**—A fee collected under this subsection—

“(i) shall be deposited in the underground natural gas storage facility safety account; and

“(ii) if the fee is related to an underground natural gas storage facility, may be used only for an activity related to underground natural gas storage safety under this section.

“(C) **LIMITATION.**—Amounts collected under this subsection shall be made available only to the extent provided in advance in an appropriation law for an activity related to underground natural gas storage safety.

“(d) **RULES OF CONSTRUCTION.**—

“(1) **IN GENERAL.**—Nothing in this section may be construed to affect any Federal regulation relating to gas pipeline facilities that is in effect on the day before the date of enactment of the SAFE PIPES Act.

“(2) **LIMITATIONS.**—Nothing in this section may be construed to authorize the Secretary—

“(A) to prescribe the location of an underground natural gas storage facility; or

“(B) to require the Secretary’s permission to construct a facility referred to in subparagraph (A).”.

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 601 is amended by inserting after the item relating to section 60103 the following:

“60103A. Standards for underground natural gas storage facilities.”.

SEC. 17. JOINT INSPECTION AND OVERSIGHT.

To ensure the safety of pipeline transportation, the Secretary of Transportation shall coordinate with States to ensure safety through the following:

(1) At the request of a State authority, the Secretary shall allow for a certified state authority under section 60105 of title 49, United States Code, to participate in the inspection of an interstate pipeline facility.

(2) Where appropriate, may provide temporary authority for a certified State authority under that section to participate in oversight of interstate pipeline safety transportation to ensure proper safety oversight and prevent an adverse impact on public safety.

SEC. 18. RESPONSE PLANS.

In preparing or reviewing a response plan under part 194 of title 49, Code of Federal Regulations, the Administrator of the Pipeline and Hazardous Materials Safety Administration and an operator shall each consider, to the maximum extent practicable, the impact of a worse case discharge of oil, or the substantial threat of such a discharge, into or on any navigable waters or adjoining shorelines that may be covered in whole or in part by ice.

SEC. 19. HIGH CONSEQUENCE AREAS.

The Secretary of Transportation shall revise section 195.6(b) of title 49, Code of Federal Regulations to explicitly state that the Great Lakes are a USA ecological resource (as defined in section 195.6(b) of that title) for purposes of determining whether a pipeline is in a high consequence area (as defined in section 195.450 of that title).

SEC. 20. SURFACE TRANSPORTATION SECURITY REVIEW.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the staffing, resource allocation, oversight strategy, and management of the Transportation Security Administration’s pipeline security program and other surface transportation programs. The report shall include information on the coordination between the Transportation Security Administration, other Federal stakeholders, and industry.

SEC. 21. SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.

(a) **DEFINED TERM.**—Section 60101(a), as amended by section 16, is further amended by inserting after paragraph (25) the following:

“(26) ‘small scale liquefied natural gas facility’ means an intrastate liquefied natural gas facility (other than a peak shaving facility) that produces liquefied natural gas for—

“(A) use as a fuel in the United States; or

“(B) transportation in the United States by a means other than a pipeline facility; and”.

(b) **SITING STANDARDS FOR SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.**—Section 60103(a) is amended to read as follows:

“(a) **LOCATION STANDARDS.**—

“(1) **IN GENERAL.**—The Secretary of Transportation shall prescribe minimum safety standards for deciding on the location of a new liquefied natural gas pipeline facility or small scale liquefied natural gas facility.

“(2) **LIQUEFIED NATURAL GAS FACILITIES.**—In prescribing a minimum safety standard for deciding on the location of a new liquefied natural gas facility, the Secretary of Transportation shall consider—

“(A) the kind and use of the facility;

“(B) the existing and projected population and demographic characteristics of the location;

“(C) the existing and proposed land uses near the location;

“(D) the natural physical aspects of the location;

“(E) medical, law enforcement, and fire prevention capabilities near the location that can cope with a risk caused by the facility; and

“(F) the need to encourage remote siting.

“(3) **SMALL SCALE LIQUEFIED NATURAL GAS FACILITIES.**—

“(A) **IN GENERAL.**—Not later than 18 months after the date of the enactment of the SAFE PIPES Act, the Secretary of Transportation shall prescribe minimum safety standards for small scale liquefied natural gas facilities.

“(B) **CONSIDERATIONS.**—In prescribing minimum safety standards under this paragraph, the Secretary shall consider—

“(i) the value of establishing risk-based approaches;

“(ii) the benefit of incorporating industry standards and best practices;

“(iii) the need to encourage the use of best available technology; and

“(iv) the factors prescribed in paragraph (2), as appropriate.”.

SEC. 22. REPORT ON NATURAL GAS LEAK REPORTING.

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a report on the metrics provided to the Pipeline and Hazardous Materials Safety Administration and other Federal and State agencies related to lost and unaccounted for natural gas from distribution pipelines and systems.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) An examination of different reporting requirements or standards for lost and unaccounted for natural gas to different agencies, the reasons for any such discrepancies, and recommendations for harmonizing and improving the accuracy of reporting.

(2) An analysis of whether separate or alternative reporting could better measure the amounts and identify the location of lost and unaccounted for natural gas from natural gas distribution systems.

(3) A description of potential safety issues associated with natural gas that is lost and unaccounted for from natural gas distribution systems.

(4) An assessment of whether alternate reporting and measures will resolve any safety issues identified under paragraph (3), including an analysis of the potential impact, including potential savings, on rate payers and end users of natural gas products of such reporting and measures.

(c) **CONSIDERATION OF RECOMMENDATIONS.**—If the Administrator determines that alternate reporting structures or recommendations included in the report required under subsection (a) would significantly improve the reporting and measurement of lost and unaccounted for gas or safety of systems, the Administrator shall, not later than 180 days after making such determination, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 23. COMPTROLLER GENERAL REVIEW OF STATE POLICIES RELATING TO NATURAL GAS LEAKS.

(a) **REVIEW.**—The Comptroller General of the United States shall conduct a State-by-State review of State-level policies that—

(1) encourage the repair and replacement of leaking natural gas distribution pipelines or systems that pose a safety threat, such as timelines to repair leaks and limits on cost recovery from ratepayers; and

(2) that may create barriers for entities to conduct work to repair and replace leaking natural gas pipelines or distribution systems.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress and the Pipeline and Hazardous Materials Safety Administration a report summarizing the findings of the review conducted under subsection (a) and making recommendations on Federal or State policies or best practices that may improve

safety by accelerating the repair and replacement of natural gas pipelines or systems that are leaking or releasing natural gas, including policies within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration. The report shall consider the potential impact, including potential savings, of the implementation of its recommendations on ratepayers or end users of the natural gas pipeline system.

(c) **CONSIDERATION OF RECOMMENDATIONS.**—If the Comptroller General makes recommendations in the report submitted under subsection (a) on Federal or State policies or best practices within the jurisdiction of the Pipeline and Hazardous Materials Safety Administration, the Administrator shall, not later than 90 days after such submission, review such recommendations and report to Congress on the feasibility of implementing such recommendations. If the Administrator determines that the recommendations would significantly improve pipeline safety, the Administrator shall, not later than 180 days after making such determination and in coordination with the heads of other relevant agencies as appropriate, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 24. PROVISION OF PIPELINE OIL SPILL RESPONSE PLANS TO CONGRESSIONAL COMMITTEES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall, upon request of the Chairman or Ranking Member of an appropriate congressional committee, provide to such committee full and unredacted copies of oil spill response plans.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives.

SEC. 25. CONSULTATION WITH FERC AS PART OF PRE-FILED PROCEDURES AND PERMITTING PROCESS FOR NEW NATURAL GAS PIPELINE INFRASTRUCTURE.

The Administrator of the Pipeline and Hazardous Materials Safety Administration shall consult with the Federal Energy Regulatory Commission during its pre-filing procedures and permitting process for new natural gas pipeline infrastructure to ensure the protection of people and the environment from the risks of hazardous materials transportation.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn; the Fischer substitute amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 3427) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The bill (S. 2276), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

WORLD LYMPHEDEMA DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of S. Res. 389.

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

The legislative clerk read as follows:

A resolution (S. Res. 389) designating March 6, 2016, as the first annual “World Lymphedema Day.”

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

Mr. McCONNELL. I know of no further debate on the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 389) was agreed to.

Mr. McCONNELL. I further ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

WORLD WILDLIFE DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 390, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 390) designating March 3, 2016 as “World Wildlife Day.”

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

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 390) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR MONDAY, MARCH 7, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 4 p.m., with

Senators permitted to speak therein for up to 10 minutes each; finally, that at 4 p.m., the Senate resume consideration of S. 524.

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

ADJOURNMENT UNTIL MONDAY, MARCH 7, 2016, AT 3 P.M.

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

There being no objection, the Senate, at 6:13 p.m., adjourned until Monday, March 7, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS

SUSAN LOUISE CASTANEDA, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF ONE YEAR. (NEW POSITION)

OVERSEAS PRIVATE INVESTMENT CORPORATION

ROBERTO R. HERENCIA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2018. (REAPPOINTMENT)

COMMODITY FUTURES TRADING COMMISSION

CHRISTOPHER JAMES BRUMMER, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 19, 2016. VICE MARK P. WETJEN, RESIGNED.

CHRISTOPHER JAMES BRUMMER, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2021. (REAPPOINTMENT)

BRIAN D. QUINTENZ, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2020. VICE SCOTT O'MALIA, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ANDREW R. MCIVER
GERARD C. PHILIP

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL L. HIPP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JASON A. GRANT

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RONALD H. NELLEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRIAN D. HENNESSY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

ASHLEY A. HOCKYCKO

WITHDRAWALS

Executive Message transmitted by the President to the Senate on March

3, 2016 withdrawing from further Senate consideration the following nominations:

THERESE W. MCMILLAN, OF CALIFORNIA, TO BE FEDERAL TRANSIT ADMINISTRATOR, VICE PETER M.

ROGOFF, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2015.

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 10, 2015.

BARBARA LEE, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEV-

ENTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 10, 2015.

CHRISTOPHER H. SMITH, OF NEW JERSEY, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 10, 2015.