



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, THURSDAY, FEBRUARY 5, 2015

No. 20

## Senate

The Senate met at 10:30 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.

Eternal God, who transforms common days into transfiguring and redemptive moments, may we honor Your Name.

Make our lawmakers great enough for these momentous times as they seek to live worthy of Your great Name. May Your precepts keep them from life's pitfalls, guiding them through the darkness to a safe haven. Cleanse the fountains of their hearts from all that defiles so that they may be fit vessels to be used for Your glory.

Lord, because of Your unfailing love, we are determined to walk on the path You choose. Let Your peace be within us as Your Spirit inspires us to glorify You in our thoughts, words, and actions.

We pray in Your wonderful 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. ROUNDS). The majority leader is recognized.

### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows: Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

MEASURE PLACED ON THE CALENDAR—H.R. 596

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

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

The legislative clerk read as follows:

A bill (H.R. 596) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

Mr. MCCONNELL. Mr. President, yesterday Democrats voted once again to protect politicians by blocking Homeland Security funding. I do not understand why they would want to block the Senate from even debating a bill to fund Homeland Security. It really does not make sense. You would think our Democratic friends would at least want to give the Senate an opportunity to make improvements to the bill, if they want to make such improvements. Why would our friends want to stand tall for the ability of politicians to do things President Obama himself has described as "unwise and unfair"? Why would our friends go to the mat to protect the political class from the consequences of "overreach" that President Obama himself has referred to as "ignoring the law"?

Well, here is the good news. There is a way forward. There is a way to end this Democratic filibuster. All it requires is a little common sense and a

little Democratic courage. Remember, several Democrats previously indicated unease with the idea of overreaching in ways President Obama has seemed to imply would "violate the law." So now is the time to back up those words. Now is the time for our friends on the other side of good conscience to vote with us to break this party's filibuster of Homeland Security funding and help us protect American democracy.

I ask unanimous consent that the motion to proceed to H.R. 240 be agreed to and that it be in order for the managers or their designees to offer amendments in alternating fashion, with the majority manager or his designee being recognized to offer the first amendment.

The PRESIDING OFFICER. Is there objection?

### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. REID. Mr. President, reserving the right to object, there is bipartisan objection to the request by the majority leader. It is worth our spending a minute or two hearing what Republicans Senators have had to say in the last few hours.

JOHN MCCAIN, the senior Senator from Arizona: Is that the definition of insanity, voting on the same bill over and over again?

JIM INHOFE: I think three is enough. There is a division within the conference on this.

JEFF FLAKE of Arizona: We can go through the motions, sure, but I don't think we are fooling anybody.

Another Republican Senator: I wish we could take no for an answer and figure out the next step.

Well, what has happened in the last 30 hours? We knew 30 hours ago about ISIS. We have watched their brutality, killing thousands and thousands of innocent people, going back, I guess, in memory to the days we thought would never exist again: Tamerlane killing thousands and thousands of people those many centuries ago, Genghis

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



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Khan killing thousands and thousands of innocent people. ISIS has been doing this, but they have also added some things that we have watched not because we wanted to but because they forced us to: beheadings. Somebody kneels down in front of them, and they cut off their head with a knife. They film that and send it around the world for us to watch.

But what happened 30 hours ago? The brutality we thought had reached its pinnacle got worse. What ISIS did approximately 30 hours ago is put a Jordanian pilot in a cage—a cage—dump flammable liquid over that cage, and then film that man being burned alive for 22 minutes. We have been forced to watch that. Yes, ISIS is awful. The worst. Uncivilized. But that is what we are dealing with. We are dealing with that. Now Republicans forced an entirely unnecessary debate.

All the papers—not only the Nevada papers, but pick up the New York Times, pick up the Washington Post, and you will see a picture of a young woman from Nevada. Her name is Blanca Gamez. A young woman now, she came to the United States as a baby—a baby. Because of the direction taken by the President of the United States, this young woman and hundreds of thousands of others who dreamed of being able to lead a different life are now leading a different life. Blanca has gotten two college degrees. She is going to law school next year. She works. She pays taxes. Why in the world are Republicans afraid of Blanca Gamez? Why?

It has been said by MARTIN HEINRICH and by CLAIRE MCCASKILL that it appears Republicans in the Senate are more afraid of the DREAMers than they are of ISIS. Well, I know the chairman of the Subcommittee on Homeland Security, as it relates to appropriations, came to the floor yesterday and talked about regular order. I say to my friend that regular order in the Senate has a number of different connotations. One of them is clear, so clear, and that is why JOHN MCCAIN spoke out, JEFF FLAKE, JIM INHOFE, and others spoke out, because in the Senate we need to fund our different subcommittees on appropriations. We have done that, except Homeland Security.

We have these terrorist acts all over the world taking place right now. We saw it in Canada. We saw it in Australia, all over the European Union, in Paris. All over. We have had so many frightening things happen. We in the United States of America are in a position where we are not going to fund Homeland Security because of Blanca Gamez.

We would love to debate immigration. We have done it here on the Senate floor before. It was a wonderful bipartisan debate. We are willing to do it again.

I am going to offer a consent request. I am going to object to my friend's consent request. That is on the record. I

am going to make my own consent request. I am going to make a consent request that seems to me to be pretty good.

I ask unanimous consent that following the enactment of the text of S. 272, which is the Homeland Security Appropriations Act for this year, 2015, at a time to be determined by Senator MCCONNELL, after consultation with me, but no later than Monday, March 16, the Senate proceed to the consideration of the Border Security, Economic Opportunity, and Immigration Modernization Act, as passed by the Senate by a vote of 68 to 32 on June 27, 2013, the text of which is at the desk. That is my consent request.

The PRESIDING OFFICER. There is an objection to the request of the majority leader.

Is there an objection to the request of the Democratic leader?

Mr. MCCONNELL. Mr. President, reserving the right to object, just a correction to my good friend the majority leader. There is no Republican opposition to the consent request that the Democratic leader objected to. It is clear on our side. It would allow us to have a fair amendment process. If there are differences with the House, regular order has a remedy. It is called going to conference. None of this is possible while the Democrats continue filibustering even getting on the bill. So therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. REID. Mr. President, let me again state words I did not make up. JOHN MCCAIN—he is actually paraphrasing what Albert Einstein said: The definition of insanity is someone who keeps doing the same thing over and over again and expecting different results.

That is what JOHN MCCAIN said. Is that the definition of insanity—voting on the same bill over and over again and expecting a different result?

JIM INHOFE: I think three is enough.

JEFF FLAKE: We can go through the motions, sure, but I don't think we are fooling anybody.

Another Republican said: I wish we could take no for an answer.

There is bipartisan support to move forward on a freestanding bill that sends Homeland Security funding directly to the President. We want to do that. That is what should be done. That is regular order.

If the Presiding Officer and the rest of the Republicans want to come and debate immigration, we are willing to do that. That is what my consent request calls for.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, as my good friend the Democratic leader reminded me for 8 years, the majority leader always gets the last word. So let me say again that the consent request that I offered, to which the Democratic leader objected, was unanimously ap-

proved on our side. What it would do would be to set up an order for amendments, rotating from side to side, which is exactly the open amendment process the Democratic leader seems to feel somehow we are preventing. That is exactly what I offered. I am not going to propound it again, but I will just lay out what it said: to offer amendments in an alternating fashion, with the majority manager or his designee being recognized to offer the first amendment. We would go back and forth and back and forth. So that is about as open as I can imagine. And there were no objections to it on the Republican side. Regardless of how Members who are being quoted by the Democratic leader may have observed the overall process for going forward, there is no objection over here to having amendments on both sides, alternating from one side to another.

The PRESIDING OFFICER. The minority leader.

Mr. REID. The American people are crying out that we defend our homeland. They are doing it around the rest of the world, why shouldn't we? That is what this is all about.

If they want to debate immigration, go ahead and debate immigration but not on the back of Homeland Security, leaving it totally naked and not giving us the ability to do what needs to be done to protect our homeland.

Mr. MCCONNELL. There is a bipartisan desire to fund the Department of Homeland Security, and I am sure we will resolve this sometime in the next few weeks.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

Under the previous order, the time until 11:30 a.m. will be equally divided in the usual form.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, the Calendar of Business has been put on the desk of Senators. The Calendar of Business makes reference on page 12 to S. 272.

That is a bill that has been introduced by Senator SHAHEEN of New Hampshire, who is on the floor and is the ranking member of the Appropriations subcommittee responsible for the Department of Homeland Security, as well as Senator BARBARA MIKULSKI of Maryland, who is the ranking Democrat on the Appropriations Committee.

On page 128 is the answer to our dilemma. This solves our problem.

S. 272 is a bill that is going to fund the Department of Homeland Security for the remainder of this year. This Department that we count on every minute of every day to protect America will receive all the funds they need and they will receive them almost immediately because there is no debate between the House and the Senate about how much to send the Department. The debate comes down to all the other extraneous matters which

the House Republicans added to this bill.

So if we are looking for a solution to the problem, I thank the Senator from New Hampshire and the Senator from Maryland. We have page 12, S 272.

What the Senate heard just a few moments ago from our Democratic leader is something none of us will ever get out of our minds. Imagine—imagine—this Jordanian pilot captured by ISIS, put in a cage, covered with flammable fluids, liquids. They started a fire and burned him to death.

The King of Jordan was visiting the Capitol when that horrible news came out and rushed back to be with his countrymen. He has now vowed that Jordan, which has played a judicial role in trying to find peace in the Middle East, is now dedicated to stopping ISIS even more.

So if ISIS thought they were going to break the resolve of the King of Jordan and the Jordanian people, exactly the opposite occurred. If ISIS is resolute in their barbarity, we need to be resolute in protecting our country. To think that we are caught up in this political debate over immigration, the President's actions, and not funding the Department of Homeland Security is disgraceful.

The Secretary of the Department of Homeland Security came to our lunch just 1 or 2 days ago and he said: Trying to operate this Department, the Department of Homeland Security, with this temporary funding is like trying to drive a car with a gas tank that only holds 5 gallons and you don't know where the next gas station is going to be.

That is what he is up against. So the Department of Homeland Security is unable to fund critical, necessary investments.

So what is the issue? What is the political issue that is so important to the Republicans that they would stop the funding for the Department of Homeland Security? Well, I will say what the lead issue is. The lead issue is DREAM-ers.

Fourteen years ago I introduced the DREAM Act that said if you were brought to America as a child—a toddler, an infant, a small child by your family—and they didn't file the papers so you could be legal in America, and you knew grew up in this country and had no serious problems in your background, graduated from high school and wanted to be part of America, we would give you a chance. You would get a chance at the dream. Oh, you have to go on to school beyond high school or enlist in our military, and we will put you on the path to legal status. We couldn't pass that despite 14 years of efforts. It would pass in the Senate, not in the House, and so forth.

Finally, President Obama stepped up 2½ years ago and said: OK. There are about 2 million young people in America—just like this—brought to the country when they were kids, and now they want a chance to work here, to

live here, and to even go to school here without fear of deportation.

He created something called DACA. The DACA Program allowed them to register, pay their fees, and be protected from deportation—600,000 signed up, 35,000 in the State of Illinois.

They signed up so they could get protection from deportation. The House Republicans and the Republicans in the Senate have insisted we deport these young people. I wish to give the story of one of these young people very quickly because I know there are other Senators seeking recognition.

This is Everardo Arias. He was brought to the United States from Mexico in 1997 at the age of 7. He grew up in Costa Mesa, CA. He was an outstanding student in school. He dreamed of being a doctor. It was not until he applied to college that he realized his immigration status made that next to impossible. He was accepted at the University of California, Riverside, but because he was undocumented he didn't qualify for a penny of Federal assistance to get through school.

When he was a sophomore, he met with a counselor to ask him: How am I going to get to medical school? The counselor told him: You can't go to medical school. You are undocumented in the United States of America.

He didn't give up. He did not give up. In 2012 he graduated from the University of California, Riverside, with a chemistry major and research honors. Then a miracle occurred. President Obama issued an Executive order called DACA and Everardo Arias was given a chance to sign up for protection with this Presidential order and he did.

After he received this DACA protection, Everardo worked for 1 year as a mentor for at-risk kids in his own hometown of Costa Mesa. The following year, through AmeriCorps, Everardo worked as a health educator with seven local clinics, volunteering and working through AmeriCorps with some of the poorest people in his community.

During his year as a health educator, he decided now, with the protection of DACA, to apply to go to medical school. Everardo Arias is in his first year at Loyola University in Chicago, Stritch School of Medicine. He is one of seven protected by DACA who had a chance to go to school, but there is a catch. Loyola University said: You can go to medical school here, but for every year you are in medical school, you have to promise to give 1 year of your professional life working with the poorest people in my home State of Illinois, in small towns and rural areas as well as big cities, and he agreed to it.

He has a giving, caring heart. He agreed to it, to finish medical school, and to give the years of service necessary to the poorest people in my State.

Why do the Republicans want to deport Everardo Arias. Why do they want to take this outstanding individual

who has struggled and succeeded in life, who knows no other country but America, and deport him to Mexico?

Will we be a better nation if this young man is not a doctor? Will we be a better country if he is not given a chance to give back?

This is what he wrote to me in a letter about this DACA Program which the Republicans want to abolish. Everardo wrote:

DACA changed my life. It opened the door to the future ahead of me. If it weren't for DACA I would not be here and I probably would not have pursued medicine. I'm blessed to have the opportunity to do what I love to do and to give back to the country that has given me so much.

We are a nation of immigrants. Immigrants have come to this country and made it what it is. We should never forget that. This is the latest generation of immigrants who want to give back to America and make us a stronger nation. Why the Republicans are opposed to giving them that opportunity, I cannot understand. They clearly have not met these young men and women. If they did, their feelings would change.

So let's debate. Let's have the debate on DACA but not at the expense of the appropriations for this Department.

Page 12 of the Senate Calendar, S. 272, offered by Senator SHAHEEN and Senator MIKULSKI is our answer, a clean bill to fund America to protect against terrorism and, as the Democratic leader suggested, then start the debate on immigration. That is the right thing to do for our country.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Maine.

Ms. COLLINS. Mr. President, in light of the eloquent remarks from the assistant Democratic leader who is my friend, I hope he will listen carefully to the proposal I am about to outline.

In just over 3 weeks the law that funds the Department of Homeland Security will expire, jeopardizing the Department's ability to carry out its critical mission. Legislation to provide funding to the Department throughout the remainder of this fiscal year has passed the House and is awaiting action in the Senate, but progress has stalled. The Democrats have blocked it from even being considered because it is not a clean bill.

On my side of the aisle House Republicans have insisted that provisions remain in the bill directing the administration to spend no funds implementing a series of Presidential orders issued over the past few years.

The Senate has held two votes this week to try to begin debate on this bill, both of which have failed on near-party lines. Thus, we have reached an impasse.

In an attempt to find a path forward, yesterday I filed an amendment in the nature of a substitute that would accomplish three goals. First, it would ensure that the Department of Homeland Security is fully funded to perform its vital mission to protect our

people. Second, it would allow the Senate to go on record in strong opposition to the President's extraordinarily broad immigration Executive order issued last November. Third, it would protect the DREAMers whom Senator DURBIN just talked about.

I wish to go back to the November Executive order. This particular Executive order represents a misuse of the President's authority that threatens to undermine the separation of powers doctrine in our Constitution. As the President himself has said more than 20 times, he does not have the authority to expand the law in this manner. He made the exact point in remarks of July 2011 when he said:

I swore an oath to uphold the laws on the books. . . . Now, I know some people want me to bypass Congress and change the laws on my own. . . . But that's not how our system works. That's not how our democracy functions. That's not how our Constitution is written.

The President was exactly right when he stated that reality. The substitute I proposed would block the sweeping 2014 Executive order, but it does not overturn the more limited Executive orders from past years.

Specifically, my amendment would not undo the 2012 deferred action program that allowed DREAMers, young people brought to the United States by their parents years ago, to receive legal status as long as they meet certain requirements.

The House bill includes a controversial amendment, which I do not support, that would invalidate this 2012 program retroactively.

My substitute accomplishes my third goal of protecting these children who have grown up here, who speak English, have clean criminal records, and often know no other country. They did not make the choice to come to America. That decision was made by their parent or parents.

My substitute amendment, therefore, is straightforward. First, the amendment mirrors the underlying bill with respect to the funding levels provided to the Department of Homeland Security so it can carry out its functions. Ironically, there is no dispute over those funding levels. Second, it strikes the House provision restricting the expenditure of funds to implement the DREAMers Program that I described and that Senator DURBIN just commented on.

And third, it retains the House prohibition on expenditures to fund the President's unauthorized action on immigration announced in November of last year.

Now, let me make clear that Congress should consider comprehensive immigration reform. The fact that there are now an estimated 11 million illegal immigrants in the United States is irrefutable evidence that our immigration and border security systems are badly broken. That is why I supported the bipartisan immigration reform bill that passed the Senate in 2013.

While I was disappointed that immigration reform legislation of some sort did not become law, I reject the notion that its failure can serve as the justification for the action taken by the President last November. He cannot do by Executive fiat what Congress refused to pass, regardless of the wisdom of Congress's decision. Such unilateral action is contrary to how our constitutional system is supposed to work, and it risks undermining the separation of powers doctrine, which is central to our constitutional framework.

Our Constitution vests the power to make law in the legislative branch—with Congress—not with the President. To the President it assigns the obligation to take care that the laws are faithfully executed. That was the rule used by the Supreme Court in 1952 in the famous *Youngstown Sheet & Tube* case that overturned President Truman's Executive Order nationalizing the steel industry to prevent a strike during the Korean War.

As the Court explained, the President's power to faithfully execute the laws does not make him a lawmaker. The Court said:

(T)he Constitution limits his functions in the lawmaking process to the recommending of laws that he thinks wise and the vetoing of laws he thinks bad.

In other words, the President is not free to pick and choose among laws, enforcing the ones that he likes and ignoring the ones that he doesn't.

The President is fully aware of this fact. He has often made the point that he could go no further than to protect the DREAMers. Here is what he said:

Congress has said "here is the law" when it comes to those who are undocumented. . . . What we can do is to carve out the DREAM Act, saying young people who have basically grown up here are Americans that we should welcome. . . . But if we start broadening that, then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that's not an option.

Those are the President's own words. The action taken by the President in November is a direct contradiction to his own statements. By acting unilaterally, ironically, the President is making it less likely that Congress will act to pass comprehensive reforms. He is undermining the efforts of those of us who favor immigration reform by diverting energy and attention from that goal.

I urge my colleagues to give consideration to the proposed compromise that I filed as a substitute yesterday. It will ensure that the men and women on the front lines of the Department of Homeland Security can do their vitally important jobs, it will overturn the President's misuse of his Executive authority last November, and it will protect the legal status of children brought to this country by their parents years ago.

Mr. President, I believe I have put forth a reasonable, constructive compromise that could get us out of this impasse that is such a disservice to so

many. I hope my colleagues will join together and support the substitute I have proposed.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first I want to compliment once again my colleague, the senior Senator from Maine. She is always looking for a compromise. She is always looking to try to work in a constructive way. While I don't appreciate the results she has asked for—which I will talk about in a second—I always appreciate her efforts.

We have a very simple position here. It is a position that is logical. It is a position that even Republicans, as Leader REID has mentioned, have talked about: Pass a clean homeland security bill and then go to the floor and debate amendments. Debate the amendment of Senator COLLINS, debate the amendment of Senator CRUZ, and debate any immigration amendments you want.

To repeat, we will not be held hostage. The American people don't want a gun to their head, particularly when it involves security, to debate immigration. We know that. We know what the junior Senator from Texas is doing. Everyone on the other side knows it; and, of course, we are not going to go along.

So my dear friend from Maine comes up with a new solution. It is still hostage taking because it is attached to funding the Homeland Security bill. We are now only debating the size of the ransom. We will not do it. We are not going to be pressured, be bullied into doing this or that immigration reform as a price to funding Homeland Security.

Homeland Security is too vital to America. It is too vital to our country. It is not the way legislating should work. My dear colleagues on the other side should have learned this lesson a year and a half ago when they threatened to shut down the government unless they got their way. No matter how deeply they feel about the substance, they lose.

The junior Senator from Texas is leading his Republican colleagues at best into a cul-de-sac and at worst over a cliff, and I don't think they want to follow. But the House is in a box and says: Show us the Senate won't pass the bill. Well, we won't. We are not into hostage taking, we are not into being bullied, and we are not into legislating with a gun to our heads. And my guess is the White House would not support anything like this either.

So I say to my dear Republican friends, go back to the drawing board. You control the Senate. You are in charge. It is your responsibility to find a way out of this. Our way is simple, as Leader REID outlined. First, pass a clean Homeland Security bill to protect our security, and then place on the floor immigration. We welcome the debate. We welcome the debate on the

amendment of Senator CRUZ. We welcome debate on the amendment of Senator COLLINS—but not as a hostage taker. Again, all Senator COLLINS is doing is saying what the size of the ransom is, but we are still doing hostage taking.

I yield the floor.

Mr. ENZI. Mr. President, I wish to encourage the Senate to start debate on H.R. 240, the Department of Homeland Security Appropriations Act of 2015. I am puzzled by my colleagues on the other side of the aisle who insist on blocking debate on this bill, particularly after many of those individuals criticized the majority for spending 3 weeks on the Keystone XL bill.

This body has a constitutional obligation to consider appropriations bills. As a member of the Senate Homeland Security and Government Affairs Committee, I understand the important role that the Department of Homeland Security plays in protecting our Nation at its borders and in our communities. As the chairman of the Senate Budget Committee, I also understand the substantial amount of resources it takes to fund Customs and Border Protection, FEMA, Immigration and Customs Enforcement, the Coast Guard, and TSA.

It was not all that long ago, President Obama criticized Congressional Republicans by saying it was time to, “get out of the habit of governing by crisis.” Well, here we are just shy of a month before funding for the Department of Homeland Security expires. This bill has already passed the House with substantial support and now the Senate has the time to debate it, amend it, and pass it. However, nobody will get a chance to offer amendments unless our colleagues join us in allowing debate to begin on this bill.

I also believe President Obama acted unconstitutionally with his Executive actions on immigration last year. A number of my colleagues feel the same way and this bill is an opportunity for the Senate to debate and fix this administration's failure to enforce the law.

I do not buy the arguments that the Senate should consider its own bill to fund the Department. I would like to take this time to remind my colleagues that the Constitution requires revenue and spending bills to originate in the House. Why not call up the House bill and then offer our own amendments?

It is important that the Senate continue the regular order that rejuvenated this body with the start of the 114th Congress. I have long spoken on the merits of considering bills, amending bills, and passing bills under regular order. It is a process that our constituents demand and it is one that makes the Senate a healthier institution.

I for one do not wish to play chicken with the Department that keeps our skies safe, protects our borders and enforces a substantial body of Federal law. This is why I encourage my col-

leagues to move forward with debate on this bill at this time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, how much time remains on this side?

The PRESIDING OFFICER. There is 10½ minutes.

Mr. SESSIONS. Mr. President, I ask to be notified after 7 minutes.

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. SESSIONS. Mr. President, the key part of the President's unlawful executive amnesty, the overwhelming majority of it that actually is involved in the House bill, deals with adults and providing them work permits. It is not about the young people, as has been discussed. It involves 4 million-plus people.

We have talked at length about the President's executive action and how he is unlawfully, unconstitutionally making law—Senator COLLINS laid that out—when only Congress can make law. We have shown that the law he has created is law that he proposed and that Congress specifically rejected. We have shown that the President himself has at least 20 times said he does not have the power to take this action, rightly declaring he is not an emperor—those are his words—and that Congress makes laws.

So now Senator MCCONNELL has moved to bring up the House-passed legislation that fully funds all lawful aspects of the Department of Homeland Security and all its lawful actions to protect the homeland. But the legislation has a provision in it that simply bars the President from spending any money to execute his unlawful Executive directions. It stops the Department of Homeland Security from outlaw activities. This is a matter of great constitutional importance.

It is, in addition, a matter of great importance to working Americans. What the President is doing is giving lawful status to over 4 million adults—persons who entered our country against the law or came in and overstayed their time. These persons, under current law, cannot be hired by any business or employer, but the President wants them to work anyway.

Congress considered and rejected this plan. The result is that the President's plan will be a further kick in the teeth to down and struggling American workers. The facts are clear. I am not seeing them disputed.

Median family income since the recession of 2007 to 2009 has declined by almost \$5,000. This is a catastrophic event. This is unbelievable damage to America's middle-class workers. Such a decline is unprecedented since the Great Depression 80 years ago. While some say jobs and wages are recovering and we can stop worrying about that, the facts show otherwise. In addition to depressed incomes, America has the lowest percentage of persons in their working years who are actually working in nearly 40 years.

So consider this. There were huge worker layoffs during the 2009 recession, and many more had their hours reduced as a result of ObamaCare and other events.

There are other factors that combine to reveal that job and wage conditions are much worse than the unemployment rates would indicate.

Despite these problems—a slow economy, job-killing automation, and low wages—the President is carrying out his unlawful plan rejected by Congress that we give 5 million persons unlawfully here legal status—a Social Security number, a photo ID, and the right to take any job that may be available in America. The President's policies are in perfect accord with those of his nominee for Attorney General, Loretta Lynch. When I asked her this simple question last week, I got a surprising answer.

Question:

Who has more right to a job in this country? A lawful immigrant who's here, or citizen—or a person who entered the country unlawfully?

Answer:

I believe that the right and the obligation to work is one that's shared by everyone in this country regardless of how they came here. And certainly, if someone is here, regardless of status, I would prefer that they would be participating in the workplace than not participating in the workplace.

That is the testimony last week by the chief law enforcement officer in the land who is supposed to be enforcing the laws of the country. That is her view of who should be working: Regardless of how you came here, you are entitled to work and apparently take any job in America.

This was a moment of inadvertent candor. She tried to modify that later, I acknowledge, but essentially all she said was: Well, I don't think anybody should work except those the President says should work—and that would include the 5 million who are here unlawfully.

Let's be clear. These 5 million persons, with their new government-issued documents, will be able to apply for and take any of the few jobs now available in the economy. Sadly, the problem in America is not too few workers, but too few jobs. Last year, the administration celebrated the creation of over 2 million jobs. The President's actions would create from unlawful immigration over twice that many workers in one single amnesty act. Millions more Americans who lost jobs during the recession still haven't found work today.

Is this the right thing to do? I don't think so, and neither do the American people—by a wide margin. But, arrogantly, the President refuses to listen to the legitimate concerns of hurting Americans. He dismisses them, and supported by his palace guards in the Senate who blocked legislation—

The PRESIDING OFFICER. The Senator from Alabama has used 7 minutes.

Mr. SESSIONS. I thank the Chair, and will wrap up and save some time for Senator HOEVEN.

He pushes on to advance the interests of immigration activists, political consultants lusting after votes for the next election, and big business interests lusting after low wage labor. Businesses, who have become so transnational that their interests and those of the American workers are often incompatible.

President Obama supports these business interests. But I ask: Who represents the interests of dutiful American citizens and the lawful immigrant who followed the rules? Who is speaking out for their interests? They are the ones who are forgotten.

I am going to make a prediction: Their voices are going to be heard. No longer, in secret, will the legitimate wishes of good and decent Americans be denied. The people's voice will be heard. The day of the special-interest operatives, tone-deaf politicians, and those who would allow this—their voices will end. This time, the American people will get what they rightly demand—the protection of the laws already on the books. They will force the political class to end the massive lawlessness, and to produce an immigration system that serves the national interests, not the special interests. They will force these self-interested forces out of the seats of power and demand policies that protect their wages, their jobs, their national security, and their government budgets.

I thank the Chair. I appreciate the opportunity to speak on this, and I hope, when we vote soon, our colleagues will recognize it is time to consider the opportunities Senator COLLINS has said will be provided here—to have amendments and to go forth and do the right thing for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I thank my colleagues, both from Alabama and from Maine, for coming down to the floor and saying: Let's do the work of the Senate. Let's advance to this Department of Homeland Security bill, let's offer amendments, let's have the debate. Let's fund the Department.

But let's make sure we do it in the right way, and where we protect the checks and balances built into this government by our forefathers.

For the last few days I have come to the floor to call attention to the importance of voting "yes" on the motion to proceed to the Department of Homeland Security appropriations bill for 2015—H.R. 240.

I wish that weren't the case. I had hoped that by now we would be much closer to passing a funding bill for the Department; that the Senate would have proceeded to the DHS appropriations bill, and that we could begin the process of debate, of considering amendments, and of developing consensus—of getting our work done.

Yet here we are on the third day, just trying to proceed to funding the De-

partment of Homeland Security—a Department that everyone agrees is vital.

That is what this bill does: It funds the Department fully and completely, and it does it in the right way by enforcing the law.

I don't have to tell my colleagues that the defining attributes of the Senate come from the Senators' ability to debate and to amend legislation. Debate and amendment.

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

Mr. HOEVEN. Mr. President, I ask unanimous consent for another 3 minutes.

The PRESIDING OFFICER. Is there objection?

The Senator from New Hampshire.

Mrs. SHAHEEN. I certainly want to give my colleague time to finish his remarks. I just want to make sure there would be an opportunity for me to also speak before the vote.

The PRESIDING OFFICER. The Senator will be advised there is 9 minutes 54 seconds remaining.

Mrs. SHAHEEN. That is fine. Thank you.

Mr. HOEVEN. Mr. President, I would be willing to defer in the order too if my colleague from New Hampshire prefers to go, and I can follow; either way.

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

Mr. HOEVEN. I wish to thank the Senator from the great State of New Hampshire.

Debate and amendment. Debate and amendment. That is what we are talking about.

We are talking about going to this bill that funds the Department of Homeland Security and having the debate and offering amendments. That is what I am asking for. That is what we need in order to address the issues such as the one that my good friend and colleague from New Hampshire raised on Tuesday. She is the ranking member on the Appropriations Subcommittee of the Department of Homeland Security. She made a request in terms of a parliamentary point of order—budget point of order—and she made the inquiry. It is a valid point of order, one that can and should be debated, and we should have the opportunity to vote on it. But we can't vote on it unless we proceed to the bill. So let's proceed to the bill. Let's have that debate. Bring up the point of order, and let's have a vote. And let's have amendments. That is how we do our work in the Senate.

But despite the best efforts of Republicans to provide that opportunity for debate by proceeding to this bill to move forward, we are met with no's from the other side of the aisle. In essence, we are being filibustered—a tactic that was decreed as obstructionist in the previous Congress.

In case my friends on the other side of the aisle think this is going unnoticed, they should check the headlines. Look no further than an article from CNN on Tuesday: "Democrats block funding for DHS to protect Obama immigration orders."

Or the Washington Times: "Democrats filibuster DHS spending bill, block GOP on amnesty debate."

These headlines speak to a central flaw in the arguments of those who say we need a DHS bill, but then vote against this Senate proceeding to that very bill.

On the one hand, they are saying we need a bill, but they won't go to the funding bill that is here before us. That is exactly what we are voting and trying to do, is to proceed to the DHS funding bill—with an amendment process, with open debate.

Yesterday, one of my colleagues from the other side of the aisle stated that if the Senate takes up H.R. 240, the homeland security appropriations bill, it would simply be a delaying tactic.

Well, how can moving to the bill that directly addresses the DHS funding issue constitute delay? In order to pass the DHS funding bill, we have to be allowed to proceed to the bill. The truth, of course, is the delay is in fact coming from those who won't allow us to take up the bill, debate it, and consider amendments and pass it.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. HOEVEN. Mr. President, I yield to my colleague.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, in a few minutes the Senate is going to have yet another procedural vote on the Department of Homeland Security funding bill.

The bill before us, the House-passed version of the funding bill, can't become law. We have already heard the President reaffirm yesterday that he is going to veto the House-passed bill before us. That means we could face a shutdown of the Department of Homeland Security.

At this point, given the threats from terrorism, given the work that is done by the Department of Homeland Security, that is not a tenable position to begin.

Let me say, I very much appreciate the efforts of my colleague from my neighboring State of Maine, the senior Senator from Maine, Senator COLLINS. But the amendment she has put forward still raises some serious concerns about the impact on our security, because it includes language that would defund all of the Department of Homeland Security directives from November 20, 2014. So it would defund those provisions that direct law enforcement officers to place top priority on national security threats, convicted felons, gang members, illegal entrants apprehended at the border. It also defunds the southern border and approaches campaign which establishes three joint task forces to reduce the terrorism risk to the Nation. And, as she has indicated, it defunds the deferred action programs.

While she suggested that it would allow the 2012 Executive action that refers to the DREAMers to stay in place,



it raises serious questions about whether USCIS could effectively process renewals of those DREAMers—such as the young man whom Senator DURBIN spoke so eloquently about—so who knows what the court action could be on that.

While I appreciate the effort, I don't think it adequately addresses the concerns we have in the Democratic caucus, that we need to pass a clean bill. We need to have a separate debate about immigration.

The Presiding Officer worked very hard 2 years ago to help us get a comprehensive immigration reform bill that most of us didn't agree with everything in it, but most of us supported. We are happy to have that debate, but what we need now is a clean bill—one that allows the funding for the Department of Homeland Security to go forward.

I noticed on the news this morning, one of the issues that is at risk in this debate over whether we are going to support funding for the Department and the security of this Nation versus an ideological objection to the President—this morning one of the lead items on the news had to do with the cyber security breach at Anthem, the second largest health insurance company in the country. I happen to have my health insurance through Anthem, so I paid particular attention to this.

But one of the things that is in this clean bill that was agreed to last December by Senator MIKULSKI and Congressman ROGERS was funding for the cyber security center within the Department of Homeland Security to address the next-generation threat to our cyber networks.

That is critical funding we need if we are going to intercept the kinds of breaches we saw with Anthem and heard about this morning. Yet that funding is at risk because there is not agreement to get a clean bill done to fund the Department of Homeland Security.

What we have heard from almost everybody who has spoken is: We agree we should fund the Department of Homeland Security; we agree to the dollar levels that are in that bill; we agree to making sure the safety and security of this country should be paramount. We have heard a number of our colleagues from the other side of the aisle and from the House who have said ultimately this is about getting a clean bill. So we should do that now. We should provide certainty, we should get this done, and we should stop having an ideological debate about whether we are going to support immigration and the President, or whether we are going to support the safety and security of this Nation.

I think we should all be able to agree that the safety and security of America comes first. We should get this clean bill done, and then we can go on and debate immigration reform.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. There is 1 minute 20 seconds.

Mrs. SHAHEEN. I think it is worth noting some of the great work done by the Department of Homeland Security, which interfaces with the American people more than any other department.

Every day Customs and Border Protection processes nearly 1 million travelers entering the United States and seizes 19,000 pounds of illegal drugs between the ports of entry. The Transportation Security Administration—the people who work at our airports—screen 2 million passengers and their baggage. The Coast Guard patrols 3.4 million square miles of U.S. waterways and conducts 54 search and rescue missions that save lives annually.

Every day FEMA provides \$3.7 million in Federal disaster grants to individuals and households and provides \$22 million to States and local communities for disaster response and recovery. Every day the Federal Law Enforcement Training Center trains 8,000 officers from across the country. This work is just too important for our security to be delayed or disrupted because of ideological reasons concerning immigration reform.

We need to pass a clean, full-year Homeland Security funding bill. We need to pass it without controversial riders, and I hope we will do that.

I yield the floor.

The PRESIDING OFFICER. All time is expired.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, Thad Cochran, Tom Cotton, Roger F. Wicker, David Vitter, Jerry Moran, Daniel Coats, Michael B. Enzi, Mike Crapo, Bill Cassidy, John Boozman, John Thune, Tim Scott, John Hoeven, James Lankford, Jeff Sessions.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 240, an act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 53 Leg.]

#### YEAS—52

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

#### NAYS—47

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

#### NOT VOTING—1

Boxer

The PRESIDING OFFICER (Mrs. FISCHER). On this vote, the yeas are 52, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The Senator from Utah.

Mr. LEE. Madam President, Republicans in the Senate are ready to begin debating the bill to fund the Department of Homeland Security. But in order to do that, we must first vote to proceed to the bill, and Democrats have blocked us from doing that. They have done that yet again today.

This is simply a procedural vote, but it is a very important procedural vote. It is a threshold vote, without which other votes cannot and will not occur.

Voting yes on a motion to proceed to this bill doesn't mean you support the bill. Regardless of which way you vote, it doesn't signal which way you lean on the underlying merits of this bill. It doesn't mean you support this or that amendment. It simply means you are willing to engage in an open, transparent, and public debate about the future of Homeland Security and about making sure the Department charged with this task is funded.

Why would our friends across the aisle be afraid of that? Some may argue that they voted against proceeding to this bill somehow because they support funding Homeland Security, but that is not true. This bill

funds Homeland Security. Why then are my friends on the other side of the aisle voting against proceeding to this bill?

Well, the difference that might be found is that many of them also support the President's incredibly unpopular and controversial action to grant amnesty to 5 million illegals who are here illegally inside the United States, individuals who will now be eligible for work permits and in some cases entitlement benefits. But the American people do not support that. They certainly do not support the action the President took and the way he did it. They oppose the way President Obama went around Congress. They oppose the fact that President Obama ignored the law. They oppose the damage this policy will do to American workers who are already struggling to find work and remain employed. They oppose the crisis this kind of action is creating and will continue to create at the border, as we saw last summer with so many children making that dangerous trip to get into the country and to do it the wrong way, to get here illegally.

Now that the American people have put Republicans in charge, in the majority, in the Senate, we are trying to keep our promise to them, to do what they sent us here to do, and to hold a vote on President Obama's action in this regard. But the Democrats seem to be reluctant to take that vote. They seem to not want to take it. Perhaps they are afraid of it; I do not know. Maybe that is why they refuse to even begin consideration of this bill, plain and simple. This effort to try to hide from the American people is embarrassing, and it is wrong.

My friends across the aisle may say that they have an alternative bill and that we should pass their alternative bill immediately. There are at least two problems with this approach.

First, that may have been the way the Senate functioned under the previous majority—writing bills in back rooms, waiting until the last minute to make bills public, then filling the tree, which means making it impossible for anyone to amend the bill once it gets to the floor, having virtually no debate, and then ramming the bill through without any input from the American people, without adequate debate here, without virtually any debate here. That is not the way the Senate is supposed to work. That is not the way the Senate does work and will continue to work under the Republican majority.

Second, traditionally appropriations bills do not start in the Senate. In fact, the House has not considered a Senate-originated appropriations bill for over 100 years—since at least 1901, the period for which these kinds of records are readily available. Unfortunately for them, the bill the Democrats want is not supported in the House. Why? Well, precisely because it is not supported by the American people.

It is time to stop delaying democracy. It is time to stop hiding from the

American people. It is time to fund the Department of Homeland Security. It is time to have this debate and this discussion about the President's actions—actions that many people regard as unlawful, actions that people have different feelings about as far as the underlying policies but that the overwhelming majority of the American people look at and say: Look, even if I like the underlying policy here, I do not like the way the President did it.

If the President does not like the law, he needs to change the law. The way to change the law under our constitutional system is to go to Congress and to get something passed through Congress. Ours is not a government of one; ours is a government in which we have two entities within Congress that are charged with making the law. The President cannot act alone.

So my plea to my colleagues, particularly those across the aisle, is let's have a vote and then let's have a debate. When we have a vote and we have a debate, we will get to the point where we can fund the Department of Homeland Security and keep our Nation safe. We should not be keeping these important programs—we should not be holding them back simply out of a desire to protect the President and his actions that are outside the law.

#### MORNING BUSINESS

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

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

The Senator from Hawaii.

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Ms. HIRONO. Madam President, I rise to urge my colleagues to pass a clean appropriations bill that funds the Department of Homeland Security, DHS. Listening to my friend the Senator from Utah, it is very clear that the Republicans' position on this bill that is before us today is totally dependent on their assertion that the President's recent actions on immigration are illegal. Democrats do not concur with that. In fact, I thought illegality of any actions should be determined by courts of law. What the President did recently is no different from like Presidential actions taken by Presidents Reagan and Bush, I might add. So we must fund DHS and resist the temptation to govern through manufactured crises and political games. Our national security is at stake.

Surely my colleagues remember when DHS was created in direct response to the terrorist attacks on September 11, 2001. Just 11 days after 9/11, DHS started to take shape. President George W. Bush named Gov. Tom Ridge to lead an office to oversee and coordinate a comprehensive and national

strategy to safeguard our country against terrorism and respond to any future attacks.

DHS's mission is to protect our homeland, as its name makes perfectly clear. DHS is responsible for border security and immigration enforcement. It is tasked with keeping our airports safe through TSA, with emergency management response through FEMA, and protecting our coasts through the Coast Guard.

As a member of the Senate Armed Services Committee and the Senate Select Committee on Intelligence, I know how important the work DHS does is in keeping our Nation safe. Let's take a step back and remember why DHS was created in the first place and what their mission is. Why should we play politics with the Department that exists to protect America?

DHS's funding runs out at the end of this month. The clock is ticking. The nearly 200,000 who work for DHS do not want us spending valuable time scoring political points; they want the certainty that their important work will be funded by Congress. If the Department is not funded by the end of the month, we probably will once again resort to passing a continuing resolution to keep the Department going. A continuing resolution is only a stopgap; it is a waste of time and money.

DHS Secretary Johnson said: Operating in a stop-and-go cycle of continuing resolutions is like trying to drive a car across the country on no more than 5 gallons of gas at a time and without knowing the distance to the next gas station.

Of the nearly 200,000 DHS employees across the country, 2,000 are based in Hawaii. Nobody will get paid if DHS gets shut down. Some will be furloughed, while many others will be forced, as essential employees, to continue showing up for work without pay. We count on the Coast Guard, the TSA, Customs, and the U.S. Citizenship and Immigration Services—which are all part of the DHS—to be on the job every day.

Some of my Republican colleagues insist that before we fund the critical work of Homeland Security, we must first undo the President's common-sense immigration actions that helped millions of families across the country. The House bill before us holds DHS funding hostage to make political points against the President. This is a manufactured standoff.

The House bill attacks undocumented persons who have American-born children. Those are U.S. citizen children. The President's actions enabled these families to step out of the shadows, pass background checks, pay their taxes, and work in the open without the daily threat of deportation.

The House bill attacks DREAMers, the students who have been helped through the DACA problem for nearly 3 years. Just yesterday President Obama met with six DREAMers in the Oval Office who represent some of the very



best our country has to offer. The House bill says to these DREAMers: You, too, like the parents of U.S.-born children, should live under the daily threat of deportation. There are 600,000 DREAMers in the DACA Program throughout the country.

The House bill reverses longstanding enforcement priorities and directives that DHS has implemented. These directives tell immigration enforcement officers to focus on the bad guys rather than on the moms, the dads, and other contributing members of our communities. The House bill, in removing all administrative discretion on who should be deported, in effect says that all 12 million undocumented persons in our country can be deported. This is totally unrealistic and unnecessary.

I stand with my colleagues who are ready and willing to come together to pass bipartisan immigration reform. We did that last Congress with 68 bipartisan votes. As Republican Senator HELLER said recently, the House bill that is before us “only includes language that complicates the process of finding a solution when it comes to immigration reform.”

This House bill emphasizes a policy of mass deportation that would harm our economy, costing trillions in economic loss, not to mention the devastating impact on the people. Economists have told us that comprehensive immigration reform will provide an enormous boost to our economy, helping all workers across the country.

The House bill does not reform our system. The House bill does not help millions of students and families come out of the shadows. It does not provide more resources to our hard-working Border Patrol agents. It does not help those who have been stuck in our visa backlog for decades.

Rather than debating comprehensive immigration reform, the House has once again ducked the issue, this time holding DHS hostage so that a small minority of their colleagues can have their way. This is like “Groundhog Day”—a repeat scenario that brings us continuing resolutions to keep government going in a stop-and-go fashion and indeed a scenario that brought us the government shutdown in 2013. We do not have to keep repeating failed scenarios. Let’s bring a clean DHS funding bill to the floor. Let’s get that done and then move on to a debate on comprehensive immigration reform that is long overdue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### IMMIGRANT INVESTOR PROGRAM

Mr. GRASSLEY. Madam President, 2 days ago ABC ran a story on its “Nightline” program that brought to light issues with the immigrant investor program. This program is also known as EB-5. This immigration program was created by Congress in 1990. It was created to stimulate the U.S.

economy through job creation and capital investment by foreign investors. In 1992 Congress further added the regional center component that allows participants to pool dollars for foreign investors.

The story on “Nightline” detailed how visas and green cards are for sale for more than \$500,000. It also highlighted how spies and terrorists can use the program to enter the country, risking our national security and undermining the real intent of the program.

For the past few years, whistleblowers have come to me about the fraud, abuse, and national security problems with that program.

A December 2013 audit of the EB-5 program conducted by the Department of Homeland Security Office of Inspector General substantiated several of these concerns. The OIG report concluded that the U.S. Citizenship and Immigration Services is unable to demonstrate the benefits of foreign investment into the U.S. economy—in other words, questioning whether the original intent of the program was being accomplished.

Specifically, the Office of the Inspector General found that the U.S. Citizenship and Immigration Services could not validate whether the EB-5 program actually created 49,000 jobs.

In addition, a 2013 internal memorandum from the U.S. Immigration and Customs Enforcement, Homeland Security Investigations noted that “the nature of indirect job growth is problematic.”

Allow me, please, to discuss the fraud issues related to the program.

The EB-5 program requires a foreign national to invest \$1 million in order to obtain a visa. However, there is a lower threshold for projects that are in high unemployment or rural areas.

Investors have exploited this loophole. As noted in press reports, some metropolitan areas are drawing their own maps or gerrymandering in order to meet this low threshold. The U.S. Citizenship and Immigration Services ignores the problem and doesn’t question it.

Additionally, there are serious concerns that the U.S. Citizenship and Immigration Services does not adequately verify the documentation and the source of funds from investors.

Adjudicators do not thoroughly check how an investor has received \$500,000 and whether the funds are even legitimate.

Finally, I wish to elaborate what is probably more important, the national security concerns. Remember, the Federal Government’s No. 1 responsibility is the national security of this country.

In regard to those national security concerns, in 2012, several agencies came together to draft a forensic assessment of financial flows relating to the EB-5 Regional Center Program, and the Department of Homeland Security Office of Intelligence and Analysis produced an intelligence report of the program’s

vulnerabilities. The same ICE memorandum that highlighted its issues with regional centers also identified seven main areas of vulnerability within the EB-5 program. I won’t go into all seven of them, but I wish to use four as an example.

No. 1, export-sensitive technology and economic espionage;

No. 2, use by foreign government agents and espionage;

No. 3, use by terrorists; and,

No. 4, illicit financing and money laundering.

Let me make it very clear that this ICE memorandum identified seven areas of vulnerability and I just gave us four dealing with sensitive technology and economic espionage, use by foreign government agents and espionage, use by terrorists, and illicit financing and money laundering.

I know I repeated that, but the EB-5 program is being undercut by people who don’t mind hurting the national security of our country.

So to be repetitive on an important point, there are numerous national security concerns. That is why, in my September 2014 “Dear Colleague” letter, I invited my colleagues—all of them—to review classified information on this program.

Today I renew this invitation and urge Senators and those staff who have clearances to view these documents to do so in the Office of Senate Security.

I will be sending another copy of that “Dear Colleague” letter, which contains the document numbers to access the material at the Office of Senate Security.

Summing up, we have whistleblower allegations supported by documentation. We have findings by the Office of the Inspector General. We have classified information about attempts to exploit the vulnerabilities of the program and, finally, we have numerous press reports that highlight the fraud and the abuse.

So I think it is time Congress asks whether this program is worth the national security risks posed and whether this program can be fixed to accomplish the goals that were set out in 1990.

The EB-5 program will require reauthorization by the end of fiscal year 2015 and I want my colleagues to know that I will be demanding reform before this is done, or in conjunction with any renewal.

I do believe that if changes are made, the EB-5 program could benefit the U.S. economy as originally intended by Congress in 1990.

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.

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.

# DEPARTMENT OF HOMELAND SECURITY FUNDING

Mrs. FEINSTEIN. Madam President, I come today to support legislation to fully fund the Department of Homeland Security, without any extraneous or politically controversial policy riders.

Let me be clear. The immigration provisions that are approved in the House are bill killers. We have now had three votes on cloture. The votes have held steady. It is clear the votes are not here to pass a bill out of the Senate with the riders attached to it.

I just want to speak of the importance of the Department of Homeland Security because I was in the Senate when the Department was developed. It is a combination of 22 agencies. It has over 200,000 employees. Over the years it has become more and more vital to efforts to prevent terrorist attacks on this country.

So how, you might ask? TSA, a member of that Department, funded by that Department, screens airline passengers within the United States, while Customs and Border Protection screens passenger data of travelers entering the country. So it is irresponsible to endanger these missions in the wake of terrorist attacks in Paris, Ottawa, Sydney, and elsewhere.

Secondly, DHS plays a critical role in responding to natural disasters. Resources and personnel from FEMA, which is funded through DHS, are vital in times of flooding, earthquakes, hurricanes, wildfires, and other disasters.

Third, DHS also guards against cyber warfare through network security, electronic crimes investigations, and State and local cybercrime training. So it is hard to fathom delaying \$861 million for cyber security the same day we learn about the massive cyber attack against Anthem Blue Cross.

A number of key national security programs unrelated to immigration would also be in danger. These include the Federal Air Marshal Service, the Secret Service, the Transportation Security Administration, and DHS intelligence activities.

Ironically, blocking this bill over immigration riders would also delay increased funding for border patrols and more manpower to combat human smuggling and trafficking, which so many Members of this Congress want.

Holding up this bill will also delay and reduce more than \$2.5 billion in grants for State and local law enforcement agencies and emergency responders. This puts our country in jeopardy. These grants help with transit and port security, firefighter assistance, and State homeland security.

Make no mistake, the Department of Homeland Security is very active in securing our borders and deporting dangerous individuals.

It has a wonderful Secretary. I think every Member of this body appreciates Jeh Johnson and knows the role he played with managing the sudden influx of children into our country on the southern border. We know of his effec-

tiveness in bringing together what has been a very ungainly combination of 22 agencies into a smoothly run entity. This must be very disappointing to him.

In fiscal year 2014, Immigration and Customs Enforcement deported 315,943 people, focusing its efforts on removing criminals, and the agency was successful in that goal. Fifty-six percent of those removed last year had been convicted of crimes. That is 177,960 fewer criminals on our streets. I would say good job.

Rather than holding DHS and our national security hostage, I urge my colleagues to support the bill introduced by Senators MIKULSKI and SHAHEEN to provide full funding for DHS at levels necessary to do its job. We can't keep funding this agency with short-term continuing resolutions. It doesn't make sense. We certainly can't keep threatening to shut it down.

Yesterday in our joint meeting I had an opportunity to say what this body was like when I came to it. I think I can say with certainty this wouldn't have happened 20 years ago. We would have recognized the importance of the agency and told people to come back with another bill at another time.

The importance of getting some regular order in our appropriations bills is important because we are not getting regular appropriations bills passed. This is so important that I think everyone thought it wouldn't be disturbed. Instead, these policy riders are stuck on it, and the people who put them on know they are offensive to just about half of this body and it is going to present a major challenge to get a bill passed.

Let me talk a little bit about the issue; that is, the five riders that Republicans want to add to the bill. The goal of the riders, I think—and I think everyone would agree with this—is to unravel temporary actions President Obama has taken in an effort to make sense of what is, we all admit, a broken immigration system.

These actions, I would note, wouldn't have been necessary if the House had voted on the bipartisan Senate immigration reform bill that passed in 2013 by a vote of 68 to 32—68 to 32. It was the product of months of intense negotiations and hearings.

I remember it well. There were eight bipartisan Members who negotiated a bill to put before the Judiciary Committee. I am a member of the Judiciary Committee. The Judiciary Committee debated the bill for weeks. A total of some 300 amendments were filed, with 212 amendments in committee that were considered, half of which were Republican, and 136 amendments were adopted.

The House refused to even debate this bill, which in my view—and I have been here a long time—has been the result of one of the most profound bipartisan efforts on a big bill in the last 20 years. The House even refused to recognize it by a debate, let alone a vote, let

alone passing something, some part of the bill, so there could be a conference and differences reconciled.

Now the House comes to us by putting what they know are going to be highly problematic riders on what is an absolutely crucial appropriations bill. This is the kind of thing I tried to say yesterday. It just doesn't make sense to me.

It would not have happened some time ago. People would not have tried to force their will through on an important bill when they knew they didn't have the votes. If three votes on cloture don't show that, I don't know what really will.

The Presiding Officer knows this as well as I do. But the root of the problem is that we have more than 11 million unauthorized immigrants in our country, and Congress only provides enough funding to deport around 400,000 people a year. Clearly we can't deport everybody. So choices have to be made.

So do we focus limited enforcement resources on real threats, such as criminals and terrorists? I say yes. Or, do we spread our resources thin, treating murderers the same way we treat school children who have been in the country for years? I say no. I stand firmly with the President in the belief that we must focus on actual threats and we must prioritize.

One of the temporary programs that the other side seeks to eliminate is known as the Deferred Action for Childhood Arrivals. I hate acronyms, but the acronym is DACA.

This program allows law-abiding individuals brought to the United States as children to remain here without fear of being deported from the only home they have ever known. They can stay for 3-year increments as long as they don't break the law. Republicans want to scrap this program and place these individuals into the same category as dangerous criminals.

In California, my State, that would mean 450,000 young people who were brought to the United States as children, who have lived nowhere else, would immediately be eligible for deportation.

The House riders also seek to remove protections for parents of United States citizens and permanent residents, including 1.1 million parents in California. That would have the effect of breaking up many families that have lived here for years.

I personally know of it happening in San Diego, when, in the middle of the night, immigration officers came into a home, picked up the parents and deported them, leaving the three children in the home. The parents had been here, they were working, they had paid their taxes, and now the children were left. Fortunately, as I understand that incident, relatives were able to come because the children were born here, and they helped to take care of them. But we can imagine the cases where there was no one to help. So this clearly has an effect of breaking up many

families that may have lived here for years.

So let me be clear. The political—I really believe they are political—riders weighing down this appropriations bill are not designed to fix our immigration system but rather to weaken it—and with the goal of embarrassing the President. We should not do that on any bill—let alone a bill as important as this one.

It is not just Senate Democrats who think these riders are bad policy. Sixty-two percent of Americans in last month's January poll supported "an Executive Order that would allow some illegal immigrants already in the United States to stay here temporarily and apply for a work permit if certain requirements are met." So 62 percent of the people said yes to that question. That is precisely what the President has done.

A combined 69 percent of Americans supported an immigration policy that lets unauthorized immigrants remain in the United States, 54 percent supported a path to citizenship, and another 15 percent supported legal status but no path to citizenship.

So to the extent we get our guidance from the American people rather than from this or that political party, we can see what the view of Americans are on this. I think it is because we have had this issue debated in this forum several times. This isn't the first big immigration bill. It is the second in about the last 6 or 8 years that has come out of committee, come to the floor with an agreement, and fallen apart. And it had been negotiated in a bipartisan manner.

So then to have this bill that we passed go to the House, and the House would have a legitimate chance to make any amendments they might want to make—rather than put this rider on this bill—and pass over to us a bill which could then go to conference and we could work on around a table—the way business should be done—to come together to present what we can agree upon in both Houses to pass into law.

That is the process here, and that is one of the really big changes in this body over recent history. We always tried to follow regular order. Appropriations bills in regular order now are really nonexistent. It is really too bad because it weakens the committee structure, it weakens the institution as a whole, it makes us beholden to a few, and it doesn't do the people's business. And, as I said yesterday, it is one of the reasons why our favorability rating as a Congress is something near 16 percent favorable.

So I say, please, let's take these policy riders off. Let's learn from the experience. Let's pass this bill. It is a new Congress. I recognize the bill has to be reintroduced, but the immigration bill certainly can be reintroduced. We have had a lot of experience in working it, and we can do it once again. Then perhaps the House would

be willing to look at it, to debate it, and maybe even then to give us the respect of voting on it.

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

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mrs. FISCHER, Ms. MURKOWSKI, Mr. RISCH, and Mr. MANCHIN pertaining to the introduction of S. 405 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to address the Senate for up to 20 minutes.

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

### SOCIAL SECURITY

Mr. SANDERS. Mr. President, as ranking member of the Budget Committee, this afternoon I would like to discuss an issue of very serious concern to tens of millions of Americans; that is, the Republican effort to cut Social Security disability insurance benefits and perhaps benefits for Social Security retirees. In my view and in the view of seniors throughout the State of Vermont, this is a very bad idea.

As you know, on the very first day of the new Congress, House Republicans passed a rule—later adopted by the full House—which would prevent the common practice of rebalancing funds from the Social Security retirement program to the Social Security disability program. This rule adopted by the Republicans in the House would lay the groundwork for a 19-percent cut in disability benefits next year.

President Obama, in his budget, did exactly what has been done on 11 separate occasions in the past, always—and here is the point I want to make time and time again and why this is a manufactured crisis—this has been done 11 times in the past, always in a noncontroversial way, and that is to rebalance the funds between the two programs. This is not a big deal. The Republicans are manufacturing a crisis where none exists. Time and time again, Democratic Presidents and Republican Presidents, with absolutely no controversy, have done what President Obama has proposed. This was done in 1968 under President Johnson; in 1970 under President Nixon; in 1978, 1979, and 1980 under President Carter; in 1982, 1983, 1984, and 1987 under President Ronald Reagan; in 1994, 1996, 1997, 2000, and beyond under President Bill Clinton. In other words, this is a totally noncontroversial process that has been done time and time again under Republican Presidents and Democratic Presidents.

What the President is suggesting today is that we reallocate funds from the senior retirement fund to the disability fund. But interestingly enough, of the 11 times the funds were reallocated, it turns out that on five occasions it was money going from the disability fund to temporarily help out the retirement fund.

There are some people who sadly are trying to divide the senior population from the disability population. What they are saying in a way that is untruthful and unfair is that by reallocating money into the disability fund, we are taking funding away from seniors and the retirement fund. This is absolutely untrue because, as I have indicated, on 11 occasions we have seen this reallocation, and sometimes, in fact, it comes from the disability fund to help the retirement fund.

I am very happy to tell you that virtually every senior organization in America—organizations representing tens of millions of senior citizens—has made it clear that we must reallocate funds, we must prevent a cut in disability benefits, and we must do what has been done time and time again.

Let me briefly read a letter from the AARP. The AARP is the largest senior organization in America. This letter was written on July 22, 2014. It went to chairman RON WYDEN and ranking member ORRIN HATCH of the Finance Committee. What the letter says:

As the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families, we write in advance of the Committee's legislative hearing on the Social Security Disability Insurance program (SSDI) to express our support for Social Security, including its disability insurance functions, and our support of rebalancing payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk.

Once again, AARP: We "support the rebalancing of payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk."

I ask unanimous consent that letter be printed in the RECORD.

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

AARP,

Washington, DC, July 22, 2014.

Hon. RON WYDEN,  
Chairman, Committee on Finance,  
U.S. Senate, Washington, DC.

Hon. ORRIN HATCH,  
Ranking Member, Committee on Finance,  
U.S. Senate, Washington, DC.

DEAR CHAIRMAN WYDEN AND SENATOR HATCH: As the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families, we write in advance of the Committee's legislative hearing on the Social Security Disability Insurance program (SSDI) to express our support for Social Security, including its disability insurance functions, and our support of rebalancing payroll taxes to ensure the earned benefits of 11 million disabled Americans and their families are not reduced or put at risk. AARP recognizes the need to address the overall funding shortfall

facing Social Security in the next 20 years, and we stand ready to engage with Congress, our members and other Americans on ways to strengthen Social Security, now and in the future. But, we also recognize that without rebalancing in the near-term, SSDI beneficiaries are at risk of significant benefit cuts. This is of particular concern to older workers who are most likely to rely heavily on SSDI in part because of higher rates of chronic illness and disability at older ages.

Income support in the event of a disability is a critical lifeline for millions of American families. Congress wisely added disability insurance protection to the Social Security system in 1956, under President Eisenhower, and has since then modified and improved the program many times. It should be noted that since the creation of the SSDI program in 1956, the United States workforce has more than doubled from 62 million to over 140 million workers, and women today represent half of the workforce and almost half of the SSDI beneficiaries.

By law, Social Security maintains two trust funds—the Old-Age and Survivors Insurance (OASI) and the Disability Insurance (DI) trust funds—and they operate independently. Congress has faced shortfalls in both the OASI and DI trust funds many times in the past. Most recently, in 1994, Congress rebalanced the allocation of Social Security payroll taxes between the OASI trust and the DI trust, estimating the rebalancing would adequately fund SSDI benefits for approximately 20 years. Congress forecast accurately, as the Social Security Trustees estimate that the payroll taxes allocated to the Disability Insurance trust fund will cease being adequate to pay full benefits in late 2016. After that, according to the Social Security Actuaries as of 2013, “[p]rojected revenue from non-interest income specified for the DI program is sufficient to support 80 percent of program cost after trust fund depletion in 2016, increasing slightly to 81 percent of program cost in 2087.” CBO maintains similar projections.

Many experts, including the Congressional Budget Office, have estimated the shortfall is largely due to: 1) general population growth, 2) women’s entrance into the labor force and consequent eligibility for SSDI benefits, 3) the increase in the Social Security normal retirement age from 65 to 67, and 4) the aging of the Baby Boom population leading to a higher percentage of older people vulnerable to illness and disability. All of these factors also contribute to other challenges in the SSDI program.

One of the most significant challenges facing the SSDI program is the unacceptably long delay in processing applications of disabled workers who have earned the right to their benefits. A large and growing backlog both at the initial claims and appeals level has caused lengthy delays and imposes severe hardships on disabled workers and their families. AARP has long urged an increase in funding to meet the increase in the administrative workload. We also recognize that the SSDI program needs greater program integrity efforts both over initial eligibility approvals and continuing disability reviews. AARP has been among the staunchest advocates requesting program integrity funding; we regret that in recent years this funding has been cut, reducing the Social Security Administration’s ability to maximize integrity efforts.

The Committee’s upcoming hearing is a welcome opportunity to examine the resources that will be needed to ensure the continuing success of the SSDI program. We believe SSDI program reforms and improvements can be identified that would both improve the fairness of the process for disabled claimants and encourage greater work par-

ticipation for those who have limited ability to work. We support and will continue to urge that Congress provide adequate resources for the Social Security Administration to conduct timely initial and continuing disability reviews. But, the highest priority in the near term is to ensure that SSDI beneficiaries—most of whom are older Americans—are not at risk of a 20% benefit cut in the very near future. To prevent any imminent reductions in SSDI benefits, we urge you to rebalance the allocation of Social Security payroll taxes between the OASI trust and the DI trust, as Congress has done with success in the past.

Because of SSDI, millions of disabled Americans are able to live their lives with dignity and support their families. We look forward to continuing to work with you and the other members of the Committee to ensure that all aspects of the Social Security program remain strong for future generations of American workers and their families. If you have any questions, please feel free to call me, or have your staff contact Michele Varnhagen on our Government Affairs staff.

Sincerely,

JOYCE ROGERS,  
Senior Vice President,  
Government Affairs.

Mr. SANDERS. Mr. President, it is not just the AARP that holds that view. It is dozens and dozens of senior organizations all across the country. Let me read very briefly from a letter written by the Leadership Council of Aging Organizations, dated October 9, 2014. It is a letter that goes to the President—to President Obama. What it says is:

We urge you to include a non-controversial, commonsense legislative adjustment in your 2016 budget for Congress to temporarily reallocate the Social Security payroll contributions to address the anticipated shortfall in the Social Security Disability Insurance (DI) program. We also strongly urge you to reject proposals to cut Social Security benefits, coverage, or eligibility.

That is the Leadership Council of Aging Organizations.

I ask unanimous consent that letter also be printed in the RECORD.

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

LEADERSHIP COUNCIL OF AGING ORGANIZATIONS, DEBRA B. WHITMAN,  
CHAIR,

Washington, DC, October 9, 2014.

THE WHITE HOUSE,  
Washington, DC.

DEAR PRESIDENT OBAMA: On behalf of the Leadership Council of Aging Organizations (LCAO), a coalition of national not-for-profit organizations representing over 60 million older Americans, we write to ask you to maintain a vital part of our Social Security system in your 2016 budget proposal. We urge you to include a non-controversial, commonsense legislative adjustment in your 2016 budget for Congress to temporarily reallocate the Social Security payroll contributions to address the anticipated shortfall in the Social Security Disability Insurance (DI) program. We also strongly urge you to reject proposals to cut Social Security benefits, coverage, or eligibility.

Social Security’s Disability Insurance (DI) fund reserves are projected to be depleted in 2016, at which point revenue coming into the system would cover only 80% of benefits. This projected shortfall is not a surprise and Congress should rebalance income across the

Social Security Trust Funds, as it has done 11 times before, to cover the anticipated shortfall. As Treasury Secretary Lew stated in July, “it’s going to be important for there to be legislation that does reallocate the payroll tax to support the disability fund.”

A modest, temporary reallocation of part of Social Security’s 6.2% tax rate from the Old-Age and Survivors Insurance (OASI) fund to the DI fund would put both funds on an equal footing. Congress has rebalanced tax rates between the two funds 11 times since the DI trust fund was established in 1956. About half the time Congress increased the share going to the OASI fund and about half the time it increased the share for DI. Congress has never failed to act when it was necessary to rebalance the two funds, and it has consistently done so in a bipartisan basis. It is time to do so again, and can be done today without compromising the ability of the overall Social Security program to pay full benefits from both trust funds for the next 20 years.

When Congress acted to rebalance the two funds in 1994, it was clear it would have to take action again in 2016. The 1995 Social Security Trustees Report showed that the DI reserves would be depleted in 2016, primarily due to a rapid, but temporary, increase in the number of DI beneficiaries as baby boomers passed through their 50s and early 60s when the risk of disability is greatest.

The typical DI beneficiary is in his or her late 50s. Seventy percent are over age 50, and 30 percent are 60 or older. These beneficiaries depend on Social Security for a significant portion of their income. Without benefits, fifty-five percent of families with a disabled worker would have incomes below the poverty line. And, since the benefits they receive continue as they grow older, the DI program helps to ensure that these disabled workers don’t fall into poverty as they age.

Another factor that has led to an increase in the number of DI beneficiaries is a rise in the full retirement age. When DI beneficiaries reach Social Security’s full retirement age, they begin receiving Social Security retirement benefits rather than DI. The increase in the full retirement age to 66 has delayed that conversion. In December 2013, more than 450,000 people between ages 65 and 66—over 5 percent of DI beneficiaries—collected DI benefits. Under the rules in place until 2003, they would have received retirement benefits instead. This is just one example of how closely the retirement and disability components of Social Security are interwoven.

The growth in DI is leveling off as boomers enter retirement and shift to OASI benefits. The need to rebalance by 2016 reflects a long-anticipated, but temporary, shift in the funding requirements of the two funds. Rebalancing would not affect the long-term financing of the combined Social Security system, which would remain solvent through 2033. Rebalancing can and should be done without cutting benefits or narrowing coverage or eligibility. This sensible action will give policymakers ample time to strengthen Social Security for the long-term.

For these reasons, the undersigned organizations urge you to include a legislative proposal to rebalance the Social Security funds in your 2016 budget, and to exclude proposals to cut Social Security benefits, coverage or eligibility.

Sincerely,  
AFL-CIO, AFSCME Retirees, Alliance for Retired Americans, American Federation of Government Employees (AFGE), American Foundation for the Blind (AFB), American Postal Workers Union Retirees (APWU), American Society on Aging (ASA), Asociacion Nacional Pro Personas Mayores (ANPPM)/ National Association for Hispanic

Elderly, Association For Gerontology and Human Development in Historically Black Colleges and Universities (AGHDHBCU), Association of Jewish Aging Services (AJAS), B'nai B'rith International, Caring Across Generations, Center for Elder Care and Advanced Illness—Altarum Institute.

Center for Medicare Advocacy, Inc., Easter Seals, Military Officers Association of America (MOAA), National Academy of Elder Law Attorneys (NAELA), National Active and Retired Federal Employees Association (NARFE), National Adult Day Services Association (NADSA), National Adult Protective Services Association (NAPSA), National Alliance for Caregiving, National Association for Home Care & Hospice, National Association of Area Agencies on Aging (n4a), National Association of Retired and Senior Volunteer Program Directors, INC. (NARSVPD), National Association of Social Workers (NASW), National Caucus and Center on Black Aged, Inc. (NCBA), National Committee to Preserve Social Security and Medicare (NCPSSM), National Senior Citizens Law Center (NSCLC), National Senior Corps Association (NSCA), OWL—The Voice for Women 40+, Pension Rights Center, Volunteers of America, Wider Opportunities for Women (WOW).

Mr. SANDERS. Mr. President, let me be very clear and say that this fight—what some of us see on our TV screens and what we hear from some politicians—the simple truth is that Social Security is not going broke. Social Security is not going broke. Today, Social Security has a \$2.8 trillion surplus in its trust fund and can pay out all benefits to all beneficiaries, the elderly and the disabled, for the next 18 years.

This is not the opinion of Senator BERNIE SANDERS. This is the opinion of the Social Security Administration in their latest report. There is and can be no debate about these simple facts. If we rebalance funds, as President Obama and many others have proposed, all benefits—retiree benefits for our older Americans and disabled benefits for disabled Americans—would be paid out for the next 18 years—the next 18 years.

So people who come before you and say Social Security is going broke, they are simply not telling the truth. While this 18-year period makes it clear that we do not have an imminent crisis with regard to Social Security, I do agree with those who want to make sure Social Security is solvent for a lot longer than 18 years, for our kids and for our grandchildren.

Frankly, when we talk about the long-term solvency of Social Security, and that of course includes disability insurance as well, there are two basic approaches we can take for those who want to extend Social Security for many decades. One approach is what many of my Republican colleagues are talking about. What they are saying, in essence, is that in order to save Social Security we have to cut Social Security. Some are talking about a so-called chained CPI, which would mean a cut in cost-of-living adjustments, some are talking about raising the retirement age, at which point seniors will be able to get benefits, and some in fact are talking about privatizing So-

cial Security and giving that program over to Wall Street. That is one approach. That is one way we could deal with Social Security and the future of the program. Needless to say that is an approach I very strongly disagree with.

The other approach, an approach which is widely supported in poll after poll by the American people, extends Social Security and protects Social Security in a very different way than many Republicans are proposing; that is, it addresses the issue that right now, as most Americans know, there is a cap on the income that is subject to the Social Security payroll tax.

That cap is now at \$118,500; in other words, one individual makes \$11.8 million a year but only pays 6.2 percent on the first \$118,500 he earns. The second individual makes \$118,500 and pays Social Security taxes on all of that income. That, I think most Americans believe, is patently unfair.

I have introduced legislation in the past, and I am now working with other Senators who have introduced similar types of legislation which eliminates the cap on income subject to the Social Security payroll tax. My own view is we should apply the Social Security payroll tax to income above \$250,000.

If we do that, if we go down that very simple and fair route of asking very wealthy individuals—the top 1 percent, the top 1½ percent—to contribute more into the Social Security trust fund, the fact is we could extend Social Security for decades, disability benefits for decades, and in fact we would have enough money to expand benefits, not cut them.

On March 19, 2013, in response to a letter I wrote to the Social Security Chief Actuary, he wrote back and he told us that taking the approach my legislation lays out, raising the cap on taxable income starting at \$250,000, would extend the life of Social Security past the year 2060.

So for anybody to come on this floor and say in order to save Social Security we have to cut benefits, at a time when millions of senior citizens in this country are struggling to pay for the medicine they need, to keep warm in the winter, to buy the food they need, people out there living on \$13,000, \$14,000 a year—and there are some who say we have to cut Social Security—let me go on record and say I strongly disagree.

The far better and far fairer approach is to lift the cap on taxable income and start at \$250,000. So if we are serious about extending the life of Social Security, if we are serious about not cutting disability benefits, there is a path forward. Yes, it does ask the people on top to contribute a little bit more. I know that with all of the lobbyists and all the campaign contributions coming in here that sometimes becomes tough, but it is the right thing to do.

Let's stand with the millions of seniors who are struggling to stay alive economically in these tough times, rather than wealthy campaign contributors.

I ask unanimous consent that the March 19, 2013, letter from the Chief Actuary of the Social Security Administration be printed in the RECORD.

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

SOCIAL SECURITY ADMINISTRATION,  
OFFICE OF THE CHIEF ACTUARY,  
Baltimore, MD, March 19, 2013.

Hon. BERNIE SANDERS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SANDERS: I am writing in response to your request for estimates of the financial effects on Social Security of a proposal to apply the Social Security payroll tax to earned income over \$250,000 beginning in 2014. The estimates and analysis provided in this letter reflect the intent, as discussed with Warren Gurnells of your staff, of S. 500, "Keeping Our Social Security Promises Act," which you introduced on March 7, 2013.

We estimate that enactment of this Bill would extend full solvency of the OASDI program for an additional 28 years, with the projected depletion of combined OASI and DI Trust Fund reserves moving from 2033 under current law to 2061 under the proposal. All estimates are based on the intermediate assumptions of the 2012 Trustees Report. The estimates presented reflect the combined efforts of many in our office, but particularly Alice Wade, Christopher Chaplain, Dan Nickerson, Kyle Burkhalter, Katie Sutton, and William Piet. A detailed description of our understanding of the intent of the Bill is included immediately below.

The intent of this proposal is identical to the Bill you introduced in September 2011 and H.R. 797 introduced in the House of Representatives in February 2011 by Mr. DeFazio. Our earlier estimates for both of these Bills, reflecting baseline assumptions from the 2011 and 2010 Trustees Reports, respectively, are available at <http://www.ssa.gov/OACT/solvency/index.html>.

S. 500 would modify the Internal Revenue Code of 1986 to subject a worker's OASDI covered earnings in excess of \$250,000 in any calendar year after 2013 to the combined OASDI payroll tax rate of 12.4 percent. This is the same tax rate that is applied, under current law, to OASDI covered earnings up to the contribution and benefit base (\$113,700 for 2013). Under present law, the contribution and benefit base is scheduled to increase in the future based on increases in the average wage in the U.S. economy. However, the threshold of \$250,000 would be constant after 2014 until the contribution and benefit base exceeds this level (in the year 2033), at which point the threshold would be set equal to the contribution and benefit base for that and all subsequent years. Earnings subject to tax above the threshold would not be included in earnings credited for the purpose of OASDI benefit computation.

All wages and self-employment earnings in OASDI covered employment during a given year would be reflected in the determination of earnings above the threshold. For workers with more than one employer (including self employment) for a given year, total tax liability for the year would be computed as if all earnings had been received from a single employer for the year, but in no case would any employee or employer pay less tax than they would under current law. To the extent adjustments of payroll tax liability are needed for a given year, employees would make such adjustments on their income tax filing forms. SSA would contact employers regarding any additional tax liability due to multiple jobs for employees during the year.

The balance of this letter provides summary and detailed estimates of the effects of enactment of the proposal.

## SUMMARY OF EFFECTS ON ACTUARIAL STATUS

Figure 1 illustrates the expected change in the combined Old-Age and Survivors Insurance (OASI) and Disability Insurance (DI) Trust Fund reserves, expressed as a percent of annual program cost, assuming enactment of this Bill. Assuming enactment, the OASDI program would be expected to be fully solvent for an additional 28 years, under the intermediate assumptions of the 2012 Trustees Report.

The level of reserves for the theoretical combined OASI and DI Trust Funds would decline from 340 percent of annual program cost at the beginning of 2012 until these reserves would become depleted in 2061 (28 years later than projected depletion under current law). At the time of reserve depletion in 2061, the program would be able to pay about 91 percent of then scheduled benefits with continuing taxes (under current law, 75 percent of scheduled benefits are projected to be payable in 2033 after depletion). By 2086, 88 percent of benefits scheduled under the proposal would be payable compared to 73 percent of scheduled benefits payable under present law.

Enactment of this Bill would eliminate about 80 percent of the long-range OASDI actuarial deficit of 2.67 percent of taxable payroll under current law, lowering the OASDI actuarial deficit to 0.55 percent of payroll for the long-range period.

Figure 2 illustrates annual projected levels of cost, expenditures, and non-interest income as a percent of the current-law taxable payroll. The projected levels of cost reflect the full cost of scheduled benefits under both present law and the proposal. After trust fund reserve depletion, projected expenditures under current law and under the proposal include only amounts payable from projected tax revenues (non-interest income), which are less than projected cost.

Figure 2 shows that the estimated cost of the OASDI program would be very slightly reduced under this proposal. A slight decrease in benefits is projected to follow from a small decrease in the proportion of employee compensation that would be paid in the form of wages under the current-law contribution and benefit base. This small reduction in wages as a percentage of employee compensation reflects the assumed behavioral response of employees and employers to the additional payroll taxes under the proposal.

It is also useful to consider the projected cost and income for the OASDI program expressed as a percentage of Gross Domestic Product (GDP). The graph illustrates these levels under both present law and this proposal.

## DETAILED FINANCIAL RESULTS

## Benefit Illustrations

Benefit illustrations are not provided for the proposal because benefit levels would not be materially changed from the scheduled benefit levels under current law.

## Trust Fund Operations

Table 1 shows the annual cost and income rates, annual balances, and trust fund ratios (reserves as percent of annual program cost) for OASDI assuming enactment of the proposal. This table also shows the change from present law in these cost rates, income rates, and balances. Included at the bottom of this table are summarized rates for the 75-year (long-range) period.

Table 1 indicates that the OASDI program is projected to be solvent for an additional 28 years assuming enactment of the proposal. The year in which the combined reserves of the OASI and DI Trust Funds are projected to deplete would change from 2033 under current law to 2061 under the proposal. Even

after depletion of the trust fund reserves, however, the actuarial status of the program is improved as continuing income would be sufficient to pay a higher percentage of scheduled benefits than under current law. Under current law, 75 percent of benefits are projected to be payable at trust fund reserve depletion in 2033, declining to 73 percent payable by 2086. Under this proposal, 100 percent of the scheduled benefits would be fully payable through 2060, and 91 percent would be payable at trust fund reserve depletion in 2061, declining to 88 percent payable by 2086.

The actuarial deficit for the OASDI program over the 75-year projection period is reduced by 2.12 percent of taxable payroll, from an actuarial deficit of 2.67 percent of payroll under current law to an actuarial deficit estimated at 0.55 percent of taxable payroll under the proposal.

We project annual balances (annual income rate minus annual cost rate) to become positive for years 2014 through 2021 under the proposal and to be negative thereafter. Annual deficits (negative annual balances) after 2028 are projected to be smaller than the deficits projected under current law by more than 2 percentage points through 2086.

## Program Transfers and Asset Reserves

Column 4 of Table 1a provides a projection of the level of reserves for the theoretical combined OASI and DI Trust Funds under the proposal, expressed in present value dollars discounted to January 1, 2012. The table indicates that the proposal includes no new specified transfers of general revenue to the trust funds. For purpose of comparison, the OASDI Trust Fund reserves, expressed in present value dollars, are also shown for the current-law Social Security program both without the added general fund transfers (if any) provided under the proposal (column 6) and with the proposal added transfers (column 7). Note that negative values in columns 4, 6, and 7 represent the "unfunded obligation" for the program through the year. The unfunded obligation is the present value of the shortfall of revenue needed to pay full scheduled benefits on a timely basis from the date of trust fund reserve depletion to the end of the indicated year. Gross Domestic Product (GDP), expressed in present value dollars, is shown in column 5 for comparison with other values in the table.

## Effect on the Federal Budget

Table 1b shows the projected effect, in present value discounted dollars, on the Federal budget (unified-budget and on-budget) cash flows and balances, assuming enactment of proposal. Table 1b.n provides the estimated nominal dollar effect of enactment of the proposal on the annual budget balances for years 2012 through 2022. All values in these tables represent the amount of the change from the level projected under current law.

The effect of the proposal on unified budget cash flow (column 3) is expected to be positive starting for 2014, reflecting the application of the payroll tax to earnings above the current-law taxable maximum amount.

Column 4 of Table 1b indicates that the projected effect of implementing this Bill is a reduction, starting in 2014, of the Federal debt held by the public, reaching about \$7.2 trillion in present value by 2086. Column 5 provides the projected effect of the proposal on the annual unified budget balances, including both the cash flow effect in column 3 and the additional interest on the accumulated debt indicated in column 4. Columns 6 and 7 indicate that the proposal would have no expected direct effects on the on-budget cash flow, or on the total Federal debt, in the future.

It is important to note that these estimates are based on the intermediate assump-

tions of the 2012 Trustees Report and thus are not consistent with estimates made by the Office of Budget and Management or the Congressional Budget Office based on their assumptions.

## Annual Trust Fund Operations as a Percentage of GDP

Table 1c provides annual cost, annual expenditures (on a payable basis), and annual tax income for the OASDI program expressed as a percentage of GDP. These values are shown for both present law and assuming enactment of the Bill. Showing the annual trust fund flows as a percent of GDP provides an additional perspective on these trust fund operations in relation to the total value of goods and services produced in the United States. The relationship between income and cost is similar when expressed as a percent of GDP to that when expressed as a percent of taxable payroll (see Table 1).

## Effects on Trust Fund Reserves and Unfunded Obligations

Table 1d provides estimates of the changes due to the proposal in the level of projected trust fund reserves under present law and, for years after trust fund exhaustion, the level of unfunded obligations under present law. All values in the table are expressed in present-value discounted dollars. For the 75-year long-range period as a whole, the present-law unfunded obligation of \$8.6 trillion in present value is reduced to an unfunded obligation of \$1.4 trillion in present value. This change is the combination of the following:

A \$7.1 trillion increase in revenue from applying the payroll tax to covered earnings above the present-law contribution and benefit base (column 2), less

A \$0.1 trillion reduction in cost from the behavioral response to additional payroll tax, causing a small decrease in the share of employee compensation that is received in wages, and thus a small decrease in total benefits (column 3).

We hope these estimates will be helpful. Please let me know if we may provide further assistance.

Sincerely,

STEPHEN C. GOSS,  
*Chief Actuary.*

Mr. SANDERS. I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—  
S. 338

Mr. BURR. Mr. President, I rise to tell my colleagues that shortly I intend to ask unanimous consent to call up S. 338, but prior to that I would like to say a few things about it. S. 338 was introduced by myself, Senator BENNET, and Senator AYOTTE. What it would do is permanently authorize the Land and Water Conservation Fund. It would also guarantee that a small portion of any appropriated money goes toward maintaining access for those who use our public lands, the American people.

The Land and Water Conservation Fund is essential to making public lands public, by securing recreational areas, particularly where opportunities for sportsmen and others to access existing public lands are limited or precluded. As I am sure the Presiding Officer is aware, this program expires on September 30 and we can no longer



wait to reauthorize what I believe is dollar for dollar one of the most effective government programs we have.

This is an investment that rivals any Wall Street honey of a deal that I have ever heard of. Every \$1 spent has roughly \$4 rates of return in either matching funds or money contributed back into our economy. This is an economic driver. The bait and the tackle shop, the outdoor apparel equipment store, the guide service, the mom-and-pop lodge, these are all local jobs. They cannot be outsourced. I realize this town does not take care of—it does not care much about budgets or responsible spending, but the simple truth is this program is a trust fund codified by law—by law—every year. No less than \$900 million in royalties are paid by energy companies drilling for oil and gas on the Outer Continental Shelf. They are put into this fund—royalties off of energy exploration, something Congress when they in their infinite wisdom set up this program said they were a good thing.

Every year no less than \$900 million in royalties are paid and go into this fund. The money is intended to, one, protect areas around national parks, rivers, and lakes. I note to my colleagues not “create” national parks, to “protect”; two, to provide buffers for national forests and national wildlife refuges from development; three, to provide matching grants for State and local parks and recreation projects. In fiscal year 2013, the Department of the Interior collected more than \$29 billion from offshore production. How much of that went to LWCF—\$306 million. That is barely one-third of the amount deposited at the Treasury Department for this purpose. Talk about highway robbery.

I can point to numerous years where this has been the case. Over the life of the program more than \$18 billion of land and water conservation funding has been diverted into the general fund to pay for programs other than what they were intended to be there for. This is a covenant with the American people that we have broken time and time and time again. It needs to stop.

My colleagues, this is not a land grab. It is not a land grab program as some have suggested it is. I would suggest to everyone it is a land solution. It is a tool. The LWCF goes toward the purchase of inholdings, those pieces of property that are inside a protected piece that is valuable for the future. The only reason there are inholdings is that they were not available when that tract was put together. It is used to buy property adjacent to existing boundaries and can help solve management problems rather than add to them.

I wish to give my colleagues one example: Clarks River National Wildlife Refuge in the great State of Kentucky. Acquisition of the tract there completed a connection between the refuge lands and the Clarks River. Previously, access to the river required excessive

hiking because there was no approved vehicle access.

These access issues also limited the refuge's ability to provide environmental education and interpretation programs. Now the site provides access to the river for school groups, their transportation, and allows refuge staff to provide hands-on environmental instruction to students.

We went from a situation where you can only walk to this land to an acquisition by a conservation component funded by royalties of oil and gas exploration, and now vehicles can actually ride on it. School children can go there and go through transitional education for the purposes of understanding why this is so valuable to protect.

Most lands acquired with LWCF funds are within the existing boundaries of a Federal park, refuge, forest or other recreational areas. Much of the rest is used for conservation easements and State grants, which do not add to Federal management costs.

Let me state that again. When we allow this process to take place, we actually reduced the burden on Federal agencies from a standpoint of their management responsibilities with Federal dollars.

These partnerships through LWCF easements are a win-win. They keep ranchers and farmers on their land while maintaining wildlife habitat and open spaces. Strategic LWCF purchases can defuse conflicts with private landowners by securing permanent access for sportsmen.

With changing land use and ownership patterns, areas that were once open and usable are now either blocked or cut off. Public lands are often sometimes inherently sequestered from roads and towns by narrow pieces of private-ownership land. LWCF funds bring together sportsmen and willing sellers with the intent of open access for everyone.

The Land and Water Conservation Fund is a down payment. It is a down payment on an investment that sustains the American way of life. The best part, I say to my colleagues, is that it is paid for.

I am not here to suggest that I want to tackle the pittance that the fund receives and how much it was promised. I am only here today, along with my colleague from Colorado, to call up the bill to permanently authorize this program so that we don't go through this exercise every time that reauthorization is needed.

In a country that continues to explore for energy—and I hope we continue and become self-sufficient—let's use the portion of the resources that we can to fuel the beach renourishment, to rebuild the dunes, to buy those inholdings to get buffer zones around those treasures we try to protect. As we do that, let's open it up to American sportsmen to hunt, to fish, to use. That is what LWCF is about.

Let's start acting as if the agreement we made with the American people 50

years ago actually means something. Let's authorize permanently the Land and Water Conservation Fund.

Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of S. 338; that there be up to 1 hour equally divided in the usual form; that following the use or yielding back of that time, the bill be read a third time, and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, the Land and Water Conservation Fund is used for a number of purposes, although the primary purpose involves the acquisition of new Federal land. Funding the acquisition of new Federal land at a time when Federal agencies can barely take care of the land they already have does raise some rather significant questions that need to be addressed.

The Department of Interior faces a combined maintenance backlog of over \$20 billion—\$13 billion in our National Park Service alone. We struggle with ways to fund the Payment in Lieu of Taxes Program, the intent of which was to mitigate the burden of Federal land to local communities where there is an abundance of Federal land that can't be taxed.

Coming from a State that is dominated by Federal land ownership—two-thirds of the land in Utah is controlled by Federal agencies. Any new Federal land ownership must be examined with a healthy degree of skepticism. There are many issues that need to be considered and debated before we reauthorize any program that would potentially expand the Federal Government's land holdings.

I certainly support opening our public lands for recreation, including for purposes related to hunting and fishing, and I believe that the Land and Water Conservation Fund could also be used to mitigate the negative impacts of Federal regulations on private property such as listings under the Endangered Species Act.

But reform isn't likely to happen. In fact, reform may well be impossible if we allow this bill to pass as is without going through the proper procedures. This bill should be subject to debate and amendment, first at the committee level and then on the floor of the Senate.

That is what needs to happen, and on that basis I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. BENNET. I thank my friend from North Carolina for his efforts, and I wish to echo a lot of the points he already made so well, especially about how we stand here today having this fair, reasonable, unanimous consent request that the Senator from North

Carolina has asked for, as we stand here today when essentially what we are talking about is a promise that has been broken by this Congress to the American people for 50 years.

I thank, through the Chair, my colleague from North Carolina for trying to rectify that.

I am disappointed that our unanimous consent request was objected to, but I know this measure has plenty of support. As he mentioned, we led an amendment on the floor last week with the exact same text of the bill that we are discussing today. When the dust settled, that amendment received 59 votes, but I have a hunch that it would comfortably clear the 60-vote threshold were it to be considered again. And it should be considered again.

The measure is simple. As Senator BURR said, it simply reauthorizes the Land and Water Conservation Fund and ensures that a dedicated portion of LWCF funds go to provide new access for our Nation's sports men and women.

As most in this body know, LWCF is one of the country's best conservation programs. It provides \$900 million annually to preserve our public lands and increase access to them. Not only do we need to pass this bill to reauthorize the program, but we need to ensure that we dedicate full and mandatory funding to the initiative, as Congress intended when we created the program in 1964.

Historically, LWCF resources have been used for all types of projects, ranging from building city parks to purchasing small parcels of isolated land from willing sellers and all the way to preserving our Nation's historic battlefields.

In Colorado, we have used LWCF for a wide variety of projects beyond traditional conservation. For example, LWCF was of critical importance to our State following a major natural disaster in 1976. That year an intense rainstorm caused massive flooding around Colorado's Big Thompson River. The flood claimed the lives of 145 Coloradans and caused more than \$35 million in damages.

Once the horrible tragedy passed, the community had to rebuild. Rather than constructing houses back in the flood plain, Larimer County turned to LWCF to acquire the affected land and compensated the families whose homes were destroyed.

Those flood plains are now home to four new county parks—popular destinations for birdwatchers, anglers, and family picnics—instead of vulnerable structures. When another huge flood hit in the fall of 2013, the rivers ran black and eventually surged over their banks, as we can see from this photo I have in the Chamber.

Luckily, the flood plains, protected by LWCF and the creativity of our local folks, saw much less damage this time. The floodwaters inundated the open, undeveloped spaces instead of destroying homes and businesses, and

Larimer County avoided about \$16 million in estimated property damages.

It is incredible to think that an LWCF investment of just over \$1 million in 1976 saved us more than 15 times that amount in 2013.

Beyond the example from Larimer County, communities all across Colorado have used LWCF to preserve sensitive landscapes and to help their local economies. This past summer, we completed a huge LWCF project in the San Juan National Forest near the town of Ophir. I spoke briefly about this project last week, and I will mention it again today because the work of the town of Ophir and the people of Ophir, along with their partners, the Trust for Public Land, were truly remarkable.

If memory serves, it is a project that took 12 years from start to finish. It had to be done in phases. LWCF funds were used to acquire several old mining claims above town, preserving the scenic beauty and ensuring that the area will remain undeveloped forever.

In this picture, if you ignore the center with these people in front of me, we can see how beautiful it is. This is a picture of the newly preserved landscape in Ophir. A group of us gathered to celebrate the accomplishment this past summer.

Most of these mountain communities get huge portions of their revenue and business from recreation and tourism. It is for some of these reasons that the town felt the Land and Water Conservation Fund literally helped secure their economic future.

This is a small, rural community in my home State. It is far away from this floor. LWCF has made a huge difference for Ophir.

These are two stories from Colorado, but I know they have been replicated thousands of times across the country and in all 50 States. Those stories and accomplishments alone make this bill worth supporting.

As I mentioned earlier, Congress wrote and passed LWCF in 1964, and it is beyond time to reauthorize it. Senator BURR has shown great leadership in crafting a bill to do just that.

Conservation policies—from LWCF to farm bill easement programs, from wilderness to national parks—are important to the American people. The American people support this work. Protecting our land and water is part of our everyday lives in Colorado, and I know our State is not the only one.

Conserved lands and wide-open spaces are a huge economic driver across the country, a huge part of our culture. They are who we are in the West. We should do right by the American people and reauthorize this program as soon as possible. Then we ought to work together to ensure that LWCF gets the full and mandatory funding going forward that was promised 50 years ago by Congress.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### REMEMBERING AMBASSADOR ROBERT E. WHITE

Mr. LEAHY. Mr. President, on January 13 of this year, our country lost one of its most courageous diplomats—Ambassador Robert E. White. Ambassador White was 88 years old.

I knew Bob White, who graduated from my alma mater, Saint Michael's College in Vermont, in 1952, just 9 years before I did. But I would have admired him greatly no matter what college he went to because he had the qualities every American diplomat should possess—outstanding intellect, unimpeachable integrity, great courage, and a devotion to the ideals and values of this country.

In the 1980s, during the civil war in El Salvador, the United States—in what most historians now know was a tragic mistake—steadfastly supported the Salvadoran Army despite abundant evidence that some of its elite units were operating as death squads, arbitrarily arresting, torturing, and murdering civilians suspected of supporting the FMLN rebels.

Unlike some other U.S. officials who turned blind eyes to the heinous crimes that were being committed in the name of fighting communism, Ambassador White refused to remain silent. He publicly condemned the Salvadoran military and their rightwing backers who were implicated in atrocities such as the assassination of Archbishop Oscar Romero, who just days ago was put on the path to sainthood by Pope Francis, and the massacre of four American churchwomen.

For speaking out on behalf of the victims of those crimes, Bob White paid dearly. He was ridiculed by some in Congress and he was summarily removed from his job by then-Secretary of State Alexander Haig.

A January 15 obituary in the Washington Post describes Bob's life and career. As I was reading it, I could not help but wonder how things might have turned out differently if the powers-that-be during the 1980s had listened to him. My wife Marcelle and I talked about that. We asked ourselves: How many lives might have been saved if the Reagan administration, instead of firing Bob in 1981, had recognized the truth of what he was saying and supported negotiations to end the war in El Salvador.

Instead, the war dragged on for another decade, costing the lives of tens of thousands of people, mostly civilians. The tide only started to turn in 1989 after the cold-blooded murder of the six Jesuit priests, their housekeeper and her daughter, at the University of Central America. It was a

horrific crime that top-ranking army officers tried to cover up.

It was thanks to the late Congressman Joe Moakley and his then-staff aide, now Congressman JIM MCGOVERN, Bob Woodward, and Salvadoran investigator Leonel Gomez, whom I also came to know and respect, that the plot was uncovered and the killers identified.

During this time I talked often with Bob and I learned even more about those who were involved. After talking with him I went to El Salvador. The Salvadoran officials wanted me to see how they were investigating what had happened. They knew I had prosecuted murder cases, and they arranged for me to meet with the country's chief investigator. As he described the so-called investigation it just confirmed Ambassador White's suspicions. I told the Salvadoran investigator, and I told the press who were there, that they were conducting an obvious cover-up. Anybody who saw what they were calling an investigation would realize what they were doing.

As I left El Salvador, it was so obvious that rather than shamelessly removing Ambassador White from his post how much better things might have been if the State Department had recognized him for the true patriot he was and treated him as an example of what other U.S. diplomats should emulate.

Bob didn't stop when he left the Foreign Service. He went on to head the Center for International Policy where he continued his advocacy for human rights, defending the ideals and championing the causes he believed in right up to his death.

I like to think that all of our Foreign Service Officers aspire to follow in the footsteps of Ambassador Robert White. I hope they will learn from his example. If they do, the United States will be better served and the world will be a better place.

I ask unanimous consent to have printed in the RECORD the Washington Post obituary, and an article about Ambassador White by Margaret O'Brien Steinfels in Commonweal magazine.

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

[From the Washington Post, Jan. 15, 2015]

ROBERT E. WHITE, WHO CRITICIZED POLICY ON EL SALVADOR AS U.S. AMBASSADOR, DIES AT 88

(By Pamela Constable)

In 1980, when El Salvador was erupting in guerrilla war and military violence, the Carter administration sent a little-known Foreign Service officer into the maelstrom as its new ambassador, hoping he could help the U.S.-backed government there find a reformist middle ground and prevent a full-scale revolution.

Instead, Robert E. White became a controversial and outspoken critic of assassinations and massacres being carried out by American-trained military units and private right-wing death squads. His views cost him his diplomatic career but earned him the respect of many Salvadorans and, ultimately, the vindication of history.

Mr. White, who had previously served as U.S. ambassador to Paraguay, died Jan. 14 at a hospice in Arlington, Va. He was 88. The cause was bladder and prostate cancer, said a daughter, Claire White.

His brief tenure in San Salvador was marked by atrocities that became synonymous with right-wing violence during an era of ideological conflicts in Central America: the assassination of Catholic Archbishop Oscar Romero in March 1980 while he was saying Mass in the national cathedral, and the abduction and killing that December of four American women church workers: Maryknoll sisters Ita Ford and Maura Clark, Ursuline Sister Dorothy Kazel and lay missionary Jean Donovan.

Mr. White, who once said he was inspired to join the Foreign Service by a "quotient of idealism," worked to promote human rights, economic reforms and political negotiations between leftist rebels and El Salvador's civil-military junta. But he soon found himself at loggerheads with the rightist military and land-owning establishment, which had powerful allies in Washington and Miami.

Unable to keep silent as security abuses mounted, Mr. White began denouncing them in diplomatic cables, then in interviews and congressional testimony. He famously called rightist political leader Roberto D'Aubuisson a "pathological killer" and charged that he had orchestrated the execution of Romero.

Mr. White also accused the Salvadoran national guard of murdering the Maryknoll women—two of whom he had dined with the night before their disappearance. He was there when the women's bodies were dug up, and he was quoted as vowing angrily, "This time the bastards won't get away with it."

"Bob was transformed by those events, especially the killings of the Maryknolls, from a diplomatic functionary into a person whose ethical and moral convictions conflicted with his job," said Francisco Altschul, the current Salvadoran ambassador to the United States, who was a leftist political activist at the time. "It took a lot of courage and integrity to say what he did and to face the consequences."

Mr. White's outspoken posture drew praise from human rights groups but death threats in El Salvador. His wife once described being warned by her security guard in their affluent San Salvador enclave that "your neighbors would like to kill you."

The ambassador also faced strong opposition from powerful Washington hawks including Sen. Jesse Helms (R-N.C.), who had been annoyed with Mr. White's earlier human rights activism in Paraguay and compared his posting to El Salvador to "a torch tossed in a pool of oil."

By 1981, after the election of Ronald Reagan as president ushered in a new era of anticommunist fervor in Washington, Mr. White's days as ambassador were numbered. After coming into conflict with Secretary of State Alexander M. Haig Jr., Mr. White was removed from his post less than two weeks after Reagan took office. He soon retired from the Foreign Service after a 25-year career, claiming that he had been forced out for political reasons.

"In El Salvador, Bob believed the authoritarian regime was morally repugnant and needed to change, but he worked very hard to avoid the escalation of war and negotiate a solution," said William M. LeoGrande, a professor at American University and author of "Our Own Backyard: The United States in Central America, 1977-1992."

"The tragedy was that U.S. policy changed, El Salvador became a Cold War proxy, and another decade of conflict followed," LeoGrande said.

Once free of the constraints of diplomacy, Mr. White spent much of the next three dec-

ades speaking his mind on U.S. policy and official abuses in Latin America, while holding a series of jobs, including a professorship at Simmons College in Massachusetts and a senior associate position at the Carnegie Endowment for International Peace in Washington.

He was a sarcastic critic of Washington's Cold War-era policies in Latin America, particularly what he called the "primitive anti-communism" that produced the U.S. embargo against Fidel Castro's Cuba and support for hemispheric dictators such as Gen. Augusto Pinochet in Chile and Gen. Alfredo Stroessner in Paraguay. He accused the Reagan administration in 1984 of covering up its knowledge of D'Aubuisson's role in the Romero assassination. Administration officials denied the allegations.

In 1989, Mr. White was named president of the Center for International Policy, a liberal think tank in Washington, and held that position at the time of his death. He also visited numerous countries, from Haiti to Afghanistan, with delegations to monitor elections and human rights.

Robert Edward White was born Sept. 21, 1926, in Melrose, Mass. He served in the Navy as a radio operator in the Pacific during World War II. He attended Saint Michael's College in Vermont on the G.I. Bill, graduating in 1952, and completed a master's degree in 1954 at Tufts University's Fletcher School in Medford, Mass.

He joined the Foreign Service in 1955 and served in a variety of positions related to Latin America. He was posted in Colombia, Ecuador, Honduras and Nicaragua, served as regional director of the Peace Corps and was a U.S. representative to the Organization of American States. He was ambassador to Paraguay from 1977 to 1980, when he was transferred to El Salvador.

Survivors include his wife of 59 years, Maryanne Cahill White of Alexandria, Va.; three children, Chris White of Manassas, Va., Claire White of Cambridge, Mass., and Mary Lou White of Evanston, Ill.; a brother, David White of Alexandria; and three grandchildren.

A son, Kevin White, died in 2009; a daughter, Laura White, died in 2014.

Mr. White always described himself as a diplomat and a democrat rather than a leftist or moral zealot.

"I don't go out looking for windmills to joust," he told an interviewer from Commonweal magazine in 2001. "And the idea that I'm some sort of martyr? Well, I'm not."

He argued that to avoid ending up on the wrong side of history or in Vietnam-style military quagmires, the United States needed to seek negotiated solutions to all conflicts, maintain a moral component in its dealings with all regimes and respect the will of local populations.

"The military dictators of the world fear democracy more than anything else," he told the Fletcher Forum, a publication of the Fletcher School of Law and Diplomacy, in 1981. "U.S. policy toward Latin America can be summed up in three words: fear of revolution. Because we feared revolution, we consistently opposed the forces of change while uncritically supporting dictatorships and small economic elites. We blinked at repression and participated in the perversion of democracy throughout the hemisphere."

[From Commonweal Magazine, Jan. 19, 2015]

ROBERT E. WHITE, 1926-2015

(By Margaret O'Brien Steinfels)

Robert White, who spent a quarter century in the U.S. Foreign Service and was ambassador to El Salvador at the beginning of its civil war, seems never to have forgotten anything. Among the things he never forgot

were the murders of Jean Donovan and Sisters Dorothy Kazel, Maura Clarke, and Ita Ford. White was present when their bodies were recovered from shallow graves on December 4, 1980. He returned to the embassy as angry as his wife, MaryAnne, had ever seen him. It changed him, she told me in 2001, when I interviewed her for a profile of Bob I wrote for *Commonweal*. Indeed, his refusal to cover up Salvadoran military involvement in their murders—and those of thousands of Salvadorans, including Archbishop Oscar Romero—led to his resignation from the Foreign Service in 1981. He continued his work for democratic reforms and human rights in the Caribbean and Latin America at the Carnegie Endowment for Peace and the Center for International Policy.

Bob, who died on January 13 at the age of eighty-eight, was a great interview; in 2001 I left his Washington office with tapes full of details. He could summon conversations from years past and recount policy details lost in the fog of diplomatic maneuvering. Not only did he remember names and details of long-past events, he was also forthcoming in his analysis of U.S. foreign policy. He had joined the Foreign Service in 1955; after President John Kennedy announced the “Alliance for Progress,” he requested assignment in Latin America. Designed to encourage democracy and human rights, the new policy was a turn away from, as White put it, doing the work of “the colonial office.” That derogatory title summed up the tangled political and economic relationship between the U.S. and its neighbors to the South. Even when support in Washington faltered after Kennedy’s assassination, White tried to keep the policies of the Alliance in play. Full-blown Cold War policies had returned in 1968 with Richard Nixon and Henry Kissinger, coloring White’s years in Honduras, Nicaragua, Columbia, Paraguay, and El Salvador. While serving as U.S. representative to the Organization of American States, he faced down Kissinger, whose statements supporting Pinochet were contrary to U.S. policy. This brought White to the edge of dismissal; he won the battle and stayed on to serve in his final post, El Salvador.

A long history of interventions and exploitation of the continent’s natural resources made the United States the imperial power that both democratic reformers and Marxists loved to hate. White saw in the reformers the path to more democratic governments and respect for human rights. Washington, focused on Soviet threats and Fidel Castro’s support for guerrillas, increasingly favored the dictators and caudillos. Secret agreements were struck between U.S. military and intelligence agencies and their Latin counterparts. This often put the Department of State, though the official representative of the United States, on the margins of both policy and practices. Jimmy Carter’s victory in 1976 pressed U.S. policy once again into a human rights agenda; that ended with Ronald Reagan’s election in 1980.

White had long found himself the middleman in many of the struggles between Latin American governments and reformers as well as with his own government. His job was to work with each country’s political leaders, notwithstanding their anti-democratic policies. While they might tolerate his cajoling and plain speaking about land reform, fair elections, and human rights, they usually had a U.S. military representative or CIA agent to turn to for direct contact with Washington (often someone on the ambassador’s own embassy staff). At the same time, White made it his business to seek out and get to know sympathetic academics, journalists, labor leaders, clergy, and reformers in the Christian Democratic tradition. He understood the central role the

Catholic Church, especially its cardinals and bishops, played among the social and political elites. His friendship with some and parrying with others gave him behind-the-scenes influence; his attendance at Mass could be the occasion for a pointed homily on topics a prelate might otherwise avoid. If White was regarded with suspicion and contempt, especially by Salvadoran politicians and military, his reputation among Americans (and American Catholics) opposed to their endemic violence and abuse was hardly better. The U.S. ambassador was seen to be compromised by his position and not to be trusted.

After his resignation, White more than any U.S. official exposed the hidden ties between U.S. military and intelligence and their Latin American counterparts. He testified against Salvadoran military for their complicity in torture and murder, especially of the American churchwomen. He never ceased pressing for better political and economic conditions in Latin America, termination of sanctions against Cuba, and an end to human rights abuses not only by dictatorships but also by democracies. Bob’s work as an ambassador—from the United States at its best—never really ended.

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

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

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. CORNYN. Mr. President, for the second time in 2 days our friends across the aisle have killed important funding for the Department of Homeland Security, a bill worth about \$40 billion that was passed by the House of Representatives and sent over for the Senate to consider.

I continue to be amazed, watching Member after Member across the aisle come down here and vote to block this important piece of legislation, and then, in the same breath, accuse the majority of threatening to shut down the government. It strikes me as surreal. They are the ones filibustering the funding for the Department of Homeland Security, and they are claiming we are trying to shut down the government.

I know it is sometimes hard to explain what happens in the Halls of Congress and Washington, DC, but my folks back home can’t understand how they can block something and then claim they are for it—and then the people who are actually advocating for the passage of this funding, claiming somehow we are going to shut down the government. It just doesn’t make any sense, and it is the kind of double talk I think people have come to despise and associate with Washington, DC, and Congress.

That is one reason voters so overwhelmingly repudiated the status quo

on November 4 and said: We want new management, and we don’t want business as usual in Washington, DC.

Speaking of saying one thing and doing another, on this side of the aisle we pointed out some of the tough talk from some of our friends on the other side of the aisle, Senate Democrats, last fall when the President made clear he intended to follow through on a series of unilateral immigration actions that he, himself, on 22 different occasions had said he did not have the authority to take.

Indeed, it is my view this is unconstitutional. He can’t pass or make a new law without following the constitutional pathway, which requires Congress to consider it, vote on it—both Houses—and then send it to the President for signature. For the President just simply to make it up out of whole cloth is dangerous, to say the least.

I guess if the President doesn’t like any other aspect of our laws, this President—or any future President—might claim the sole authority to change it without following the procedures laid out in the U.S. Constitution.

I know what the President did last fall in this Executive action on immigration makes a number of our colleagues across the aisle uncomfortable because they are quoted in the newspaper as saying so. But now somehow in this mind meld going on, on the minority side, they now are walking in lockstep, voting against proceeding to consider this Homeland Security appropriations bill, even though, by my count, at least seven Democrats expressed deep concern with the President’s unconstitutional action.

Here is what the Senator from West Virginia said, talking about the President:

I wish he wouldn’t do it.

The junior Senator from Minnesota said:

I have concerns about executive action.

The same kind of concerns I have just expressed.

The senior Senator from Missouri felt the same way, saying about the President’s unilateral action:

How this is coming about makes me uncomfortable, [and] I think it probably makes most Missourians uncomfortable.

It made the President of the United States uncomfortable, so uncomfortable on 22 occasions he said he couldn’t do it—and then he did it.

It makes me extremely uncomfortable, too, and it certainly makes the vast majority of the people I represent back in Texas uncomfortable as well.

We are a nation of laws. I know we say that all the time, but it is one of the things that distinguishes us from so much of the rest of the world where, no matter who you are—whether you are the President of the United States or the most humble person in the country—the rules apply to you equally. That is what it says over the top of the Supreme Court Building. Look at the front of the building. It says, “Equal Justice Under Law.”

The idea that the President can—after 22 times saying he didn't have the authority—become a law unto himself and try to get away with it is just unprecedented and it is dangerous.

Despite the fact that many of our colleagues on the Democratic side have said what the President did made them feel uncomfortable, they apparently lost their sense of discomfort when they voted in lockstep to block this funding bill.

In order to justify their filibuster, a number of Senate Democrats have said: I don't like the bill the House sent over because it has some things in it that I don't like. I like the funding, but I don't like the spending restrictions.

I know the Presiding Officer understands as well that we can't change a piece of legislation in the Senate unless we vote to get on the bill. It is the same thing as saying you can't finish a journey until you start it, and our friends across the aisle are unwilling to even start that journey.

To state the obvious, if our friends in the minority would like to change the Department of Homeland Security funding bill, they ought to stop blocking it from being debated and amend it. If they have ideas, let's bring them to the floor.

One of the things that has distinguished this 114th Congress from the way things ran last year is we have actually had an open amendment process. Indeed, we found out in the first month of this year and this new Congress that we had more votes than all of last year combined.

So there is going to be an opportunity for anybody with a better idea to come down and get a vote. But this whole idea of saying, I am not even going to participate in the process and—worse than that—I am going to block a funding bill for the Department of Homeland Security because I don't like what is in it is just—well, it is just impossible to explain.

We know some of our colleagues on the other side are using this to play games because they basically have admitted it.

Just yesterday in the Huffington Post, the senior Senator from New York, a member of the leadership of his own party, said that "it is really fun to be in the minority." That strikes me as extraordinarily cynical because we were not sent to play games, particularly with matters as important as homeland security. That is not what the American people sent us to do, and that is certainly not what they ratified or what they voted for on November 4.

They rejected business as usual in Washington, DC, and they said: Let's do something different, and we may not necessarily endorse everything that Republicans stand for, but, boy, we are sure going to give them a chance to show that they can do better than the management in the 113th Congress.

I think we began to make some positive steps in the right direction, par-

ticularly with passing important legislation.

We passed three important pieces of legislation in the 114th Congress: the veterans suicide bill that we voted on earlier this week, we have passed the terrorism risk insurance bill, and we passed, as the Presiding Officer knows, a very important piece of legislation to our economy and job creation and energy security known as the Keystone XL Pipeline. That is not bad. That is not bad.

We would like to do what I think falls in the category of governance 101, something that is pretty basic. We have to pay to keep the government functioning and particularly the Department of Homeland Security.

I know our friends on the other side of the aisle say: We don't like the bill the way it is, and we don't like the tools that are being used by the majority party to rein in the President's Executive action. Well, I am not going to make any apology for that because what the President did was unconstitutional. It was illegal. He has no authority to do that on his own. Again, it is not just me saying that. It is not just my opinion. It is his opinion. How cynical. How cynical.

I guess he figures he is going to get away with it, and our friends on the other side of the aisle are going to be the enablers, to enable the President to get away with something he said he didn't have the authority to do on 22 times.

I sure wouldn't want the folks back home to see me in that same light. I would have a hard time explaining to my constituents back home, saying, yes, I am helping the President do something that he said was illegal and he didn't have the authority to do, and we are going to play games by blocking important funding for the Department of Homeland Security in order to facilitate him getting away with it.

That is a cynical game and it is dangerous, particularly in the threat environment we are living in.

So I come to the floor for the third time this week to ask our colleagues on the other side of the aisle—especially those who have boldly stood up to their own President, a member of their own party, the leader of their own party, a few short months ago—to ask them to stand up again and to tell the President and to tell their own leadership that we want to have a Senate that actually works, where the minority and the majority get to participate through an open amendment process. But we are going to respect the Constitution, we are going to respect this institution and, yes, we are going to respect the role of the Presidency under our Constitution enough to rein in this President's overreach, and we are not going to jeopardize funding for the Department of Homeland Security and allow that to be held hostage to the President's unconstitutional act.

Mr. 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. CARPER. 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. CARPER. Mr. President, earlier this week we learned about the young Jordanian pilot who was horrifically burned alive in a cage at the hands of the Islamic State of Iraq and the Levant, ISIL. This is the same group that haunts us with images of beheadings and mass murders week after week and enslaves women into servitude. It is the same group that recently declared it is determined to "reach America."

My friends, we live in a world that is scary. And it is not just ISIL. It is the lone wolves who gather ammunition and equipment and carefully draft plans to attack us where we work, such as the attack we saw last year in Ottawa and last month in Paris, as well as the individual from Ohio who was planning to attack the Capitol right here in Washington, DC.

It is pandemics such as Ebola. It is the criminals trying to traffic illegal drugs and human beings across our borders and through our ports of entry. It is those individuals trying to sabotage our airplanes and our trains. It is those people trying to attack our computer networks and critical infrastructure.

But thanks in large part to the work of the Department of Homeland Security and its employees, Americans are safe—at least a lot safer than we otherwise would be. Our airplanes and our airports are protected 24/7. Our borders and our ports throughout our country are secure. Trafficking of illegal drugs and human beings is better controlled, and our critical infrastructure networks are better protected.

For anybody who thinks it makes sense to put the Department of Homeland Security out of business, to put it on the sidelines at this point in time in this world in which we live, I ask: Have we lost our minds? I hope not. I hope not. Yet today, here in the Congress, we are locked in a political debate about whether we fund that very agency that is charged with keeping Americans safe—those who live here with us—from the Islamic State and any other number of additional threats. That is irresponsible and shameful behavior. In order for the Department of Homeland Security to officially and effectively carry out its critical role in combating the multiple and ever-changing threats our country faces, the Department needs fiscal certainty and the full support of this Congress.

Throughout this week I joined nearly half of my Senate colleagues to reject the House funding bill for the Department of Homeland Security, H.R. 240, which contains riders that block the President's recent immigration actions. Many of our colleagues on both

sides of the aisle have significant concerns with these amendments, and the President has promised he would veto this bill if these amendments were not stripped from it.

My colleagues' insistence that we accept these House amendments is jeopardizing timely enactment of a vital and bipartisan Homeland Security funding bill and threatens to prolong the crippling budget uncertainty the Department of Homeland Security has been operating under since last year.

On top of that, according to the non-partisan Congressional Budget Office, this House bill with the amendments would increase deficits over the next 10 years by a total of \$7.5 billion. Instead of helping our Nation move forward with our economic recovery and our deficit reduction, this bill would move us backwards.

I understand why some of our colleagues are upset about the President's immigration policies. We can and we should have a debate about those concerns. We started the process just yesterday in the Committee on Homeland Security and Governmental Affairs, where I serve as ranking member.

Let me remind my colleagues that we wouldn't even be here having this conversation today or at that hearing yesterday if Congress had finished the job we began some 2 years ago in the Senate, right here on this floor. As most of my colleagues in this Chamber will recall, two-thirds of the Senate came together in 2013. We passed by a wide margin a comprehensive immigration reform bill. Was it perfect? No, but we took significant steps to fix our badly broken and outdated immigration system and to enhance the security of our borders.

At the same time, the bill would have reduced our budget deficit by nearly \$1 trillion—\$1 trillion—over the next 20 years, according to the Congressional Budget Office. Let me repeat that. Comprehensive immigration reform adopted here by a two-thirds vote would reduce our deficit by nearly \$1 trillion over the next 20 years. We demonstrated almost 2 years ago that we can debate our Nation's immigration policies in a thoughtful way in the Senate, and, I think, over in the House. There is no reason why we can't do it again. We need to have this debate on the Senate floor as we did last Congress.

We need to have this debate in committees as we did in the last Congress. We need to have this debate in our towns and States across America as we did in the last Congress. But we should not have this debate while we are deciding the fate of the budget of the Nation's most critical national security agency, the Department of Homeland Security.

I am not the only one who thinks so. All three former Department of Homeland Security Secretaries—Republicans Tom Ridge and Michael Chertoff and Democrat Janet Napolitano—wrote to the Republican leadership last week and this is what they said:

We do not question your desire to have a larger debate about the Nation's immigration laws. However, we cannot emphasize enough that the DHS's responsibilities are much broader than its responsibility to oversee the federal immigration agencies and to protect our borders. . . . And funding for the entire agency should not be put in jeopardy by the debate about immigration.

The Washington Post's editorial board has also weighed in. Last week, here is what they wrote:

If congressional Republicans want to attack those—

Talking about immigration—actions responsibly, with discrete legislation, they are free to try. . . . However, it is another thing to wield their frustration over immigration as a cudgel, holding hostage an entire department of government that is critical to the nation's security. That is as irresponsible as it is politically ill-advised.

I could not agree more. We need to focus now on doing the job we were sent here to do—to provide the funding necessary to keep America safe in an ever more dangerous world. Once we have done that, we should engage in an urgent debate on how to amend America's immigration policies for the 21st century.

If we choose instead to continue down this irresponsible path toward a shutdown of the Department of Homeland Security, we will actually put America at greater risk. Why would we do that? Why would we do that?

If we allow the Department of Homeland Security to shut down, here is what is going to happen—a few things that will happen. First of all, over 50,000 TSA security screeners keeping terrorists off of airplanes are going to go without pay. We want them to do their jobs, but we are just not going to pay them for it. Over 40,000 Customs and Border Protection officers needed to keep our borders secure are going to go without pay, too. We want them to do their jobs. We are not going to pay them, either.

In addition, over 13,000 Immigration and Customs Enforcement agents, enforcing our immigration laws and combatting human and drug trafficking, are going to go without pay too. We want them to do their jobs. We are not going to pay them, either. Essentially, a large part of our Federal homeland security personnel would be working on an IOU. Now you say: How is that fair? How is that fair? Well, it is not. Even if we avoid a shutdown but continue to keep the Department on a continuing resolution, we prevent the men and women who work there from doing their jobs as effectively and as efficiently as they can.

For example, we will not be able to replace obsolete surveillance technology along the high-risk areas of our border with Mexico. Our Nation will have significantly fewer resources to respond to any future surges of unaccompanied minors along the Southwest border. Morale will continue to degrade at the Department, which already ranks dead last for morale among other major Federal agencies. This is not

how we want to be treated. It is no way for us to treat the men and women who are working around the clock to keep us safe.

It is also an egregious waste of money. As we have learned over the years, crisis budgeting costs taxpayers millions of dollars. This latest situation is no exception. Employee hiring and research efforts at the Department would come to a halt. The contracts for a variety of security projects would be stalled and would need to be renegotiated, in all likelihood at a higher cost to taxpayers.

For example, a continuing resolution would delay a \$600 million contract to build a national security cutter that the Coast Guard urgently needs—keep it from being awarded. This cutter is critical to stopping the illegal trafficking off of our shores and ports of entry, including illegal immigration and drug and human trafficking. That is just one example.

As any business owner would tell us, this is not the way to run a business. It is certainly no way to run a vital national security agency of the United States.

So how are we going to remedy this situation? Fortunately, we have a solution sitting right in front of us, the bill that Senators MIKULSKI and SHAHEEN have introduced. It is S. 272. It is a clean fiscal year 2015 appropriations bill, which both Democrats and Republicans agreed to just this past December, 2 months ago. This measure provides the stable full-year funding that the Department of Homeland Security and our national security need without demanding a ransom.

In closing, I want to urge, as strongly as I can, my colleagues in this Chamber, in this body, to join me in doing the right thing. Support passage of this clean full-year appropriations legislation for the Department of Homeland Security. Reject the amendments approved by the House. Once we have done that, let's begin a fulsome and badly needed debate that will enable us to hammer out a thoughtful, 21st century immigration policy for America, a policy that is fair, a policy that will significantly reduce our Nation's budget deficit, and a policy that will strengthen the economic recovery in this country that is now underway.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, the Affordable Care Act is working. It is working better, frankly, than many of us who were there at its inception believed it would at this early stage in its implementation. The numbers are pretty hard to argue with. You have got now upwards of 10 million people who are on either private insurance with tax credits to help them get that coverage, or are on Medicaid through different State plans.



That is a big deal, because in just about 1 year, we have reduced the number of people without insurance by 25 percent in this country. In my State of Connecticut, which probably has the best-run exchange in the country, we have actually reduced the number of people without insurance by 50 percent.

Better news is the quality is getting better. Some of the measurements we most closely watch to decide whether people are getting better care—things such as hospital-acquired infections and readmission rates after surgery—are going down. That is really good news. Of course, maybe the best news of all is the taxpayers are saving money, an extraordinary leveling off of health care inflation.

Health care spending never goes down from year to year. We used to have 7-percent to 8-percent increases in spending on an annual basis. We are now seeing 2-percent or 3-percent increases. In fact, the lowest rate of increase since we started tracking health care spending happened in this last year. Federal taxpayers are saving, on average, \$1,000 per Medicare beneficiary compared to what the Congressional Budget Office thought we would be spending when we passed the Affordable Care Act.

That does not mean we do not have a lot of work to do. But it does mean the conversation we should be having today is about perfecting the Affordable Care Act, making it work even better, not repealing the Affordable Care Act.

It is not just me. I have been down to the floor over and over again to make this case, that the numbers simply do not lie. The press, universally, perhaps, reporting on this overwhelming avalanche of data, tells us that the Affordable Care Act is working. I literally in the 5 minutes before I came to the floor did a quick search to see what people were saying. New York magazine: "Four new studies. ObamaCare is working incredibly well."

Forbes: "More solid proof that ObamaCare is working."

Washington Post: "Despite the critics, ObamaCare works."

Business Insider: "Major new study says ObamaCare is working."

Rolling Stone: "ObamaCare: It's working."

I could do a full 10 minutes just on the headlines that tell you the Affordable Care Act is working. But instead of talking about making it work better, today we are talking again about repealing it. The House took, I think, their 56th vote to repeal all or part of the bill. This morning several of our colleagues unveiled a proposal to replace the Affordable Care Act.

Now I give my colleagues credit. It has been 5 years. This is the first time we have seen even a memo on what would be this replacement we have been hearing a lot about. But it is still a memo, as far as I can tell. We do not have any legislative text or any CBO score. But I wanted to come to the

floor and talk for a minute about what this replacement would mean.

The replacement memo we looked at this morning, offered by two of our Senate colleagues and one of our House colleagues, all really thoughtful legislators on this issue—I want to give them credit for putting this on the table. It would really mean the retraction of health care coverage for millions of Americans. People who have finally been able to afford health care because of the Affordable Care Act now would go back onto the rolls of the uninsured.

Why? Well, for two major reasons. Their plan reduces the number of people who would be eligible for the subsidies by millions, and then greatly reduces the amount of the subsidy. They admit that is the best way to get coverage, so we are not arguing any longer, at least, over whether providing tax credits in order for people to buy private insurance is the right way to go about expanding coverage. They want to lessen the amount of money we are providing in tax credits, meaning a lot less people are going to get insured. So you would have millions and millions of people who would go back onto the rolls of the uninsured, people who would once again be at the mercy of insurance companies, would lose everything, their house, their savings, their car, just because their kid got sick.

But the second thing it does is really puts insurance companies back in charge of our health care. It gets rid of the prohibition on gender rating, which is a complicated way of saying that in the old system, insurance companies charged women more just because they were women. The Affordable Care Act does not allow that any longer. But that is what we would go back to under this alternative. It used to be that insurance companies would say: You are only going to get a certain amount of insurance per year and then we cut you off. Well, for a family I know in Simsbury, CT, whose son has a fairly rare blood disorder, that meant they had to pull out of their savings every year in order to afford his expensive drugs. That discriminatory treatment would come back.

While the bill tries to address the issue of preexisting conditions, it seems to say that you would have a one-time chance to get on an affordable care policy if you had a preexisting condition. But if you did not sign up in that opening moment, in that special offer, then you would not be able to sign up later on. So if you got sick later on, it would be too late for you, or if you lost your coverage at any point, like, on average, 89 million Americans have over the last 3 years, you would not get the chance to have insurance with a preexisting condition at the same rate as people without preexisting conditions.

What this bill is about is people paying more and getting less. It is about going back to the day when people could not afford health care and they

lost everything simply because they or a loved one, a spouse or a child, got sick. Never mind the fact that some of the pieces I thought we all agreed on are repealed in this proposal. The doughnut hole is an outrage, the idea that seniors who are trying to buy prescription drugs on Medicare get a little bit of coverage, then no coverage, then a lot of coverage. Middle-income seniors cannot afford that gap in coverage.

Well, the Affordable Care Act effectively eliminates the doughnut hole. That has saved seniors \$11 billion since 2010. This memo we have seen from the Republican side would apparently get rid of those savings, putting the doughnut hole back, putting millions of seniors back on the hook for all of these costs when they lose coverage. This effort to replace the Affordable Care Act is a giant step backwards for millions of American families.

Here is the conversation we should be having: We should be talking about how to make this law work even better. It is a major concession, frankly, from the Republicans that tax credits are the appropriate way to get people more insurance. It is a concession that we should be at least addressing the issue of discrimination against sick people. But the protection they are offering is minimal, and the expense that would be passed on to seniors, families, hard-working Americans is immense.

So I am looking forward to seeing this introduced as a piece of legislation. I am looking forward to seeing the CBO score on it. Clearly the American people do not want us to have this debate over repeal any longer. They are sick and tired of it. They want us to be talking about creating jobs, protecting this country, making college more affordable, and making small, meaningful changes to the Affordable Care Act to make it work even better.

The data does not lie. The numbers do not lie. The increasing stories of people all across this country who are benefitting from the Affordable Care Act do not lie. The Affordable Care Act is working. We should stop having this tired debate over repealing it and replacing it with something that is much lesser coverage for much more cost and invest in a conversation about how to make sure the good news continues about the Affordable Care Act working for millions of Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, I am disappointed that earlier today once

again our Democratic colleagues have—like the palace guard protecting the White House—blocked and filibustered moving to the Homeland Security bill—a bill that the House has passed and that would fully fund every lawful program of Homeland Security.

The House has passed a bill that funds Homeland Security, they have sent it to the Senate, and the Democrats are refusing to let it come to the floor to even be debated. They are filibustering a motion to proceed to the bill, where amendments can be offered.

Senator MCCONNELL has said we will have amendments. Senator COLLINS has already reached out with amendments she thinks have bipartisan support. That is the way the process in the Senate is supposed to work. That is what we should do.

Amazingly and incredibly, our Democratic colleagues say that the Republicans want to shut down Homeland Security and that the Democrats are trying to keep that from happening. They claim Republicans have put riders on the bill. But I would say that I think, if there is any logic left in this body, that the riders were put on Homeland Security unilaterally and unlawfully by the President of the United States. He put those riders on Homeland Security when—after Congress refused to pass his amnesty bill that had in it the right to work for people who are illegally in the country—he gave legal status to people illegally in the country; he gave them a Social Security card with a photo ID—he wants to provide all of them with that and let them participate in Social Security and Medicare. That is what the President wants to do. All of those things fall outside the law governing Homeland Security and all of the items and programs that are involved in that homeland security process. This amnesty is outside of it. In fact, amnesty is not pro-homeland security, it is anti-homeland security. It is anti-law. It rewards people who have violated the law. It is going to create a mechanism where these people who get these photo IDs will have the ability to take any job in America, and nobody is going to check them in any effective way. In fact, it is quite clear that the Administration doesn't even intend to have personal interviews with them because the Administration doesn't have the time or the people. But they are spending money out of the lawful part of Homeland Security to create an office across the river in Crystal City, and they are hiring 1,000 people to process these individuals.

So Congress simply said: Mr. President, we oppose that. We won't approve that process. You said 20 times it is not lawful for you to grant amnesty, but you have changed your mind and you are going to do it anyway. So we are going to fund all the programs of Homeland Security just like last year—with some increase, I suppose—but we are not going to fund this office across the river to make people lawful who, under the law, are unlawful. That is what the bill is.

So my Democratic colleagues say that somehow this doesn't fund Homeland Security and that Congress has no right to decide what it funds and doesn't fund. But it is a fundamental power of the people's elected representatives to control the purse strings, to decide what gets funded and what does not get funded. Congress can fund programs that it doesn't like as a matter of policy or it could defund those programs, and it could defund programs it believes are illegal.

As a matter of fact, I would say Congress has an absolute duty to refuse to fund programs set up by the President of the United States that he would like to carry out if Congress believes those programs are unlawful. So that is where we are.

It is beyond my comprehension that our friends on the other side—at least seven have said in clear statements that they oppose the President's Executive amnesty, and they are now voting unanimously to not go to the bill and even allow it to be considered.

Now, one thing is not being considered enough. This amnesty is more than prosecutorial discretion. The President of the United States is giving work authorizations to more than 4 million people, and for the most part they are adults. Almost all of them are adults. Even the so-called DACA proportion—many of them are in their thirties. So this is an adult job legalization program. And we talked about why Congress didn't approve and it didn't pass, and why the President shouldn't carry out on his own that which Congress has rejected and for which he has no lawful basis.

But let's go further. Let's ask on behalf of the American people, the American working people, is this a good idea? Is it a good idea at this time of low wages—a time when the percentage of Americans in the working population who are actually working and have jobs is at the lowest it has been since the 1970s? Is this the right time to advance another 5 million people into the job market—a time when we admit 1 million lawful immigrants to the United States a year? I believe we have 700,000 guest workers from abroad working in America on top of that, and we're adding another 5 million who can take any job in the economy?

Frankly, the problem, colleagues, is not that we have a shortage of workers in America; the problem is we have a shortage of jobs and we have the lowest workforce participation that we have had in a long time.

Gallup recently noted that if someone works just a few hours a week, they are counted as an employee. People used to work 40 hours—overtime maybe—now they work 10 hours a week, and they are counted as an employee. If you are an engineer working at a fast food restaurant, you are counted as employed. So there are a whole bunch of factors that they know are out there that are causing the American people to be very concerned

about their futures, even though politicians in Washington are saying things are so great.

Wages fell in December—I think the last full month for which we have the data—5 cents an hour. So it is not getting much better. That is not disputable data. We want wages to go up, not down.

So I think this is all important, and it is time for Congress to understand whom we represent and whom our focus should be on. We want to treat people who come to America well. We want to give them every lawful benefit when they immigrate to America properly. And people who enter unlawfully need to be treated humanely and processed properly, and the laws need to be enforced. We don't want to mistreat those people.

But what is it that is critical? What is critical is that we know whom we represent. We represent lawful immigrants and citizens of the United States of America. Our duty is to them. We should establish an immigration policy that serves their interests.

Years ago a witness before the Judiciary Committee told that committee—and I was a member—that, 'well, if your policy is to do what is best for poor people around the world, it is almost always the right thing to let them come to America. If they get in trouble health-wise, the hospitals will take care of them. Their children get a free education. If they get in trouble otherwise, this country helps them.'

But what we have to decide is what is a good policy for the United States of America and how to execute the national interests, not special interests.

Let me point this out. The numbers are stunning, colleagues, and we are going to have to learn these numbers. I am going to insist that we know what we are doing as we go forward with the ever-expanding programs to bring in more workers from abroad.

One of the more remarkable but least-reported trends in our economy is the disproportionate share of jobs being filled by foreign workers. Most people do not understand this. The following is new data from the Bureau of Labor Statistics—not my opinion; these numbers come straight from BLS tables. I challenge my colleagues, if these numbers are wrong, tell us they are wrong. It comes right off the BLS table. I don't think they are disputable. I don't think anybody is disputing them.

The total number of persons employed in the United States has increased by 1 million since 2007. Frankly, that is not many jobs at all over that number of years. It sounds like a lot, but it is not many. So we have had a total increase of 1 million jobs since 2007, but during this same time the number of jobs for U.S.-born workers—citizens—declined by 1 million.

How is that possible? During this same time the number of foreign workers with jobs increased by 2 million. So

that is where the net gain occurred. This means that all net employment gains since the recession have gone to workers brought in from abroad.

How many workers should we be bringing into America? Shouldn't we ask how the economy is doing? We are having the slowest recovery since the Great Depression 80 years ago. Shouldn't we ask questions about that? How many people are on food stamps and welfare and all kinds of aid programs? How many people have claimed disability?

During this same time—get this, colleagues—the population of Americans 16 and older increased by 11 million, but one-fifth of a million fewer Americans are employed.

Here is a chart that will reflect some of this data. This reflects that natives—people born in the country—accounted for two-thirds of the increase in the working-age population. It is a myth we are having declining birth rates to the extent we have fewer people coming into the working ages. That is not so. Since 2000 we have added increases of 16.8 million working age people, but all the employment gains went to immigrants from 2000 to 2014.

I was surprised at this. I knew we were having issues with this, and people have shared that with me, but I did not realize the numbers were this stark.

Let's look at this. This is the change in the working age on these two parts of the chart. We have an increase in immigrants from 2000 to 2014 by 8.8 million people, while the native population in their working ages increased by 16.8 million people—twice the number of working age immigrants, basically. But where did the jobs go, the few jobs we have been creating as we are recovering from the recession? We created 5.7 million jobs since 2000 that went to the immigrant population—this 8.8 million—and the native population showed a decline of 100,000 jobs. So even though we had a 16.8 million increase in that working-age group, we had a decline in native-born workers actually working.

I would say those are stunning numbers, and it calls on us to reevaluate our policies. We are not against immigration. I am not saying we should end immigration, I am saying it is time for us to review our immigration policies, as any sensible, sane nation would do. It is time to do that.

The President's policy goes in exactly the opposite direction. By overwhelming polling data, Americans—including Hispanics—agree that amnesty has created more of an illegal immigration flow, and yet this amnesty rewards 5 million people for what they did illegally.

Let's look at a little more of the reality of how this plays out in the world. Here is a dramatic article in Computerworld about the big power company in California—Southern California Edison. What have they done recently? Information technology work-

ers at Southern California Edison are being laid off and replaced by workers from India. Some employees are training their H-1B visa-holding replacements, and many have already lost their jobs. The employees are upset and they say they can't understand how H-1B guest workers can be used to replace them since they are already doing the job now.

Apparently, Southern California Edison—a power company rooted in the United States of America—is converting, laying off, and terminating the employment of people who have been with them for a number of years. Southern California Edison is transitioning those positions to foreign employees who have come in under the H-1B visa program for the sole purpose of taking a job. They are not coming under the immigration policy where they would move from green card into permanent residence and into citizenship. They come solely for a limited period of time to take a job, and they work for less pay too often.

This is what one person said:

"They are bringing in people with a couple of years' experience to replace us and then we have to train them," said one long-time IT worker. "It's demoralizing and in a way I kind of felt betrayed by the company."

I bet he did. Continuing to quote from the article:

SCE, Southern California's largest utility—

Which is a quasi-almost-government entity under the regulatory powers of the State—

has confirmed the layoffs and the hiring of Infosys, based in Bangalore, and Tata Consultancy Services (TCS) in Mumbai. They are two of the largest users of H-1B visas.

Apparently what happens is these companies sign up workers in—in this case—India, and they call up the big power company and say: Look, we have all these young people who have an education, and your salaries are real generous to them, they like your salaries, and we will just send them over on H-1B visas. They can stay 3 years and then return to their country and you can get rid of all those American workers. Maybe you will not have to pay such high retirement or health care benefits.

The article goes on to say:

Computerworld interviewed, separately, four affected SCE IT employees. They agreed to talk on the condition that their names not be used. The IT employees at SCE are "beyond furious," said a second IT worker. The H-1B program "was supposed to be for projects and jobs that American workers could not fill," this worker said, "But we're doing our job. It's not like they are bringing in these guys for new positions that nobody can fill."

It goes on to say:

"Not one of these jobs being filled by India was a job that an Edison employee wasn't already performing," he said.

It goes on to talk about this. Professor Ron Hira, who studied this in great depth and has written about this problem for some time, made some comments on it too:

The SCE outsourcing "is one more case, in a long line of them, of injustice where American workers are being replaced by H-1B's," said Ron Hira, a public policy professor at Howard University, and a researcher on off-shore outsourcing. Adding to the injustice, American workers are being forced to do 'knowledge transfer,' an ugly euphemism for being forced to train their foreign replacements."

He goes on to say:

"Americans should be outraged that most of our politicians have sat idly by while outsourcing firms have hijacked the guest worker programs."

So the guest worker program is supposed to help businesses. If they can't get people to work, then they can apply to this program, which has some limits. Yet the President proposes doubling the number of people who can come in with H-1B visas to work. He wants to double that number. He has been demanding that. But Mr. Hira said:

The majority of the H-1B program is now being used to replace Americans and to facilitate offshoring of high wage jobs.

So this is a pretty thorough article in Computerworld, and it is a growing problem in the high-tech industry.

Professor Hal Salzman, who is a sociologist and public policy professor at the Bloustein School of Planning and Public Policy at Rutgers University, wrote about this last September. This is not something new. This has been understood for some time. This is what he says in U.S. News and World Report:

All credible research finds the same evidence about the STEM workforce: ample supply, stagnant wages and, by industry accounts, thousands of applicants for any advertised job. The real concern should be about the dim employment prospects for our best STEM graduates.

Who are STEM graduates? Science, technology, engineering, and mathematics. We have been telling our children they can have good jobs. Parents have borrowed money, invested in the college savings plans; students have borrowed money themselves to get degrees in STEM fields, and now we find STEM salaries are flat since 2000—that only 40 percent of STEM graduates are actually working in STEM jobs.

This is what Professor Salzman and five others said in an op-ed in USA Today, condemning what we are doing in America today:

Average wages in the IT industry are the same as those that prevailed when Bill Clinton was President, despite industry cries of a shortage. Overall, U.S. colleges produced twice the number of STEM graduates than annually find jobs in those fields.

We have to think about how to get our people, our children, our constituents into good-paying jobs. I wish there were more of them. I wish there weren't enough jobs and we had to import workers, but it is not so.

The Salzman article goes on:

... the growth of STEM shortage claims is driven by heavy industry funding for lobbyists and think tanks. Their goal is government intervention in the market under the guise of solving national economic problems. The highly profitable IT industry, for example, is devoting millions to convince Congress and the White House to provide it with

more low-cost, foreign guest workers instead of trying to attract and retain employees from an ample domestic labor pool of native and immigrant citizens and permanent residents. Guest workers currently make up two-thirds of all new IT hires, but employers are demanding further increases. If such lobbying efforts succeed, firms will have enough guest workers to last for at least 100 percent of their new hiring and can continue to legally substitute these younger workers for current employees holding down wages for both them and new hires. . . . the Census Bureau reports that only about one in four STEM bachelor's degree holders has a STEM job, and Microsoft plans to downsize by 18,000 workers over the next year.

Microsoft signed a letter to the President and Congress just a few months ago demanding more foreign workers in the same week they announced laying off 18,000 workers, and this is a pattern throughout the industry. They are lobbying for more and more while they are laying off workers.

Here is a statement our office obtained from a union representative at IBM:

On January 28, 2015, IBM embarked on another of its regular "resource actions" or job cuts at sites and divisions around the US. Although IBM won't say how many employees were notified that their employment was being terminated, the Alliance@IBM estimates the number at around 5,000.

I continue to read from their statement:

This has been almost a quarterly experience for IBM employees. One of the biggest drivers of the job cuts is off shoring and bringing in guest workers from other countries.

So they are laying off Americans and bringing in people from abroad.

The statement goes on to say:

The terminating of regular IBM U.S. employees while keeping H-1b visa or L1 visa workers on the payroll has been ongoing at IBM for years.

As one worker stated in an email to the Alliance just this past week:

"Received 'RA' notice (termination notice) yesterday. . . . I was told last October that I was being replaced by an IBM India Landed Resource. . . ."

That is a guest worker.

Another employee e-mailed:

"I would estimate that of the 20 people in my IBM department, at least 80% were immigrants on Visa's working on a so called government contract."

They were working on a government contract. They were bringing foreign workers.

And it goes on.

Here is an article in the Engineering Journal about IBM: "Massive World-wide Layoff Underway At IBM."

Look, I am not saying a company can't lay off and be more efficient. The business market changes, and they are just not able to stay in business if they are paying people to do work that doesn't exist. I understand that.

What I am saying is that at the same time they are laying off people, they are demanding the right to bring in more foreign workers, further driving down wages.

Here is what this article says:

Project Chrome, a massive layoff that IBM is pretending is not a massive layoff, is

under way. First reported by Robert X. Cringely in Forbes, about 26 percent of the company's global workforce is being shown the door. At more than 100,000 people, that makes it the largest mass layoff at any U.S. corporation in at least 20 years.

So these groups have all come together in a lobbying group, Compete America, the Alliance for a Competitive Workforce. IBM is one of them. I think Hewlett-Packard laid off 12,000 not too long ago; they are part of it. Microsoft, laying off 18,000, is part of it—demanding more guest workers.

Cringely wrote that notices have started going out, and most of the hundred thousand-plus will likely be gone by the end of February.

How does it impact us? Does it impact Americans?

Alliance@IBM, the IBM employees' union, says it has so far collected reports of 5,000 jobs eliminated, including 250 in Boulder, Colo., 150 in Columbia, Missouri, and 202 in Dubuque, Iowa. Layoffs in Littleton, Mass., are reportedly "massive," but no specific numbers have been published.

Here is a story in timesunion.com about Governor Cuomo in New York. His program of IT work in New York is being outsourced by IBM.

. . . IBM has brought hundreds of workers from India to fill jobs in Albany for which—in theory—plenty of Americans are qualified.

Walt Disney World's information technology department laid off 500 workers, while Disney's profit margin has gone up and the stock price is rising.

We are going to be talking about this for some time. We need to ask ourselves: What is in the interest of American workers at a time when we are laying off large numbers of workers—skilled and unskilled? I have been talking about skilled.

Do we really need massive increases in foreign workers? Do we need to pass legislation that would double the number of guest workers that come into the country at this time? I think not.

I appreciate the opportunity to share these thoughts. I see my colleague.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent to engage in a colloquy with Senator COLLINS not to exceed 20 minutes.

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

#### SMALL BREW ACT

Mr. CARDIN. Mr. President, I am very pleased that Senator COLLINS and I have introduced legislation known as the Small Brewer Reinvestment and Expanding Workforce Act, S. 375. The two of us have led the effort to try to help the craft brewing industry. The craft beer industry is composed of small businesses that have used their ingenuity to create beers that are becoming very, very popular.

It is interesting that when we developed the excise tax on beer, I don't think we thought of the craft beer in-

dustry at the time. The craft beer industry, as I said, generally consists of small businesses who are struggling to find capital in order to expand. The current law imposes an excise tax on the first 60,000 barrels at \$7 per barrel for breweries that produce 2 million or fewer barrels annually. The Small BREW Act would modify that, by increasing the threshold to 6 million barrels. Under the bill, brewers producing 6 million or fewer barrels each year would pay \$3.50 per barrel on the first 60,000 barrels, and \$16 per barrel on their annual production between 60,001 and 2 million barrels. So the Small BREW Act would reduce the amount they pay in federal excise taxes.

I wish to take a moment and then yield to my colleague to explain the rationale as to why we have introduced this legislation.

As I said a moment ago, when we imposed the excise tax on beer, I believe we thought about the big companies and that we wanted to have taxes on distilled spirits, wine, and beer as an excise tax.

When we take a look at the craft breweries, they are really burdened by this tax. They are creating jobs, they are creating a different product, and they are creating new markets for beer in this country. I wish to share some of these numbers because I think they are pretty impressive.

In 1989 there were 247 breweries in the entire United States. Today there are over 3,200 small and independent breweries and brew pubs in the United States that employ over 110,000 Americans. So this has been a real growth industry. Here are jobs that can't be outsourced, and they have created a better product, a better way of doing business. But the challenge is that they are really strapped for capital. It is not easy for them to invest in the type of equipment necessary to expand their capacity.

Brewers Association CEO Bob Pease said last month in testimony submitted to the House Ways and Means Committee:

America's small brewers are quintessentially small Main Street manufacturers. They typically employ 10 to 100 workers, and many began as home brewers before devoting themselves full time to the brewing industry.

I think that the No. 1 problem for craft brewers trying to expand their capacity is access to sufficient capital. An article in yesterday's New York Times entitled "Betting on the Growth of Microbreweries" quotes Brewers Association economist Dr. Bart Watson:

Brewery after brewery is looking for ways to grow because when you talk to these companies, the biggest constraint is capacity. They're selling beer as fast as they can make it.

I recently visited Heavy Seas Brewery in Baltimore. Now, I know this brewery quite well because I helped Hugh Sisson, the owner and CEO, tap the very first keg he produced in a micropub when he was doing this basically as a hobby. Well, he has expanded

his operations a couple of times now, and it wasn't easy to do this. He has invested a lot of money, and he has hired additional people, creating more jobs in Baltimore. Hugh hired 8 people in 2013, another 10 last year, and he expects to hire at least 6 more people this year. These are good jobs. But he needs the capital, and the relief provided by this act would allow him to be able to do this.

So Senator COLLINS and I wanted to bring attention to this legislation which provides some very modest relief from the excise taxes I mentioned earlier. It would reduce the \$7 per barrel on the first 60,000 barrels to \$3.50 and establish a new rate of \$16 per barrel after that up to 2 million barrels for breweries producing up to 6 million barrels annually.

It doesn't seem like much, but that would be the difference in making the investment to expand the microbrewery and hire another 6, 8 or 10 people or to start another brewery, to create the excitement in a community that comes with these brew pubs, which I think all of us would agree should not be subject to a special tax which prevents them from expanding.

This is an important business in my community. It is a growing business in Baltimore. It is a growing business around the country. I hope we all would want to help these small businesses.

In this Congress I have assumed a new role as the ranking Democrat on the Small Business and Entrepreneurship Committee. We are going to be looking for ways in which we can help small businesses in our country because we know that small businesses are the growth engine for innovation and change and good jobs.

So if we can help the microbreweries, if we can pass this legislation, we will help small businesses, and we will help economic growth in our communities.

I am pleased that Senator COLLINS and I are joined by 23 of our colleagues. Between all of us, 25 percent of the Senate has already cosponsored S. 375. We hope we will be able to find a way to move this legislation early this year so we can help economic growth.

In Maryland we are currently home to 43 craft breweries—up from 34 in 2013—and 24 more are in the planning stages. I have been to many of these craft breweries. I enjoy their product, but, more importantly, I enjoy their entrepreneurial spirit, which they have been able to show in a growth industry in our country and of which we all can be proud.

Mr. President, I yield the floor to Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, Maine and Maryland have in common not only delicious seafood but also fine craft beers.

I am delighted to join my friend and colleague Senator CARDIN in support of the legislation that we have intro-

duced, S. 375, the Small Brewer Reinvestment and Expanding Workforce Act, or Small BREW Act.

The title is more than just a clever acronym. It is a statement of what our bipartisan bill really is all about. This is a jobs bill, and those covered by the bill are small businesses, entrepreneurs who are taking risks and creating jobs in communities around the country.

We often talk in this Chamber about what we can do to help create the environment that encourages job creation. Our bill is one such practical means where we can spur the creation of new jobs as well as great products.

In Maine, we are proud to boast that our State is now home to more than 60 breweries that produce more than 200 different brands. Maine beer is shipped around the country and has developed a real following among connoisseurs who have come to appreciate its quality and craftsmanship. This, in turn, has led to new tourism opportunities as visitors are drawn to our State to sample our delicious Maine craft beers. As the craft beer industry grows, so too does demand for American-grown barley and hops and American-made brewing, bottling, canning, and other equipment. Beyond creating delicious beer, these breweries are creating jobs. That is the whole rationale behind the bill we have introduced.

In Maine alone, our craft breweries employ more than 1,400 people. That is an extraordinary number of jobs. As the Senator from Maryland has pointed out, these are jobs that are going to stay right here in America. They are not going to be outsourced. These are small businesses in our communities that are hiring people and making a difference.

Nationally small and independent brewers employ more than 110,000 full- and part-time employees, generating more than \$3 billion in wages and benefits, and pay more than \$2.3 billion in business, personal, and consumption taxes, according to the Brewers Association.

What could we do to encourage even more employment in this area? The answer is to reduce the Federal excise tax on small craft brewers, and that is exactly what our bill would do. It would free up capital so these small business owners can reinvest in their companies and create more jobs.

Under the current law, as Senator CARDIN has pointed out, these small businesses pay \$7 per barrel in Federal excise tax on the first 60,000 barrels they brew and \$18 per barrel on every barrel thereafter. The Small BREW Act would reduce these rates to \$3.50 on the first 60,000 barrels and \$16 for production between 60,000 and 2 million barrels. Thereafter, the rate would remain at \$18 per barrel.

We know from the economic analysis that has been done that such a change would have a significant positive economic impact. A June 2013 study prepared by a professor, then at Harvard's Kennedy School of Government, esti-

mated that our bill would increase economic activity by \$1 billion over 5 years, create more than 5,000 new jobs in the first year to 18 months after passage, and create approximately 400 new jobs annually thereafter.

Again, I want to repeat, this is a jobs bill, and I am proud to sponsor it with my friend Senator CARDIN. I am also delighted that we have the support of such a large number of colleagues on both sides of the aisle, including my colleague from Maine, Senator KING.

I urge all of our colleagues to take a look at this bill. If you want to do something that is concrete and we know will create more jobs for a growing industry that is carving out a niche in so many States across this Nation, then work with us to achieve passage of the Small BREW Act.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator COLLINS not only for her leadership but for also pointing out something very important here: This is a jobs bill. The passage of this bill will create more jobs. We know that because we know that craft breweries are strapped for capital. Every dollar they save here will be reinvested and create more jobs because they don't have the capacity to meet the current demand for their beers. If they could produce more beer today, they would sell more beer, but they don't have the capital to make the investments.

Senator COLLINS is absolutely right when she says this is a jobs bill that will create more jobs.

It also creates a lot of indirect jobs. I was pleased Senator COLLINS pointed out that many of the ingredients the craft breweries use come from the community. They are helping local farmers and local industries grow, which are also generally small businesses. So as they grow, they help other small businesses grow.

One interesting fact is we are now starting to see an increase in craft beer exports. There is a real desire for our craft brews outside of the United States. It is a relatively new phenomenon, but exports grew by 49 percent in 2013. We exported 283,000 barrels in 2013, and I expect we will see those numbers greatly increase.

This chart shows some of the Maryland craft breweries. They are becoming well known outside of my State of Maryland. I already mentioned Heavy Seas, and Flying Dog is another brewery I had a chance to visit. There are many other breweries, including some with names that are synonymous with my State, such as Raven Beer, Ellicott Mills Brewing Company, Eastern Shore, and Antietam. These are companies and brand names that are now becoming better known because they are producing a great product and people really do like to encourage this type of industry.

I thank Senator COLLINS and our 23 cosponsors. I see Senator KING is on

the floor, and I thank the Senator for his help on this bill. I hope we will have an opportunity to show, in a bipartisan fashion, that we can pass legislation to help job growth here in the United States.

With that, I yield the floor to my colleague from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, first I wish to associate myself with the comments of the Senator from Maryland and my senior colleague from Maine. I know this industry is growing in Maine. It is entrepreneurial, exciting, energetic, and they are adding jobs and only want to continue to grow.

I think this bill makes total sense. It is a way we can express support for the entrepreneurial and innovative growth of businesses in all of our States. I am delighted to be able to join and essentially add my encouragement and support to your work on this bill. Since it is a bipartisan bill, I hope we can move it through this body in a reasonably short period of time.

#### CYBER SECURITY

Mr. KING. Mr. President, there are two items I want to touch on today. One is bad news and the other is good news. This week we learned there was a data breach of 80 million people's records—300,000 in Maine—at Anthem. Fortunately the data breach did not include credit card numbers, but it did include Social Security numbers. This news comes about a month after Sony.

What is it going to take for this body, for this Congress, for this city, to act to protect us against these threats? We keep getting warning shots, and we keep ignoring them.

I am going to have to go home this weekend, and 300,000 people in Maine are going to say: What have you done to keep this from happening? Am I really going to be able to say: Well, it is complicated; we have four committees of jurisdiction and it is very difficult for us to make these decisions and it takes some time? That is not good enough.

The intelligence committee reported out a bill last July. We had a bill on the floor here in the fall. It is time for us to act. We keep getting warned, and we keep not doing anything.

I can't justify it. There is no excuse for us not taking steps—concrete steps—to protect this country against cyber attacks. They keep happening.

My regional representatives in Maine have surveyed both small businesses and health care facilities, and all of them either have been attacked or are concerned about attacks. Whether it is from a foreign country or whether it is from garden-variety criminals, the point is this is a major threat facing this country, and it is one we have within our power—we can't control it, but we can at least work together to try to prevent it and to minimize the damage. It is beyond time—way beyond

time—for us to take action on this subject.

I hope my colleagues on all the relevant committees can come together in the next several months—before the summer—to take action to deal with this problem. There is no excuse, particularly given the continuous warnings we are having, for not dealing with the issue of the cyber threat to this country.

This week it is Anthem. A few weeks ago it was Sony. What is going to happen when it is the gas pipeline system, when it is the financial system, when it is the New York Stock Exchange, when people's bank accounts disappear overnight? It is time for us to act, and it is time for us to act promptly.

#### MEDICAL RESEARCH

Mr. KING. Mr. President, I also come to the floor today with some good news. It comes as no surprise that our debates here in the Senate focus generally on challenges, such as the one I just outlined, that face the United States. After all, that is our task and it is our fundamental responsibility to identify our Nation's problems and work together to find solutions.

But too often—and I am sure everyone in this body realizes—the bad news gets more attention than the good news. The old saying is, bad news gets halfway around the world before good news gets its shoes tied. The problems we face should not, I believe, drown out the accomplishments of our citizens as we go about our work every day here in the United States.

I think we should take a little time every now and then to reflect on the great things that are happening all over America, and in my case in Maine. There are stories of perseverance, innovation, individual accomplishments, and community effort. It is in that spirit that I rise today with good news from my home State of Maine.

I will spend a few minutes talking about Dr. Ed Bilsky and the impressive work he and a dedicated team of scientists, physicians, and students have been doing at one of my favorite schools, the University of New England in Biddeford, ME, to better understand and treat chronic pain.

Dr. Bilsky was recently named a member of the Dana Alliance for Brain Initiatives, a group of neuroscientists who work together to advance public education about the progress and benefits of brain research and to provide information on the brain in a way that is understandable and accessible for those of us who don't have a Ph.D. in neuroscience.

His inclusion in this group is recognition of his terrific work to advance our understanding of chronic pain. It is also a reflection of the prominent role he and his colleagues are playing in a critical national effort to address this problem. Chronic pain—and that means pain that persists for days, weeks, and months at a time—can be absolutely

debilitating for people in Maine and around the country and is responsible for more than \$500 billion a year—\$½ trillion a year—in direct and indirect medical costs.

Periodically in my life I have experienced back pain, and when it persists for a period of time, it changes everything. It changes your mood, it changes your attitude, it changes your ability to get anything done, to focus on the work at hand. There are people in this country who are suffering—the estimate is 100 million people suffer chronic pain at some point in their lives. That is why the work done at the University of New England Center for the Study of Pain and Sensory Function, where Dr. Bilsky is one of the leaders, is so important.

This center is built around a core group of scientists, educators, health care professionals, whose research at the University of New England is focused on understanding the neurobiology of pain. How does it happen? How is it caused? What can we do about it?

Faculty and students work together to study the causes of chronic pain and apply this knowledge to preventing and better treating this very challenging and very prevalent condition. Projects include working to develop new kinds of nonopioid painkillers. That is a big deal because of all of the side effects and dangers of opioid painkillers which we are experiencing in our society. To develop nonopioid painkillers would be a tremendous boon to this country, those which don't have the side effects of opioids. They are also studying the genes and proteins that can turn acute pain into chronic pain and trying to find out the genetic and chromosomal basis of this terrible problem.

As with any success story, certain key events, people, and investments have made this research community what it is today. The recruitment of key faculty scientists, such as Dr. Bilsky and his codirector Dr. Ian Meng, in the early 2000s was pivotal to this effort. The addition of complementary research-driven faculty and administrators as well as the launch at the university of the Center for Excellence in the Neurosciences continue to move this project forward.

I should mention here the leadership of Daniel Ripich, the president of the University of New England, who is a true visionary and a great leader in the advancement of science and medicine as well as the mission of this great university.

The NIH took notice, awarding the university a 5-year, \$10 million grant in 2012 to create the Center for the Study of Pain and Sensory Function, focusing on the neurobiology of pain. As is often the case, that Federal investment in research, which I believe is one of the most important and valuable investments the Federal Government can make, has been critical to the growth of these research opportunities and projects and has helped to attract further Federal and private investment.



The importance of cooperation and collaboration in a project such as this cannot be overstated. Dr. Bilsky and his colleagues have developed in-State and national networks for collaborative research, training, and public advocacy. They have partnered with clinicians, other researchers, the private sector, community leaders, and schools throughout Maine and the country to not only further their research and advance the bodies of knowledge relating to chronic pain, but also to maximize the positive impact of that research by applying it in their communities. This improves the lives of our citizens by helping them understand the causes and potential treatments for their pain.

Any university's primary mission is to educate, and Dr. Bilsky and his colleagues have taken their important work into the surrounding community. They have developed a vibrant and award-winning K-12 outreach program led by Dr. Mike Burman that focuses on brain safety and brain awareness. This innovative approach to STEM education has been recognized by the White House Office of Science and Technology Policy. This program engages more than 3,000 local kids each year and inspires kids to enter STEM-related careers, which is one of the most important objectives we can encourage in this country.

The research has also helped to spur economic development in Maine. Faculty members work in partnership with local biotech and pharmaceutical companies, helping the private sector with local research and development they may otherwise be unable to afford. This cooperation has helped Maine companies grow and create jobs. It is a win-win for everyone involved. It has built the reputation of the University of New England, and it draws positive attention to the State of Maine and, most importantly, it helps change lives.

If my colleagues can't tell, I am very proud of this work done in my State. As we go about our work here in this body, it is important, I believe, every now and then to recognize the success stories at home. We might even learn a thing or two from them.

With that positive thought, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### REMEMBERING RICHARD "DICK" RICHARDS

Mr. HATCH. Mr. President, I am grateful for this opportunity to pay tribute to a respected political leader,

a cherished friend, and an exceptional human being—Richard "Dick" Richards. A native of Ogden, UT, Dick touched the lives of many and was deeply respected for his wisdom, his no-nonsense approach, and his remarkable integrity.

When I first considered running for the Senate in 1976, Dick was serving as the Utah Republican Party chairman. At the time, I was a political novice, but Dick's early encouragement and counsel were instrumental in my candidacy and subsequent victory. I will always be grateful for his invaluable support during my first term as a Senator.

Dick and I shared a great admiration and respect for President Ronald Reagan. We were both early supporters who campaigned tirelessly to help get President Reagan elected in 1980. In President Reagan, we saw a leader who shared our conservative values and our willingness to take a stand on hard issues. Impressed with Reagan's integrity, Dick and I put our whole heart and energy into campaigning for this great man.

For many years, Dick and President Reagan shared a close friendship based on mutual love and respect. During the campaign, President Reagan noted Dick's political savvy and leadership skills and later tapped him to head the National Republican Committee from 1981-82. As chairman, Dick raised the Republican Party's profile and fought passionately for conservative principles across all levels of government. His leadership on the national stage set a course for many more years of campaign activity and advisory roles in Utah and across the Nation.

Capping Dick's successful career in politics was his tireless help in establishing the Richard Richards Institute for Ethics at his alma mater, Weber State University. The institute is carrying on Dick's legacy to inspire future leaders to enter politics and government and lead with integrity and strength. In his book, "Climbing the Political Ladder, One Rung at a Time," Dick discusses the virtues of civic engagement and encourages youth to become actively involved in the political process.

Dick's public accomplishments were numerous, but his most significant achievements were personal. His greatest source of pride was his loving partnership with his wife Annette, their 5 children, 11 grandchildren, and 15 great-grandchildren. He deeply cared for each of them and always made family his top priority.

Dick also donated countless hours of service to his community and his faith. He served in many important leadership positions in the Church of Jesus Christ of Latter-day Saints, and was always generous with his time.

Dick Richards was a truly remarkable man who led by example, hard work, and a desire to do what is right. His impact on Utah will be felt for generations to come. Elaine and I send our

deepest condolences to his beautiful wife Annette, whose loyal companionship and counsel sustained Dick throughout his career. May God's love embrace Annette and her family with peace and comfort during this difficult time.

#### RECOGNIZING THE BOYD GAMING CORPORATION

Mr. REID. Mr. President, I rise today to honor the 40th anniversary of the Boyd Gaming Corporation, a leader in today's gaming industry that is respected in Nevada and across the Nation.

Boyd Gaming Corporation was founded in 1975, but the legacy of the company began in 1941, when Sam Boyd moved his family to Las Vegas, NV. Sam started his career as a table dealer and quickly gained experience by working his way across the Silver State through an array of jobs in the gaming industry. By 1952, he had saved enough money to purchase a small stake in the legendary Sahara Hotel and Casino. Sam's small stake in the Sahara eventually led to him becoming the general manager of the Mint, which was a hotel and casino in downtown Las Vegas.

Sam's son, Bill, has been a force in gaming in Nevada and throughout the United States. Bill is an accomplished lawyer, and now, an accomplished businessman. I am happy to call him a friend. Bill first partnered with Sam and others in acquiring a stake in the Eldorado Casino, but it was not until New Year's Day 1975 that the father and son partnership became the Boyd Gaming Corporation. The corporation's first major project was the California Hotel and Casino in downtown Las Vegas, which quickly became a success.

In 1979, Boyd Gaming opened "Sam's Town" on a 13 acre lot off Boulder Highway. The project carried the name of one of its founders, Sam Boyd, and for the first time, provided Las Vegas locals with a full-scale resort. While their California Hotel and Casino property was inspiring innovative marketing strategies, across town at the Sam's Town property, the corporation was providing an entirely new experience to local Nevadans.

Since then, Boyd Gaming has grown into a large corporation with 22 properties across the country, and enjoyed tremendous success. Throughout their history, Boyd Gaming has remained deeply rooted in its Nevadan history and has been guided by the principles of family and integrity first laid out by Sam Boyd. As an inductee in the Gaming Hall of Fame, Sam will always be remembered as one of the most influential businessmen and innovators in Las Vegas gaming history. I remember Sam not only for his entrepreneurship and business sense, but also as a friend who championed diversity among his employees, and would go out of his way to give back to the community.

I am honored to congratulate Boyd Gaming Corporation on reaching this

milestone and I wish the corporation, and the Boyd family the best on all future endeavors.

#### SAFE FOOD ACT OF 2015

Mr. DURBIN. Mr. President, I rise today to talk about the issue that impacts the lives of every American—food safety.

In 1997, I introduced a bill to consolidate at one agency the Federal oversight of food safety, and I have introduced that bill seven times, including most recently just last week. So I found it heartening to see the President's proposal to consolidate most of those responsibilities into one agency as part of the fiscal year 2016 budget.

Today, 15 different Federal agencies have food safety responsibilities. This patchwork of oversight makes it harder to focus on the highest risks in our food system and makes foodborne illness outbreaks more difficult to manage. President Obama's budget puts in motion a plan to create the efficiencies we have been talking about since 1997.

The President's plan would create a single new agency within the Department of Health and Human Services. That agency would have primary responsibility for food safety inspections, as well as enforcement, applied research, and outbreak response and mitigation. And the proposed agency would be the Federal point for coordinating with State and local entities and food safety stakeholders. This is an important step toward creating a single food agency.

I first got involved in updating our food safety system in response to a letter from constituent. The letter shared the story of a mother purchasing, cooking, and serving her 6-year-old son a hamburger. Very few foods are more basic in American than hamburger, but on this day that hamburger was contaminated with *E. coli*. This simple hamburger ended up taking her son's life. This story, as sad as it is, is only one of many. Each year, 48 million Americans become sick as a result of foodborne illnesses. That is one in every six people. Mr. President, 128,000 of those will be so sick they will need hospitalization, and 3,000 of those will not survive their illnesses.

While we have made significant reforms to our food safety system with passage of the FDA Food Safety Modernization Act—which will improve our food safety—we have still not solved this problem.

Recently, the New Yorker ran an article called "A Bug in the System." The story details the experience of Rick Schiller, who had contracted a form of the salmonella bacterium, known as Salmonella Heidelberg. The condition led to multiple days in the hospital. After his release, he was contacted by the Centers for Disease Control, and the U.S. Department of Agriculture collected some chicken from his freezer as a potential source for the foodborne illness. More than a year

later, he had not heard back from the investigator and he still wasn't sure that it was the chicken that almost killed him.

This New Yorker article highlights problems that have been identified by the Government Accountability Office, the National Research Council, and the Institute of Medicine for decades. Simply determining which of 15 Federal agencies is responsible for inspection of a particular food can leave the average citizen scratching their head.

In the current regulatory regime, a pepperoni pizza—because it contains meat—has ingredients that will be inspected three times before the product hits the grocery store freezer. A vegetarian pizza produced at the same facility, however, will probably not undergo any inspection.

For eggs, it is even more scrambled. If it is a fresh egg, it is inspected by U.S. Department of Agriculture. But if that egg is part of premade product like a breakfast biscuit, it is the Food and Drug Administration. It just does not make sense. The experts said it, the data reflects it, and we can be left with only one conclusion.

The fragmented nature of our food safety system has left us more vulnerable to risk of foodborne illness and too often forced consumers to go it alone in the case of outbreak. I agree with the President that it is time for a new governmentwide approach. I would like to take it a step further and establish a single food safety agency.

The Safe Food Act I introduced last week would transfer and consolidate food safety authorities for inspections, enforcement, labeling, and research into a single food safety agency. That will allow us to prioritize system-wide food safety goals and targets. With a single food safety agency, food producers and manufacturers will just have a single Federal regulatory structure.

An egg is an egg is an egg and will be regulated by the same agency regardless of how you cook, process, or serve it. This should make it easier for those in the food industry to comply with food safety laws, even if those laws are no less stringent. The bill also modernizes certain aspects of our federal food safety laws to protect and improve public health.

Specifically, the bill would authorize mandatory recall for all foods. Today, it is easier to recall toys than tainted meat. The bill requires facilities to use risk-based analysis to identify and protect against potential hazards at their facility. The bill will authorize performance standards for pathogens like salmonella and campylobacter and for the first time authorize the agency to prevent products that are not meeting those standards from entering the market. The bill will provide for full traceback of foods to better identify and stop the outbreak at its source. Finally, the bill provides a single point of contact for families harmed by foodborne illness to turn to for answers.

This new agency will help those families navigate the differing Federal, State, and local food safety agencies to get the answers they deserve. It is bad enough to suffer severe illness or lose a loved one to foodborne illness; you should not have to spend months going from agency to agency trying to get as simple an answer to a question like, Did this chicken make me sick?

This is not the only approach to creating an agency with the primary responsibilities for overseeing and directing food safety, but we think it will help close existing gaps in our food safety system, reduce the likelihood of foodborne illness, clarify our inspection regimes for industry, and provide more clear assistance to people made sick by foodborne illness.

In closing, I want to take a moment to thank some of my colleagues. I would like to thank Senators FEINSTEIN, BLUMENTHAL, and GILLIBRAND for joining me in introducing this bill, and I stand ready to work with any Member on either side of the aisle who wants to tackle this issue.

I commend the administration for embracing this idea of consolidating oversight of food safety. I hope it doesn't take another serious foodborne outbreak before we decide to act.

#### 150TH ANNIVERSARY OF LINCOLN COLLEGE

Mr. DURBIN. Mr. President, I rise to honor the 150th anniversary for Lincoln College in Lincoln, IL. One hundred fifty years ago tomorrow, the Illinois General Assembly granted a charter establishing the new college, originally known as Lincoln University. Just 6 days later, on President Abraham Lincoln's 56th birthday, ground was broken for University Hall, a building still in use today. Lincoln University was the first institution to be named for Abraham Lincoln and the only during his lifetime. The first commencement in 1868 included a total of three students—two men and one woman. Lincoln College has come a long way.

This year, Lincoln College enrolled about 640 students, and 90 percent of those who graduate will continue their education at a 4-year university. Lincoln College now has campuses in Lincoln and Normal, IL, with a tradition of personal education. By providing a low faculty to student ratio, Lincoln College offers individualized attention that makes the difference between failure and success for many students. The school provides a springboard for students who go on to continue their education and helps students find good paying jobs.

Lincoln College offers more than just great student services and academic programs that are second to none. Lincoln College fields a number of varsity sports teams that have won national championships, hosts a speaker series, and maintains Civil War era artifacts at the Lincoln Heritage Museum.

I thank President John Blackburn for his leadership at Lincoln College and congratulate the institution on 150 years of providing Illinois students with a quality affordable education.

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

### HONORING OUR ARMED FORCES

#### CALIFORNIA CASUALTIES

• Mrs. BOXER. Mr. President, today I pay tribute to 12 servicemembers from California or based in California who have died while serving our country in Operation Enduring Freedom and in Operation Inherent Resolve since I last entered names into the RECORD.

CW2 Edward Balli, 42, of Monterey, CA, died January 20, 2014, in Kandahar Province, Afghanistan, of wounds from small arms fire when he was attacked by insurgents. Chief Warrant Officer Balli was assigned to Headquarters and Headquarters Troop, 2nd Cavalry Regiment, U.S. Army Europe, Vilseck, Germany.

SPC Daniela Rojas, 19, of Los Angeles, CA, died May 3, 2014, in Homburg, Germany, due to a noncombat related illness. Specialist Rojas was assigned to the 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

CW2 Deric M. Rasmussen, 33, of Oceanside, CA, died May 11, 2014, in Mazar-e Sharif, Afghanistan, as the result of a noncombat incident. Chief Warrant Officer Rasmussen was assigned to the Company C, 1st Battalion, 227th Aviation Regiment, 1st Air Cavalry Brigade, Fort Hood, TX.

SPC Adrian M. Perkins, 19, of Pine Valley, CA, died May 17, 2014, in Amman, Jordan, from a noncombat related injury. Specialist Perkins was assigned to 1st Battalion, 67th Armor Regiment, 2nd Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

SPC Terry J. Hurne, 34, of Merced, CA, died June 9, 2014, in Logar Province, Afghanistan, from a noncombat related incident. Specialist Hurne was assigned to the 710th Brigade Support Battalion, 3rd Brigade Combat Team, 10th Mountain Division, Fort Drum, NY.

SSG Scott R. Studenmund, 24, of Pasadena, CA, died June 9, 2014, in Gaza Village, Afghanistan, of wounds suffered while engaged in a combat operation. Staff Sergeant Studenmund was assigned to the 1st Battalion, 5th Special Forces Group, Fort Campbell, KY.

Sgt Thomas Z. Spitzer, 23, of New Braunfels, TX, died June 25, 2014 while conducting combat operations in Helmand province, Afghanistan. Sergeant Spitzer was assigned to 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

PFC Keith M. Williams, 19, of Visalia, CA, died July 24, 2014 in Mirugol Kalay, Kandahar Province, Afghanistan, of wounds suffered when the

enemy attacked his vehicle with an improvised explosive device. Private First Class Williams was assigned to 1st Battalion, 12th Infantry Regiment, 4th Infantry Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

SGT Christopher W. Mulalley, 26, of Eureka, CA, died August 22, 2014 in Gardez, Afghanistan, as the result of a noncombat related incident. Sergeant Mulalley was assigned to 1st Battalion, 3rd Cavalry Regiment, 1st Cavalry Division, Fort Hood, TX.

Cpl Jordan L. Spears, 21, of Memphis, IN, was lost at sea October 1, 2014 while conducting flight operations in the North Arabian Gulf. Corporal Spears was assigned to Marine Medium Tiltrotor Squadron-163, Marine Aircraft Group 16, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Marine Corps Air Station Miramar, CA.

LCpl Sean P. Neal, 19, of Riverside, CA, died October 23, 2014, in Baghdad, Iraq, from a noncombat related incident. Lance Corporal Neal was assigned to 2nd Battalion, 7th Marine Regiment, Special Purpose Marine Air Ground Task Force, Crisis Response, Central Command, whose headquarters element deploys from Camp Pendleton, CA.

CDR Christopher E. Kalafut, 49, of Oceanside, CA, died October 24, 2014, in Doha, Qatar, of a noncombat related incident at Al Udeid Air Base. Commander Kalafut was assigned to Naval Amphibious Liaison Element, Combined Forces Air Component Center, U.S. Central Command.●

### ADDITIONAL STATEMENTS

#### RECOGNIZING LORETTA'S AUTHENTIC PRALINES

• Mr. VITTER. Mr. President, small businesses across the country have the unique opportunity to put their special stamp on the traditions that mark their communities. In honor of Black History Month, I would like to recognize Loretta Harrison, owner and operator of a successful New Orleans-based praline company. Through the hardships of starting a business to persevering and even expanding through one of the most tragic natural disasters to hit the United States, this small business has gone above and beyond the past 35 years to carry the tradition of this special treat to the people of New Orleans. It is my pleasure to recognize Loretta's Authentic Pralines as this week's Small Business of the Week.

Before she felt the calling to bring her family's special praline recipe to her community, Loretta—who serves as president and CEO—worked as a medical librarian at Louisiana State University. Pralines are a common Louisiana dessert, with roots that go all the way back to the original French settlers. They are made of ingredients that are plentiful to the region, which include an intricate mix of sugar, butter, cream, and pecans. Through Loretta's hard work and determination,

what started as a praline stand at the New Orleans Jazz and Heritage Festival has now grown into a storefront in both the Marigny and the French Market. Not only does Loretta's Pralines serve a wide variety of signature pralines, but it has expanded the menu to include other delicious desserts, such as king cakes, coconut macaroons, fudge, and oatmeal raisin cookies. The store in the Marigny also doubles as a café for breakfast and lunch, serving sweet and savory favorites like sweet potato pancakes and shrimp and grits.

Apart from the legacy of being some of the best pralines in New Orleans, which is no easy feat, Loretta's Pralines is known for its strength and support during the rebuilding of the city after Hurricane Katrina. With the blessing of minimal damage to her store, Loretta recognized that there was an important void in her community that she immediately stepped in to fill. By temporarily changing the business model from a sweet shop to a restaurant, Loretta was able to feed the volunteers, workers, and reporters who were helping to rebuild the city she knew and loved. Loretta's Pralines also became a sort of haven for those whose lives had changed dramatically, a familiar meeting place as part of a larger community during the recovery. This act of benevolence in the midst of the hardship cemented Loretta's Pralines as a New Orleans institution.

Small business owners like Loretta Harrison are what make our State truly unique—indeed, we would not be the same without their examples of courage and kindness. I am honored to recognize a small business that has shown compassion during the devastating times, as well as ingenuity and success in expanding their business across the city. Congratulations again to Loretta's Authentic Pralines. I wish you all the best and more in the future.●

#### RECOGNIZING ED HUNTER

• Ms. MIKULSKI. Mr. President, today, I rise to honor Ed Hunter, on the occasion of his retirement as the Director of the Centers for Disease Control and Prevention's Washington office.

Ed has had a long career in public service. He has served the Nation for over 40 years at the Centers for Disease Control and Prevention, CDC. He began his career at the CDC's National Center for Health Statistics in 1975 while he was still a student at the University of Maryland.

In this role, Ed helped establish a national health information infrastructure that is critical to making evidence-based public health policy. He, along with two of his colleagues, conceived and edited "Health Statistics: Shaping Policy and Practice to Improve the Population's Health," the first textbook to cover the development, use, and improvement of health statistics.

In his work on data policy, Ed created and led a cross agency committee to develop recommendations on the health data collection program of the entire Federal Government. His efforts have led to greater efficiency, increased emphasis on statistical rigor, and greater data usability. When you read a health statistic in a newspaper article, it is more trustworthy because of Ed Hunter.

Most recently, as the Director of the CDC's Washington office, Ed has been essential in keeping Members of Congress and their staffs informed about urgent public health crises and communicating critical public health information. From ricin in the halls of Congress to Ebola on the other side of the world, Ed helped us make policy decisions based on sound science.

Today, I want to recognize Ed for his 40 years at the Centers for Disease Control and Prevention, for his dedication to public service, and for a lifetime of work that has truly made a difference in the health of our Nation and around the world. On behalf of the U.S. Congress, your fellow statesmen in Maryland, and a grateful nation, I want to thank Ed for all of the important work he has done and wish him the very best in his next phase of life.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE

At 10:31 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. 50. An act to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 6, 2015, the Speaker appoints the following Member of the House of Representatives to the Joint Economic Committee: Mrs. MALONEY of New York.

#### MEASURES REFERRED

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

H.R. 50. An act to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 596. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 405. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2015" (Rept. No. 114-2).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Michael P. Botticelli, of the District of Columbia, to be Director of National Drug Control Policy.

Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International Trade.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. COONS (for himself, Mr. MERKLEY, Mr. KING, Mr. MANCHIN, Ms. HEITKAMP, Mrs. SHAHEEN, Mr. KAINE, Mr. FRANKEN, and Ms. HIRONO):

S. 379. A bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers; to the Committee on Finance.

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

S. 380. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the tax on early distributions for certain Bureau of Prisons correctional officers who retire before age 55, and for other purposes; to the Committee on Finance.

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

S. 381. A bill to improve the response to missing children and victims of child sex

trafficking; to the Committee on the Judiciary.

By Ms. AYOTTE (for herself, Mr. RUBIO, and Mr. PORTMAN):

S. 382. A bill to eliminate the automatic inflation increases for discretionary programs built into the baseline projections and require budget estimates to be compared with prior year's level; to the Committee on the Budget.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 383. A bill to provide for Indian trust asset management reform, and for other purposes; to the Committee on Indian Affairs.

By Mr. CRAPO (for himself, Mr. BENNET, and Mr. GARDNER):

S. 384. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Finance.

By Mr. ENZI (for himself, Mr. CARPER, Mr. ISAKSON, Mrs. SHAHEEN, and Ms. AYOTTE):

S. 385. A bill to provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government; to the Committee on the Budget.

By Mr. THUNE (for himself, Mr. BROWN, Mr. PORTMAN, and Mr. BLUNT):

S. 386. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. WYDEN, and Ms. HEITKAMP):

S. 387. A bill to require the Administrator of the Federal Aviation Administration to use the definitions in section 40125 of title 49, United States Code, in determining whether an unmanned aircraft conducting aeronautical research flights qualifies for public aircraft status under that section, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. SCHATZ, and Mr. DURBIN):

S. 388. A bill to amend the Animal Welfare Act to require humane treatment of animals by Federal Government facilities; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HIRONO:

S. 389. A bill to amend section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 390. A bill to amend title 54, United States Code, to ensure that amounts in the land and water conservation fund are made available for projects to provide recreational public access, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL (for himself, Mr. MCCONNELL, Mr. HATCH, Mr. CORNYN, Mr. BARRASSO, Mr. BOOZMAN, Mr. COCHRAN, Mr. CRUZ, Mr. HELLER, Mr. LEE, Mr. RISCH, Mr. ROBERTS, Mr. VITTER, Mr. WICKER, and Mr. SCOTT):

S. 391. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DONNELLY (for himself and Mrs. CAPITO):

S. 392. A bill to combat heroin and methamphetamine trafficking across the Southern border of the United States, and for other purposes; to the Committee on the Judiciary.

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

S. 393. A bill to designate the Berryessa Snow Mountain National Monument in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. CORNYN, Mr. BROWN, Mr. HELLER, Ms. STABENOW, Mr. VITTER, Mr. MENENDEZ, Mr. INHOFE, Mr. CRAPO, and Mr. ROBERTS):

S. 394. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. CASEY, and Mr. CASSIDY):

S. 395. A bill to implement a demonstration project under titles XVIII and XIX of the Social Security Act to examine the costs and benefits of providing payments for comprehensive coordinated health care services provided by purpose-built, continuing care retirement communities to Medicare beneficiaries; to the Committee on Finance.

By Mr. DURBIN:

S. 396. A bill to establish the Proprietary Education Oversight Coordination Committee; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN:

S. 397. A bill to amend the Internal Revenue Code of 1986 to allow a temporary dividends received deduction for dividends received from a controlled foreign corporation; to the Committee on Finance.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Mr. GRASSLEY, Mr. KING, Mr. TESTER, Mr. WHITEHOUSE, and Mr. BROWN):

S. 398. A bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FISCHER:

S. 399. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; to the Committee on the Budget.

By Mr. COATS (for himself and Mr. CARDIN):

S. 400. A bill to amend the Internal Revenue Code of 1986 to provide notice to charities and other nonprofit organizations before their tax-exempt status is automatically revoked; to the Committee on Finance.

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

S. 401. A bill to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKEN:

S. 402. A bill to establish a Science, Technology, Engineering, and Mathematics (STEM) Master Teacher Corps program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. LEAHY, Mr. FRANKEN, Mr. SANDERS, Ms. STABENOW, Mrs. GILLIBRAND, Ms. BALDWIN, and Mr. PETERS):

S. 403. A bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. MCCONNELL, Mr. BLUNT, Mr. INHOFE, Mr. CRUZ, Mr. VITTER, Mr. RISCH, Mr. COATS, Mr. COCHRAN, Mr. MCCAIN, Mr. TILLIS, Mr. ENZI, Mr. MORAN, Mr. GRAHAM, Mr. PAUL, Mrs. FISCHER, Mr. GRASSLEY, and Mr. DAINES):

S. 404. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. HEINRICH, Mr. RISCH, Ms. HEITKAMP, Mrs. FISCHER, and Mr. MANCHIN):

S. 405. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; read the first time.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BOOKER, Mr. VITTER, and Mr. CASSIDY):

S. 406. A bill to waive and repay certain debts relating to assistance provided to individuals and households; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. WARREN, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. CARPER, Mr. DURBIN, Mr. REED, Mrs. BOXER, Mr. MURPHY, Mr. FRANKEN, Mr. MARKEY, Mr. SCHUMER, Ms. HIRONO, Mrs. MURRAY, and Mr. KAINE):

S. 407. A bill to regulate large capacity ammunition feeding devices; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Mr. BLUNT):

S. 408. A bill to amend the Internal Revenue Code of 1986 to modify the rules for tax-exempt enterprise zone facility bonds and to extend the tax incentives for empowerment zones; to the Committee on Finance.

By Mr. BURR (for himself and Mrs. MCCASKILL):

S. 409. A bill to amend the Sex Offender Registration and Notification Act to require the Secretary of Defense to inform the Attorney General of persons required to register as sex offenders; to the Committee on Armed Services.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself, Mr. THUNE, Mr. WICKER, Mr. BOOZMAN, Mr. PORTMAN, Mr. KING, Mr. RUBIO, and Mr. LANKFORD):

S. Res. 69. A resolution calling for the protection of religious minority rights and freedoms worldwide; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. Res. 70. A resolution designating February 2015 as "National Carbon Monoxide Poisoning Awareness Month"; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BLUNT, Mr. WARNER, Mr. COONS, and Mr. INHOFE):

S. Res. 71. A resolution designating the week of February 8 through February 14, 2015, as "Internet Governance Awareness Week"; considered and agreed to.

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

S. Con. Res. 3. A concurrent resolution authorizing the use of Emancipation Hall in

the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I; to the Committee on Rules and Administration.

## ADDITIONAL COSPONSORS

S. 28

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 28, a bill to limit the use of cluster munitions.

S. 36

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 36, a bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues.

S. 40

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 40, a bill to direct the Federal Communications Commission to promulgate regulations that prohibit certain preferential treatment or prioritization of Internet traffic.

S. 149

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 164

At the request of Mr. SCHATZ, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 164, a bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes.

S. 166

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 166, a bill to stop exploitation through trafficking.

S. 178

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 178, a bill to provide justice for the victims of trafficking.

S. 182

At the request of Mr. ROBERTS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 182, a bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal education mandates, and for other purposes.

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 209

At the request of Mr. BARRASSO, the name of the Senator from Colorado



(Mr. BENNET) was added as a cosponsor of S. 209, a bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

S. 257

At the request of Mr. MORAN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 259

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

S. 271

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 272

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 272, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 282

At the request of Mr. LANKFORD, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 282, a bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

S. 295

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 295, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 299

At the request of Mr. FLAKE, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Mrs. BOXER) and the Senator from Rhode Island (Mr. REED)

were added as cosponsors of S. 299, a bill to allow travel between the United States and Cuba.

S. 301

At the request of Mrs. FISCHER, the names of the Senator from Florida (Mr. RUBIO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. NELSON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 301, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 308

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 308, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 309

At the request of Mr. TOOMEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 309, a bill to prohibit earmarks.

S. 316

At the request of Mr. KIRK, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 316, a bill to amend the charter school program under the Elementary and Secondary Education Act of 1965.

S. 355

At the request of Mr. KAINE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 355, a bill to support the provision of safe relationship behavior education and training.

S. RES. 40

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 40, a resolution expressing the sense of the Senate regarding efforts by the United States and others to prevent Iran from developing a nuclear weapon.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 396. A bill to establish the Proprietary Education Oversight Coordination Committee; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 396

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Proprietary Education Oversight Coordination Improvement Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) EXECUTIVE OFFICER.—The term "executive officer", with respect to a proprietary institution of higher education that is a publicly traded corporation, means—

(A) the president of such corporation;

(B) a vice president of such corporation who is in charge of a principal business unit, division, or function of such corporation, such as sales, administration, or finance; or

(C) any other officer or person who performs a policy making function for such corporation.

(2) FEDERAL EDUCATION ASSISTANCE.—The term "Federal education assistance" means any Federal financial assistance provided under any Federal law through a grant, a contract, a subsidy, a loan, a guarantee, an insurance, or any other means to a proprietary institution of higher education, including Federal financial assistance that is disbursed or delivered to such institution, on behalf of a student, or to a student to be used to attend such institution, except that such term shall not include any monthly housing stipend provided under chapter 33 of title 38, United States Code.

(3) PRIVATE EDUCATION LOAN.—The term "private education loan"—

(A) means a loan provided by a private educational lender (as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a))) that—

(i) is not made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(ii) is issued expressly for postsecondary educational expenses to a borrower, regardless of whether the loan is provided through the educational institution that the subject student attends or directly to the borrower from the private educational lender (as so defined); and

(iii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and

(B) does not include an extension of credit under an open end consumer credit plan, a reverse mortgage transaction, a residential mortgage transaction, or any other loan that is secured by real property or a dwelling.

(4) PROPRIETARY INSTITUTION OF HIGHER EDUCATION.—The term "proprietary institution of higher education" has the meaning given the term in section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)).

(5) RECRUITING AND MARKETING ACTIVITIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term "recruiting and marketing activities" means activities that consist of the following:

(i) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(ii) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for a grant, a loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(I) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(II) soliciting an individual to provide contact information to an institution of higher



education, including through websites established for such purpose and funds paid to third parties for such purpose.

(iii) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(B) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a recruiting and marketing activity under subparagraph (A).

(6) STATE APPROVAL AGENCY.—The term “State approval agency” means any State agency that determines whether an institution of higher education is legally authorized within such State to provide a program of education beyond secondary education.

(7) VETERANS SERVICE ORGANIZATION.—The term “veterans service organization” means an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

### SEC. 3. ESTABLISHMENT OF COMMITTEE.

(a) ESTABLISHMENT.—There is established a committee to be known as the “Proprietary Education Oversight Coordination Committee” (referred to in this Act as the “Committee”) and to be composed of the head (or the designee of such head) of each of the following Federal entities:

- (1) The Department of Education.
- (2) The Consumer Financial Protection Bureau.
- (3) The Department of Justice.
- (4) The Securities and Exchange Commission.
- (5) The Department of Defense.
- (6) The Department of Veterans Affairs.
- (7) The Federal Trade Commission.
- (8) The Department of Labor.
- (9) The Internal Revenue Service.
- (10) At the discretion of the President, any other relevant Federal agency or department.

(b) PURPOSES.—The Committee shall have the following purposes:

- (1) Coordinate Federal oversight of proprietary institutions of higher education to—
  - (A) improve enforcement of applicable Federal laws and regulations;
  - (B) increase accountability of proprietary institutions of higher education to students and taxpayers; and
  - (C) ensure the promotion of quality education programs.
- (2) Coordinate Federal activities to protect students from unfair, deceptive, abusive, unethical, fraudulent, or predatory practices, policies, or procedures of proprietary institutions of higher education.

(3) Encourage information sharing among agencies related to Federal investigations, audits, or inquiries of proprietary institutions of higher education.

(4) Increase coordination and cooperation between Federal and State agencies, including State Attorneys General and State approval agencies, with respect to improving oversight and accountability of proprietary institutions of higher education.

(5) Develop best practices and consistency among Federal and State agencies in the dissemination of consumer information regarding proprietary institutions of higher education to ensure that students, parents, and other stakeholders have easy access to such information.

(c) MEMBERSHIP.—

(1) DESIGNEES.—For any designee described in subsection (a), the head of the member entity shall appoint a high-level official who

exercises significant decision making authority for the oversight or investigatory activities and responsibilities related to proprietary institutions of higher education of the respective Federal entity of such head.

(2) CHAIRPERSON.—The Secretary of Education or the designee of such Secretary shall serve as the Chairperson of the Committee.

(3) COMMITTEE SUPPORT.—The head of each entity described in subsection (a) shall ensure appropriate staff and officials of such entity are available to support the Committee-related work of such entity.

### SEC. 4. MEETINGS.

(a) COMMITTEE MEETINGS.—The members of the Committee shall meet regularly, but not less than once during each quarter of each fiscal year, to carry out the purposes described in section 3(b).

(b) MEETINGS WITH STATE AGENCIES AND STAKEHOLDERS.—The Committee shall meet not less than once each fiscal year, and shall otherwise interact regularly, with State Attorneys General, State approval agencies, veterans service organizations, and consumer advocates to carry out the purposes described in section 3(b).

### SEC. 5. REPORT.

(a) IN GENERAL.—The Committee shall submit a report each year to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and any other committee of Congress that the Committee determines appropriate.

(b) PUBLIC ACCESS.—The report described in subsection (a) shall be made available to the public in a manner that is easily accessible to parents, students, and other stakeholders, in accordance with the best practices developed under section 3(b)(5).

(c) CONTENTS.—

(1) IN GENERAL.—The report shall include—

- (A) an accounting of any action (as defined in paragraph (3)) taken by the Federal Government, any member entity of the Committee, or a State—
  - (i) to enforce Federal or State laws and regulations applicable to proprietary institutions of higher education;
  - (ii) to hold proprietary institutions of higher education accountable to students and taxpayers; and
  - (iii) to promote quality education programs;
- (B) a summary of complaints against each proprietary institution of higher education received by any member entity of the Committee;

- (C) the data described in paragraph (2) and any other data relevant to proprietary institutions of higher education that the Committee determines appropriate; and
- (D) recommendations of the Committee for such legislative and administrative actions as the Committee determines are necessary to—
  - (i) improve enforcement of applicable Federal laws;
  - (ii) increase accountability of proprietary institutions of higher education to students and taxpayers; and
  - (iii) ensure the promotion of quality education programs.

(2) DATA.—

- (A) INDUSTRY-WIDE DATA.—The report shall include data on all proprietary institutions of higher education that consists of information regarding—
  - (i) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, and the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Edu-

cation Act of 1965 (20 U.S.C. 1002)) for such previous academic year that reflects such total amount of Federal education assistance provided to proprietary institutions of higher education for such previous academic year;

- (ii) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, disaggregated by—
  - (I) educational assistance in the form of a loan provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);
  - (II) educational assistance in the form of a grant provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);
  - (III) educational assistance provided under chapter 33 of title 38, United States Code;
  - (IV) assistance for tuition and expenses under section 2007 of title 10, United States Code;
  - (V) assistance provided under section 1784a of title 10, United States Code; and
  - (VI) Federal education assistance not described in subclauses (I) through (V);

- (iii) the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) for such previous academic year for each of the programs described in subclauses (I) through (VI) of clause (ii) that reflects such total amount of Federal education assistance provided to proprietary institutions of higher education for such previous academic year for each of such programs;

- (iv) the average retention and graduation rates for students pursuing a degree at proprietary institutions of higher education;

- (v) the average cohort default rate (as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m))) for proprietary institutions of higher education, and an annual list of cohort default rates (as so defined) for all proprietary institutions of higher education;

- (vi) for careers requiring the passage of a licensing examination—
  - (I) the passage rate of individuals who attended a proprietary institution of higher education taking such examination to pursue such a career; and
  - (II) the passage rate of all individuals taking such exam to pursue such a career; and
  - (vii) the use of private education loans at proprietary institutions of higher education that includes—
    - (I) an estimate of the total number of such loans; and
    - (II) information on the average debt, default rate, and interest rate of such loans.

- (B) DATA ON PUBLICLY TRADED CORPORATIONS.—

- (i) IN GENERAL.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, consisting of information on—
  - (I) any pre-tax profit of such proprietary institutions of higher education—
    - (aa) reported as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) reported for each such proprietary institution of higher education;
  - (II) revenue for such proprietary institutions of higher education spent on recruiting and marketing activities, student instruction, and student support services, reported—
    - (aa) as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) for each such proprietary institution of higher education;
  - (III) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (ii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iv) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (v) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (vi) for careers requiring the passage of a licensing examination—
  - (I) the passage rate of individuals who attended a proprietary institution of higher education taking such examination to pursue such a career; and
  - (II) the passage rate of all individuals taking such exam to pursue such a career; and
  - (vii) the use of private education loans at proprietary institutions of higher education that includes—
    - (I) an estimate of the total number of such loans; and
    - (II) information on the average debt, default rate, and interest rate of such loans.

- (B) DATA ON PUBLICLY TRADED CORPORATIONS.—

- (i) IN GENERAL.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, consisting of information on—
  - (I) any pre-tax profit of such proprietary institutions of higher education—
    - (aa) reported as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) reported for each such proprietary institution of higher education;
  - (II) revenue for such proprietary institutions of higher education spent on recruiting and marketing activities, student instruction, and student support services, reported—
    - (aa) as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) for each such proprietary institution of higher education;
  - (III) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (ii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iv) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (v) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (vi) for careers requiring the passage of a licensing examination—
  - (I) the passage rate of individuals who attended a proprietary institution of higher education taking such examination to pursue such a career; and
  - (II) the passage rate of all individuals taking such exam to pursue such a career; and
  - (vii) the use of private education loans at proprietary institutions of higher education that includes—
    - (I) an estimate of the total number of such loans; and
    - (II) information on the average debt, default rate, and interest rate of such loans.

- (B) DATA ON PUBLICLY TRADED CORPORATIONS.—

- (i) IN GENERAL.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, consisting of information on—
  - (I) any pre-tax profit of such proprietary institutions of higher education—
    - (aa) reported as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) reported for each such proprietary institution of higher education;
  - (II) revenue for such proprietary institutions of higher education spent on recruiting and marketing activities, student instruction, and student support services, reported—
    - (aa) as a total amount and an average percent of revenue for all such proprietary institutions of higher education; and
    - (bb) for each such proprietary institution of higher education;
  - (III) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (ii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iii) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (iv) total compensation packages of the executive officers of each such proprietary institution of higher education;

- (v) total compensation packages of the executive officers of each such proprietary institution of higher education;

(IV) a list of institutional loan programs offered by each such proprietary institution of higher education that includes information on the default and interest rates of such programs; and

(V) the data described in clauses (ii) and (iii).

(ii) **DISAGGREGATED BY OWNERSHIP.**—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, disaggregated by corporate or parent entity, brand name, and campus, consisting of—

(I) the total cost of attendance for each program at each such proprietary institution of higher education, and information comparing such total cost for each such program to—

(aa) the total cost of attendance for each program at each public institution of higher education; and

(bb) the average total cost of attendance for each program at all institutions of higher education, including such institutions that are public and such institutions that are private;

(II) total enrollment, disaggregated by—

(aa) individuals enrolled in programs taken online; and

(bb) individuals enrolled in programs that are not taken online;

(III) the average retention and graduation rates for students pursuing a degree at such proprietary institutions of higher education;

(IV) the percentage of students enrolled in such proprietary institutions of higher education who complete a program of such an institution within—

(aa) the standard period of completion for such program; and

(bb) a period that is 150 percent of such standard period of completion;

(V) the total cost of attendance for each program at such proprietary institutions of higher education;

(VI) the average cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), for such proprietary institutions of higher education, and an annual list of cohort default rates (as so defined) for all proprietary institutions of higher education;

(VII) the median educational debt incurred by students who complete a program at such a proprietary institution of higher education;

(VIII) the median educational debt incurred by students who start but do not complete a program at such a proprietary institution of higher education;

(IX) the job placement rate for students who complete a program at such a proprietary institution of higher education and the type of employment obtained by such students;

(X) for careers requiring the passage of a licensing examination, the rate of individuals who attended such a proprietary institution of higher education and passed such an examination; and

(XI) the number of complaints from students enrolled in such proprietary institutions of higher education who have submitted a complaint to any member entity of the Committee.

(iii) **DEPARTMENT OF DEFENSE AND VETERANS AFFAIRS ASSISTANCE.**—

(I) **IN GENERAL.**—To the extent practicable, the report shall provide information on the data described in clause (ii) for individuals using, to pay for the costs of attending such a proprietary institution of higher education, Federal education assistance provided under—

(aa) chapter 33 of title 38, United States Code;

(bb) section 2007 of title 10, United States Code; and

(cc) section 1784a of title 10, United States Code.

(II) **REVENUE.**—The report shall provide information on the revenue of proprietary institutions of higher education that are publicly traded corporations that is derived from the Federal education assistance described in subclause (I).

(C) **COMPARISON DATA.**—To the extent practicable, the report shall provide information comparing the data described in subparagraph (B) for proprietary institutions of higher education that are publicly traded corporations with such data for public institutions of higher education disaggregated by State.

(3) **ACCOUNTING OF ANY ACTION.**—For the purposes of paragraph (1)(A), the term “any action” shall include—

(A) a complaint filed by a Federal or State agency in a local, State, Federal, or tribal court;

(B) an administrative proceeding by a Federal or State agency involving noncompliance of any applicable law or regulation; or

(C) any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program.

#### **SEC. 6. FOR-PROFIT COLLEGE WARNING LIST FOR PARENTS AND STUDENTS.**

(a) **IN GENERAL.**—Each academic year, the Committee shall publish a list to be known as the “For-Profit College Warning List for Parents and Students” to be comprised of proprietary institutions of higher education—

(1) that have engaged in illegal activity during the previous academic year as determined by a Federal or State court;

(2) that have entered into a settlement resulting in a monetary payment;

(3) that have had any higher education program withdrawn or suspended; or

(4) for which the Committee has sufficient evidence of widespread or systemic unfair, deceptive, abusive, unethical, fraudulent, or predatory practices, policies, or procedures that pose a threat to the academic success, financial security, or general best interest of students.

(b) **DETERMINATIONS.**—In making a determination pursuant to subsection (a)(4), the Committee may consider evidence that includes the following:

(1) Any consumer complaint collected by any member entity of the Committee.

(2) Any complaint filed by a Federal or State agency in a Federal, State, local, or tribal court.

(3) Any administrative proceeding by a Federal or State agency involving noncompliance of any applicable law or regulation.

(4) Any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program.

(5) Data or information submitted by a proprietary institution of higher education to any accrediting agency or association recognized by the Secretary of Education pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b) or the findings or adverse actions of any such accrediting agency or association.

(6) Information submitted by a proprietary institution of higher education to any member entity of the Committee.

(7) Any other evidence that the Committee determines relevant in making a determination pursuant to subsection (a)(4).

(c) **PUBLICATION.**—Not later than July 1 of each fiscal year, the Committee shall publish the list under subsection (a) prominently and in a manner that is easily accessible to par-

ents, students, and other stakeholders, in accordance with any best practices developed under section 3(b)(5).

By Mr. MCCAIN:

S. 397. A bill to amend the Internal Revenue Code of 1986 to allow a temporary dividends received deduction for dividends received from a controlled foreign corporation; to the Committee on Finance.

Mr. MCCAIN. Mr. President, today I introduce the Foreign Earnings Reinvestment Act that would generate the flow of an estimated \$1.9 trillion back into the American economy by temporarily allowing companies to return profits earned overseas to the U.S. at a reduced tax rate. It is no secret that one of the primary reasons why this money is laying idle and doing nothing to spur job creation is due to the fact that our Nation has the highest corporate tax rate in the free world at 35 percent. According to the Organisation for Economic Co-operation and Development, OECD, when you add in additional State and local taxes the combined corporate rate jumps to a staggering 39.1 percent. Whereas, the average combined corporate tax rate for the rest of the developed world, excluding the U.S. is around 25 percent.

Congress has long debated tax reform and has failed to act. It is my hope that, under a Republican controlled Congress, we will be able to move forward with tax reform, which includes lowering both the personal and corporate tax rate and eliminating tax loopholes. If we are not going to act on behalf of the American taxpayer than we need to make available temporary tax incentives to bring this money back home providing a much needed boost to our economy.

The Foreign Earnings Reinvestment Act would encourage American companies to bring overseas earnings back to the United States and creates strong incentives for those firms to invest these earnings in U.S. employees.

Specifically, the bill would temporarily reduce the current 35 percent corporate rate to an 8.75 percent effective rate on foreign earnings brought back to the United States. If companies are able to show that they are expanding their payroll by 10 percent through net job creation or higher payroll, the bill would allow these corporations to obtain up to a 5.25 percent effective repatriation rate. In addition, the bill discourages U.S. companies from reducing employment by including in a company's gross income calculation of \$75,000 per full-time position that is eliminated.

This common sense legislation will drive the roughly \$1.9 trillion currently parked overseas back here to the United States, boosting our economy and spurring job creation.

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

S. 401. A bill to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for

other purposes; to the Committee on the Judiciary.

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

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

S. 401

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Lawsuit Abuse Reduction Act of 2015”.

**SEC. 2. ATTORNEY ACCOUNTABILITY.**

(a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the Federal Rules of Civil Procedure is amended—

(1) in paragraph (1), by striking “may” and inserting “shall”;

(2) in paragraph (2), by striking “Rule 5” and all that follows through “motion.” and inserting “rule 5.”; and

(3) in paragraph (4), by striking “situated” and all that follows through the end of the paragraph and inserting “situated, and to compensate the parties that were injured by such conduct. Subject to the limitations in paragraph (5), the sanction shall consist of an order to pay to the party or parties the amount of the reasonable expenses incurred as a direct result of the violation, including reasonable attorneys’ fees and costs. The court may also impose additional appropriate sanctions, such as striking the pleadings, dismissing the suit, or other directives of a nonmonetary nature, or, if warranted for effective deterrence, an order directing payment of a penalty into the court.”.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

By Ms. MURKOWSKI (for herself, Mr. HEINRICH, Mr. RISCH, Ms. HEITKAMP, Mrs. FISCHER, and Mr. MANCHIN):

S. 405. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; read the first time.

Ms. MURKOWSKI. Mr. President, I am here on the floor today with my friend and colleague from the State of Idaho to speak in support of legislation we have just dropped today; that is, the Bipartisan Sportsmen’s Act of 2015. I have introduced it today, along with the prime cosponsor, Senator HEINRICH from New Mexico.

I think it is important to recognize that this bipartisan bill is supported with original cosponsors, including the Senator from Idaho, Mr. RISCH, Senator MANCHIN, Senator FISCHER, and Senator HEITKAMP, as well as myself and Senator HEINRICH. I wish to acknowledge the role of Senator HEINRICH in this and his staff for working with us to revise and reintroduce this important bill. I would also like to acknowledge the great work the bipartisan leadership of the Senate’s Sportsmen’s Caucus has done on this issue, led ably by my friend from Idaho. I think it is important to recognize the groundwork, the leg work that went

into the development of this bill and the work the caucus did in doing so. So I thank my colleagues for all of their good, hard work.

We are here today to not only announce this reintroduction—because this is now the third Congress we have tried to advance the Bipartisan Sportsmen’s Act—but also to really kind of re-up the conversation about its importance and really to urge the Senate to come together to pass legislation such as we are talking about today.

We have sportsmen all over the country. I come from a big State that is wide open, and people come to Alaska to hunt and to fish. They never want to leave, and that is fine. That is how my husband came to Alaska—it was the lure of sport fishing on the Kenai River. So many of our military are on assignment to Alaska, and they end up staying because of the hunting and fishing and other recreational opportunities Alaska offers. It is not just places such as Alaska and Idaho that offer great outdoors opportunities; it is all over the country, from big cities to small towns, North and South.

For so many of us, hunting is a tradition that is passed down from generation to generation. Certainly my family is evidence of that. I think it is important to recognize that while we talk about hunting and fishing as being the best known recreational opportunities, we also include with this legislation enthusiasts who go outside to go boating and so many of the other outdoor activities.

We speak often on this floor about jobs and economic opportunities and what they bring to our Nation, the important role they play. Sportsmen and sportswomen really are economic contributors when we think about their role. Back in 2013 there were approximately 37 million people who hunted or fished in America. That is roughly equal to the entire population of the State of California. Those numbers are always on the rise. Again, when we have strong numbers, we also have strong economic impacts. Sports men and women spent roughly \$90 billion in 2013. Those numbers have probably risen since then. Those dollars go not only to the gear and equipment, which is what we would expect, but also to the travel industry, to the hospitality industry, and to so many other sectors of the economy.

Spending by sports men and women also aids our conservation efforts. Excise taxes on fishing and hunting and shooting equipment, motorboat fuel, as well as the fees for licenses and stamps are all dedicated to State fish and wildlife management and conservation. These folks care deeply about the environment and conservation, and that is why these excise taxes are in place to take care of our natural resources. Since their establishment, the Wildlife and Sport Fish Restoration Programs have contributed over \$14.5 billion to conservation.

I mentioned Alaska and its role as kind of a magnet for those who like to

hunt and fish. In my State alone, we have over 125,000 individuals who engage in hunting every year. It has created more than \$439 million in retail sales and \$195 million in salaries and wages. In Alaska, we bring in over \$53 million to the State and local governments each year. We had a big holiday a year or so ago when Cabela’s opened its doors. It was as though we had finally arrived on the scene. All of our sportsmen—hunters and fishermen—were loving it.

On the fishing side, when we think about the economic impact in my State, it is even more impressive. Last year over 460,000 people bought fishing licenses to take part in some of the best fishing in the world. It brought about \$1.4 billion to Alaska’s economy. These are huge contributors to our tax base, to our economy, and they are key to who we are as a State.

Our Bipartisan Sportsmen’s Act of 2015 that we are introducing today builds on the efforts of last year. Last year’s bill saw 46 Members of this Chamber coming together to support it. We have taken all of the provisions from the previous bill except for two that were enacted in other legislation and then we have added some additional bipartisan provisions. We have Senator HEINRICH’s revised HUNT Act. We have a couple of others that are new to the bill. All told, these measures increase access to provide greater opportunities for sports men and women to enjoy our public lands.

There are a lot of different components in the bill. I know my colleague from Idaho will speak to several of them. I wish to highlight a couple that I think are important in this discussion.

First is a bill I have championed for several years now called the Recreational Fishing and Hunting Heritage and Opportunities Act. It protects recreational hunting and fishing on our BLM and our National Forest Service lands while reaffirming other prior congressional actions enacted to protect hunting and wildlife conservation. So the bill we have introduced—again, this is the same one we have had previously—requires BLM and Forest Service lands to be open to hunting, to recreational fishing, or recreational shooting as a matter of law unless the managing agency acts to close lands to such activity. So it is open unless otherwise closed. Leaving lands open unless closed means that agencies need not take action then to open them up to hunting and fishing. Agencies are still permitted to close or put restrictions on land for a number of purposes, such as resource conservation and public safety. But on the whole this is really an affirmation that sportsmen and sportswomen are welcome on our public lands. Isn’t that what our public lands are supposed to be all about, which is being able to access them?

The Hunting, Fishing, and Recreational Shooting Protection Act has again been included in this bill. This

was introduced previously by Senators THUNE and KLOBUCHAR as a standalone bill, but its language is very important to many of us and to nearly all the sportsmen's groups we have heard from.

We also have provisions in the bill that deal with some of the efforts to limit ammunition and fishing tackle by some organizations. I think we know that if we can't access, if we can't afford traditional ammunition and fishing tackle, it makes it pretty tough to go out and enjoy these opportunities.

We have good pieces in here relating to conservation priorities, including the North American Wetlands Conservation Act and the National Fish and Wildlife Foundation.

I again the Sportsmen's Caucus and Senator HEINRICH as the prime Democratic lead on this bill. My hope is that we will be able to build this coalition on the floor and get even beyond the number 46, which is what we had last go-around with this legislation.

I think we will have good discussion within the committee and here on the Senate floor. My hope is that the third time is going to be the charm for this sportsmen's legislation. It is important to us, it is important to our economy, and it is an issue which I am certainly willing to take aim at. Sorry for the pun.

With that, I yield to my friend from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I rise today also in support of the Bipartisan Sportsmen's Act of 2015. I am honored to be here today with Senators MURKOWSKI, Idahoans and Alaskans have a lot in common when it comes to outdoor sporting activities, including hunting and fishing. Senator CRAPO and I were honored to host Senator MURKOWSKI in Idaho. Although we don't have the acres Alaska has, we certainly have that diverse environment for hunting and fishing in many different areas of the State that support and will continue to support both fishing and game.

This bill is cosponsored by a bipartisan team of Senators who are committed to advancing the agenda of sportsmen and sportswomen. Senators MURKOWSKI and HEINRICH, along with the leaders of the Congressional Sportsmen's Caucus—myself and Senator MANCHIN as the co-chairmen and Senator FISCHER and Senator HEITKAMP as the co-vice chairmen—make up the largest bipartisan caucus in Congress, and we have diligently labored to craft this bipartisan legislation that is supported by a broad coalition of sportsmen's groups. Indeed, we have worked on it substantially more since the first of the year. Last year we labored over it at great length and were not able to get it across the finish line, but we are cautiously optimistic this year that we have hit that right spot where we actually can get this across the finish line this year.

One provision of this package will encourage States to create and maintain public shooting ranges. This will promote gun safety by providing a venue to teach young adults about firearms. These public ranges can also serve as a place to hold hunter education classes and can be used as facilities to train police forces.

This bill will also allow any legal gun owner to carry a firearm on land administered by the U.S. Army Corps of Engineers. This provision will require the Army Corps to conform their regulations to align with local laws related to firearms. I wish to thank my colleague from Idaho, Senator MIKE CRAPO, for his hard work and leadership on this particular issue. I know the sportsmen of Idaho and across the country are pleased to know that this legislation will allow firearms on Army Corps land and that it is included in this bipartisan sportsmen's package.

This bill will also reauthorize the Federal Land Transaction Facilitation Act, a program that enables the Bureau of Land Management to sell public land for community development and other projects. This land-for-land approach creates jobs and generates funding for the BLM to acquire critical inholdings from willing sellers.

I am also proud to include a provision supported by my colleague from Wyoming, Senator MIKE ENZI, to allow archery equipment to be transported and possessed in national parks. Archery is one of the fastest growing sports in America. It should not be illegal to carry a bow in a national park.

I am happy to work with my colleagues to include this important provision in this Sportsmen's Act. Whether you hunt or fish to put food on the table or for sport or to pass down a tradition to your family or for game-management purposes, there is something in this bill for you.

With more than half a million sportsmen and sportswomen in the State of Idaho, this legislation will ensure they can continue to access their favorite hunting or fishing sport. In fact, the number of people who hunt each year in Idaho would fill Boise State Broncos stadium more than 6½ times. Most of you are familiar with that stadium since it is the only stadium in America that has blue turf, and most everyone has seen that.

For those of us who hunt and fish, it is difficult to put into words why this legislation is so important. I ask everyone I talk to about these issues to encourage and teach youngsters about hunting and fishing. In Idaho this last year 14,000 kids purchased a junior fishing license, and approximately 14,000 purchased a junior hunting license. These numbers could be higher, and they should be higher. It is important to teach and mentor these future generations—those coming behind us—about hunting and fishing and to hand down this culture to them. Hunting and fishing give us a great reason to be in the great outdoors, a great reason to

hand down traditions, and a great reason to support the Bipartisan Sportsmen's Act of 2015.

I urge all of my colleagues on both sides of the aisle to work with this bipartisan coalition we put together, to cosponsor and to work with us to pass this legislation.

Ms. HEITKAMP. Mr. President, I am pleased today to join my colleagues from Alaska and New Mexico in introducing the Bipartisan Sportsmen's Act.

In North Dakota, hunting and fishing are a huge part of our lives. We have opening day circled on our calendars like we do birthdays and anniversaries. It was in North Dakota where America's conservationist President, Theodore Roosevelt, fell in love with our State and recognized the need to preserve our Nation's fish and game for future generations. As President Roosevelt once said:

The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value. Conservation means development as much as it does protection.

It is an honor to be able to help introduce this important legislation and continue to advance voluntary conservation measures that have kept our State a world-class destination for hunters and fishermen.

This bill would continue programs such as the National Fish and Wildlife Foundation which have successful track records of working with non-profits, State and local governments and private landowners to promote voluntary conservation of fish and game habitat.

It also includes a number of provisions that will enable our hunters and fishers to access the lands their tax dollars pay to maintain. Additionally, it would set aside funds from the Land and Water Conservation Fund for improving recreational access to Federal lands. It would also direct agencies to identify high-priority Federal hunting and fishing lands where there is currently no access and work to provide access to sportsmen.

One section of the bill is particularly important to my State—enabling greater use of funds for public shooting ranges. We have a number of extremely popular target ranges in North Dakota and, with the great influx in population to the area, they have been under considerable stress. One such range in the city of Watford City has had to shut down as the city expanded around it. This bill would allow North Dakota Game and Fish to work with the city to move and reopen the range and provide a safe place for hunters to practice their skills.

I want to thank Senators MURKOWSKI and HEINRICH, as well as Senators RISCH, MANCHIN, and FISHER for being excellent partners through the Sportsmen's Caucus to introduce this bipartisan bill. I look forward to working with them to bring this bill to the floor and sending it to the President to become law.

Mrs. FISCHER. Mr. President, I rise today to discuss the Bipartisan Sportsmen's Act. I am pleased to join my colleague in introducing this legislation.

I am grateful for the opportunity to work with my colleagues on legislation that will promote our country's hunting, fishing, and conservation heritage.

This bill does a lot of good things. It prevents antihunting groups from restricting sportsmen's ammunition choices, which would unnecessarily drive up hunting costs, impede participation in shooting sports, and consequently decrease conservation funding.

The Sportsmen's Act provides States with more flexibility to build and maintain public shooting ranges in order to provide Americans with more opportunities to engage in recreational and competitive shooting activities. The legislation also expands and enhances hunting and fishing opportunities on Federal lands by establishing a more open policy for access to recreational activities on our public lands.

I am especially encouraged by the fact that this bill contains provisions I have championed that would increase transparency regarding the judgment fund. It has the potential to help our efforts to track taxpayer-funded litigation that impacts our public lands policies.

As my colleagues may or may not know, the judgment fund is administered by the Treasury Department and is used to pay certain court judgments and settlements against the Federal Government. Essentially, this fund acts as an unlimited amount of money that is set aside to pay for Federal Government liability. It is not subject to the annual appropriations process, and, even more remarkably, the Treasury Department has no reporting requirements, so these funds are paid out with very little oversight or scrutiny.

This is no small matter, as the judgment fund disburses billions of dollars in payments every year. Because the Treasury Department has no binding reporting requirements, few public details exist about where these funds are going and why.

The Public Lands Council has decried the lack of oversight of the judgment fund by stating:

Certain groups continuously sue the federal government, and [the] Treasury simply writes a check to foot the bill without providing Members of Congress and the American taxpayers basic information about the payment.

This kind of litigation can have a big impact on sportsmen and others who enjoy multiple uses of Federal lands. This is because the government is permitted to blindly fund lawsuits by activist groups who use the court as a backdoor to policy making.

A recent report from the GAO found that cases filed against the EPA have shown a pattern of these groups working in unison with big law firms to sue under the same statutes in order to push their political agenda through the courts.

The legislation I introduced this week with Senator GARDNER, known as the Judgment Fund Transparency Act, will bring these cases to light. That bill has been included as a provision to the Sportsmen's Act and will provide even greater transparency and accountability.

I am proud to be a vice chair of the Sportsmen's Caucus, and I look forward to continuing our work to advance these important legislative measures.

Mr. MANCHIN. Mr. President, I rise today to discuss our truly bipartisan sportsmen's bill. This is a bipartisan bill which has been worked on for quite some time, and I think its time has come. They say Paul Masson's wine's time has come. It has. We have Senators LISA MURKOWSKI from Alaska, MARK HEINRICH from New Mexico, JIM RISCH from Idaho, myself from West Virginia, HEIDI HEITKAMP from North Dakota, and DEB FISCHER from Nebraska. It is balanced. I think we will find total support hopefully on both sides.

Let me talk about the bill and what it does. It is good for sportsmen, hunters, and lovers of the outdoors. This is a bill which shows that Democrats and Republicans can truly come together and work together. The bill should be a model for how we can make things work here in Washington, and we hope the country will be watching.

West Virginia has more than 1.6 million acres of public land open to hunting. In a State that is our size, if they flatten the State, it would be bigger than Texas. But with all the mountains and hills and everything, it is an absolutely wonderful and beautiful place to grow up and live and hunt and enjoy the outdoors.

We have a year-round fishing season with more than 20,000 miles of streams and more than 100 public fishing lakes. In 2011 West Virginia saw more than 400,000 hunters and sportsmen supporting more than 12,000 jobs—400,000 hunters supporting 12,000 West Virginia jobs. These sportsmen spent \$870 million on hunting and fishing in West Virginia and generated \$81 million in State and local taxes. That is an industry within itself. In a small State such as ours, we are very appreciative of every job and every dollar that helps us provide a better quality of life.

Let me tell you about growing up in West Virginia. It was funny. I had a conversation on the floor of the Senate with some of my colleagues, and we were talking about many issues. We started talking about how we grew up and this and that, and he said: You know, Joe, I grew up in a community in a part of the city where I never knew anybody who owned a gun.

I was thinking how much he missed. That means he had never been hunting. No one ever taught him how to shoot and be safe—the safety things we should learn. I kept thinking about that. I thought to myself and I told him: You know something, I grew up in

a town where I didn't know anybody who didn't have a gun. It is just the cultures we have.

If this bill helps introduce people to the love of the outdoors, to the sport, whether it is just shooting from the standpoint of targets or sports shooting or actually hunting and basically the game—it is very nutritional and very healthy. Venison is a big staple of the diet in West Virginia. It is very good quality meat and very low in fat, very high in protein and fiber. It is great.

You start learning about gun safety. My father was not a hunter. My father never got into it. My grandfather was not a hunter. My uncles were very much involved. But my dad made sure we had a sporting club in the little town, a little coal mining town, and the people who were very astute in this basically took all of us under their wing. They would teach us how to shoot. They would teach us the safety. They would teach us how to respect where we—if we are going to shoot something, we should be able to harvest the game or know somebody who would use it for nutritional values. Don't waste a thing. But also go out in the woods and enjoy the beauty God gave us. I look back on those days.

Then I took my grandson hunting the first time. First of all, I couldn't believe how good his eyesight was and how good he could shoot. It is something that now he is fixated on, and he does a great job, and I am so happy to see him. My son loves fishing, and I take him with me all the time. It is a family tradition. We do it once a year. We do a whole family trip where everybody goes.

This bill, the Sportsmen's Act of 2015, does so many things all over America. It really helps us promote and continue to promote the love of the outdoors, the love of hunting, the love of fishing, basically of sports shooting, competitive sports shooting, pleasurable sports shooting, learning the safety of a gun, what we should and should not do, learning to respect others around us, making sure safety is the first and foremost thing we do.

I hope this bill gets very quick action, very favorable action. We can start out this new year, if you will, on something that is truly overwhelmingly a bipartisan bill. I am sure there will be people who have something they might object to in any piece of legislation. They will have to work hard to find something in this bill they can object to because I think it is put together the right way, in a bipartisan way. It is good for America.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 69—CALLING FOR THE PROTECTION OF RELIGIOUS MINORITY RIGHTS AND FREEDOMS WORLDWIDE

Mr. INHOFE (for himself, Mr. THUNE, Mr. WICKER, Mr. BOOZMAN, Mr.

PORTMAN, Mr. KING, Mr. RUBIO, and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 69

Whereas it is a human right for all peoples to enjoy the fundamental freedom of religion, and the United States remains committed to promoting and protecting those that have been marginalized and persecuted because of their faith;

Whereas Article 18 of the Universal Declaration of Human Rights recognizes that “everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance”;

Whereas the freedom to worship by minority religious communities worldwide has come under repeated and deadly attack, and often religious minorities are regarded as enemies of the state;

Whereas the freedom to proselytize by minority religious communities has also come under repeated and deadly attack in recent years through so-called blasphemy laws and anti-conversion laws that are punishable by fines, imprisonment, and death;

Whereas, on November 1, 2010, the deadliest ever recorded attack on Iraqi Christians occurred at the Sayidat al-Nejat Catholic Cathedral located in central Baghdad, where militants stormed the church and detonated 2 suicide vests filled with ball bearings, killing 58, including 2 priests, and wounding 78 parishioners;

Whereas, in November 2010, Aasia Bibi, a Christian mother of five, was fined \$1,100 and sentenced to death by hanging for blasphemy, becoming the first woman condemned to death on blasphemy charges in Pakistan, and remains jailed today appealing her sentence;

Whereas, on December 29, 2011, the Shia religious leader Tajul Muluk’s Islamic boarding school in Madura Island, Indonesia was burned down in an arson attack by 300 anti-Shi’ite protestors, causing 500 Shia residents to flee from their homes, and on January 1, 2012, the Indonesian Ulama Council issued a fatwa against his teachings, leading to blasphemy charges and the arrest of Muluk on April 12, 2012, in Sampang, where he remains in prison;

Whereas, on July 28, 2012, Saeed Abedini, a Christian pastor with dual Iranian and United States citizenship, was arrested on charges solely based on his Christian faith, convicted, and sentenced to eight years in a brutal Iranian prison where he remains today;

Whereas, on October 17, 2013, 10 bombs exploded in the minority Shi’ite districts of Baghdad, killing 44 people, including 6 children, and on that same day a suicide bomber drove into a village in the northern province of Nineveh, killing 15 Shabaks, who are mainly Shi’ites and are viewed as apostates by extreme Sunni Islamists;

Whereas, on November 16, 2013, Zhang Shaojie, a member of Three-Self church and pastor of the government-sanctioned Nanle County Christian Church, China, was arrested, fined \$16,000, and given a 12 year prison sentence for “gathering a crowd to disrupt the public order,” in what is believed to be retaliation for his advocacy on behalf of his congregation and community;

Whereas, on May 15, 2014, a Sudanese Christian woman, Meriam Ibrahim, was imprisoned and sentenced to death by hanging for allegedly committing apostasy from Islam and faced constant pressure to renounce her faith of Christianity while in prison, and

only after immediate and sustained pressure by the United States Senate and the Department of State was she released and allowed to leave the country, settling in New Hampshire with her husband and two children;

Whereas, on November 10, 2014, a young Christian Pakistani couple, Shama Bibi and Sajjad Maseeh, who was four months pregnant with her fifth child, were brutally beaten by a mob in Punjab Province, had their legs broken so they could not flee, and were locked in a brick kiln to burn to death while a crowd of 1,200 watched for alleged blasphemy of the desecration of a Koran;

Whereas, since 2010, the Nigerian terrorist organization Boko Haram, which translates to “western education is a sin,” has destroyed more than 1,000 churches across Nigeria, abducted hundreds of Christians to forcibly convert to Islam, and in increasingly violent attacks beginning in 2014, has killed more than 1,700 Christians;

Whereas, according to the United States Commission on International Religious Freedom, over 15,000 people in North Korea are presently incarcerated in prison labor camps for attempting to practice their religion and face constant abuse in attempts to force them to renounce their faith;

Whereas, since the beginning of its reign of terror, ISIL has sought to destroy any person of faith that does not embrace their own perverted interpretation of Islam, leading to the destruction of Jonah’s tomb in Mosul, the destruction of Sunni shrines and mosques in Ninevah, the destruction of Christian churches in Syria, and the slaughter of anyone who resists their teachings; and

Whereas seven Indian states have so-called “anti-conversion” apostasy laws that require officials to assess the legality of conversions, and fine and/or imprison those responsible for the conversions if it is determined to be illegal: Now, therefore, be it

*Resolved*, That the Senate—

(1) remains committed to protecting the human right and the fundamental freedom of religion, especially those of religious minorities;

(2) recognizes that government policies prohibiting the freedom of thought and religion are designed to harass and intimidate religious groups; and

(3) urges in the strongest terms that the United States Government lead the international effort in calling for the repeal of all existing apostasy and blasphemy laws.

#### SENATE RESOLUTION 70—DESIGNATING FEBRUARY 2015 AS “NATIONAL CARBON MONOXIDE POISONING AWARENESS MONTH”

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 70

Whereas carbon monoxide is an odorless, colorless gas that is produced whenever any fuel, such as natural gas, propane, gasoline, oil, kerosene, wood, or charcoal, is burned;

Whereas devices that produce carbon monoxide include cars, boats, gasoline engines, stoves, and heating systems, and carbon monoxide produced from these sources can build up in enclosed or semi-enclosed spaces;

Whereas carbon monoxide is often referred to as the “silent killer” because it is colorless, odorless, tasteless, and nonirritating, and ignoring early stages of carbon monoxide poisoning may cause unconsciousness and continual exposure to danger;

Whereas according to the Centers for Disease Control and Prevention, each year in the United States, carbon monoxide poi-

soning kills more than 400 individuals and sends approximately 20,000 individuals to emergency rooms;

Whereas when people breathe in carbon monoxide, the poisonous gas enters the bloodstream and prevents adequate intake of oxygen, which can damage tissues and result in death;

Whereas given their common preexisting medical conditions, individuals older than age 65 are particularly vulnerable to carbon monoxide poisoning;

Whereas for most individuals who suffer from carbon monoxide poisoning, the early signs of exposure to low concentrations of carbon monoxide include mild headaches and breathlessness upon moderate exercise;

Whereas sustained or increased exposure to carbon monoxide can lead to flu-like symptoms, including severe headaches, dizziness, tiredness, nausea, confusion, irritability, and impaired judgment, memory, and coordination;

Whereas breathing in low concentrations of carbon monoxide can cause long-term health damage, even after exposure to the gas ends;

Whereas most cases of carbon monoxide exposure occur during the winter months of December, January, and February when oil and gas heaters are more heavily in use;

Whereas on January 17, 2009, Amanda J. Hansen, a junior and member of the swim team at West Seneca West High School, in West Seneca, New York, passed away from carbon monoxide poisoning while sleeping near a faulty basement boiler during a sleepover party;

Whereas Amanda J. Hansen loved Spanish, was a member of the Spanish Honor Society at West Seneca West High School, and wanted to eventually teach Spanish;

Whereas Amanda J. Hansen hoped to attend college at the University of North Carolina;

Whereas responding to tragedy, Ken and Kim Hansen established the Amanda Hansen Foundation to honor their daughter by raising money for a scholarship fund and spreading awareness about the dangers of carbon monoxide and the importance of taking safety measures, such as using carbon monoxide detectors in residences;

Whereas the Amanda Hansen Foundation works with lawmakers and local communities to educate the public on the dangers of carbon monoxide poisoning;

Whereas the Amanda Hansen Foundation raises money for purchasing carbon monoxide detectors for individuals who cannot afford them and has given away 17,000 carbon monoxide detectors;

Whereas the Amanda Hansen Foundation and Ken and Kim Hansen through their work with the Foundation collaborate with other national organizations to ensure that carbon monoxide detectors are as ubiquitous as possible;

Whereas the Hansen family fought in 2010 for the passage of “Amanda’s Law”, a law that mandates the installation of carbon monoxide detectors in new and existing residences with fuel burning appliances and the replacement of such detectors every 5 years;

Whereas the Amanda Hansen Foundation has paid to replace furnaces in the Buffalo, New York area with furnaces that are safer and more energy efficient; and

Whereas in memory of their daughter, the Hansen family has worked tirelessly to make New York and the rest of the United States a safer place: Now, therefore, be it

*Resolved*, That the Senate designates February 2015 as “National Carbon Monoxide Poisoning Awareness Month”.



**SENATE RESOLUTION 71—DESIGNATING THE WEEK OF FEBRUARY 8 THROUGH FEBRUARY 14, 2015, AS “INTERNET GOVERNANCE AWARENESS WEEK”**

Mr. HATCH (for himself, Mr. BLUNT, Mr. WARNER, Mr. COONS, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 71

Whereas the United States remains committed to the multistakeholder model of Internet governance, in which the private sector works in collaboration with civil society, governments, and technical experts in a consensus fashion;

Whereas the United States has, through its stewardship of key Internet domain name functions, maintained an important role in the protection of the Internet as presently constituted;

Whereas on March 14, 2014, the National Telecommunications and Information Administration (referred to in this preamble as the “NTIA”) announced its intent to transition these key Internet domain name functions to the global multistakeholder community;

Whereas the transition process demonstrates that the United States supports and is committed to the multistakeholder model of Internet governance;

Whereas the NTIA has asked the Internet Corporation for Assigned Names and Numbers (referred to in this preamble as “ICANN”) to convene global stakeholders to develop a proposal to transition the current role played by the NTIA in the coordination of the Internet’s domain name system (referred to in this preamble as the “DNS”);

Whereas the NTIA has stated that there is no deadline for the transition, and that the transition proposal must have broad community support and must—

(1) support and enhance the multistakeholder model;

(2) maintain the security, stability, and resiliency of the Internet DNS;

(3) meet the needs and expectations of the global customers and partners of the Internet Assigned Numbers Authority; and

(4) maintain the openness of the Internet;

Whereas the NTIA has also stated that it will not accept a proposal that replaces the NTIA with a government-led or an inter-governmental organization, a position that is consistent with S. Con. Res. 50 (112th Congress), a concurrent resolution that was unanimously passed by the Senate and the House of Representatives in 2012 and supported “the consistent and unequivocal policy of the United States to promote a global Internet free from government control and preserve and advance the successful multistakeholder model that governs the Internet today”;

Whereas ICANN will be holding its next global meeting, ICANN 52, in Singapore between February 8 and February 12, 2015; and

Whereas designating the week of February 8 through February 14, 2015, as “Internet Governance Awareness Week” will encourage the participants at ICANN 52 to focus on developing key ICANN accountability principles for the protection of the global Internet: Now, therefore, be it

*Resolved,*

**SECTION 1. DESIGNATION.**

The Senate designates the week of February 8 through February 14, 2015, as “Internet Governance Awareness Week” to—

(1) increase public awareness regarding the March 14, 2014 announcement by the National Telecommunications and Information

Administration (referred to in this resolving clause as the “NTIA”) declaring the intention of the NTIA to transition the stewardship of the functions of the Internet Assigned Numbers Authority to the global multistakeholder community;

(2) encourage public education about the importance of this transition process; and

(3) call the attention of the participants at the next global meeting of the Internet Corporation for Assigned Names and Numbers (referred to in this resolving clause as “ICANN”) to the importance of designing accountability and governance reforms to best prepare ICANN for executing the responsibilities that it may receive under any transition of the stewardship of the functions of the Internet Assigned Numbers Authority, including reforms that would—

(A) insist that the domain name system continues to function as part of a secure, stable, resilient, single, decentralized, open, and interoperable Internet;

(B) ensure a form of stewardship and accountability that is based on the separation of the functions of policy-making, policy implementation, and, as needed, independent adjudication or arbitration for dispute resolution;

(C) limit and maintain ICANN authority to matters that pertain to the coordination of Internet unique identifiers, and limit each function to those rights, responsibilities, and authorities that have been explicitly assigned;

(D) protect ICANN from undue influence or capture by one or more governments or multilateral or intergovernmental organizations, or a single set of other commercial or noncommercial stakeholders;

(E) maintain the commitment of ICANN for final action regarding key policy decisions to demonstrate broad support by the community of ICANN stakeholders;

(F) reinforce and expand transparency and accountability measures to ensure community access to ICANN documents and records; and

(G) ensure that, prior to the execution of the transition of the stewardship of the functions of the Internet Assigned Numbers Authority, each of the foregoing elements of such proposal is adopted and made effective by ICANN through incorporation in its articles of incorporation and by-laws, as needed, and subject to independent adjudication or arbitration for dispute resolution, as appropriate.

**SEC. 2. RULE OF CONSTRUCTION.**

Nothing in this resolution shall be construed as congressional approval of any proposal by ICANN to transition the stewardship of the functions of the Internet Assigned Numbers Authority to the global multistakeholder community.

**SENATE CONCURRENT RESOLUTION 3—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA I**

Mr. SCHATZ (for himself and Ms. HIRONO) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 3

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.**

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 7, 2015, to celebrate the birthday of King Kamehameha I.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 5, 2015, at 9:30 a.m.

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

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on February 5, 2015, at 10 a.m. in room SR-253 of the Russell Senate Office Building to conduct a subcommittee hearing entitled “Getting it Right on Data Breach and Notification Legislation in the 114th Congress”.

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

**COMMITTEE ON FINANCE**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 5, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The President’s Budget for Fiscal Year 2016.”

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

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 5, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “Who’s the Boss? The ‘Joint Employer’ Standard and Business Ownership.”

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

**COMMITTEE ON THE JUDICIARY**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 5, 2015, at 10:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on February 5, 2015, at 2:30 p.m.

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

#### PRIVILEGES OF THE FLOOR

Mr. BENNET. Mr. President, I ask unanimous consent that Laura Sherman, a fellow in my office, be given floor privileges for the remainder of this session.

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

Mr. CARPER. Mr. President, I ask unanimous consent that Susan Corbin, Jill Mueller, Paul Babiarz, and Charles Carithers, detailees to the Homeland Security and Governmental Affairs Committee, be granted the privileges of the floor for the remainder of the first session of the 114th Congress.

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

#### UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. on Monday, February 9, the Senate proceed to executive session to consider Calendar No. 10, the nomination of Michael P. Botticelli to be Director of National Drug Control Policy. I further ask that there be 30 minutes of debate equally divided on the nomination, and that following the use or yielding back of time, the Senate vote on confirmation, and that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

#### INTERNET GOVERNANCE AWARENESS WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 71, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 71) designating the week of February 8 through February 14, 2015, as "Internet Governance Awareness Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed

to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 71) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURE READ THE FIRST TIME—S. 405

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

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

The assistant legislative clerk read as follows:

A bill (S. 405) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

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

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 9-93, as amended by Public Law 99-151, appoints the following individual to serve as a member of the United States Senate Caucus on International Narcotics Control: the Honorable CHUCK GRASSLEY of Iowa, Chairman.

#### ORDERS FOR MONDAY, FEBRUARY 9, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, February 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that the Senate then be in a period of morning business, equally divided, until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each. I further ask that at 5 p.m. the Senate proceed to executive session under the previous order.

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

ADJOURNMENT UNTIL MONDAY,  
FEBRUARY 9, 2015, AT 3 P.M.

Mr. MCCONNELL. 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 5:58 p.m., adjourned until Monday, February 9, 2015, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEFENSE NUCLEAR FACILITIES SAFETY BOARD

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2018. (RE-APPOINTMENT)

##### NATIONAL TRANSPORTATION SAFETY BOARD

CHRISTOPHER A. HART, OF COLORADO, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS, VICE DEBORAH A. P. HERSMAN, RESIGNED.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

MARIA CANCIAN, OF WISCONSIN, TO BE ASSISTANT SECRETARY FOR FAMILY SUPPORT, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE CARMEN R. NAZARIO.

##### DEPARTMENT OF STATE

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

STAFFORD FITZGERALD HANEY, OF NEW JERSEY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COSTA RICA.

NANCY BIKOFF PETTIT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LATVIA.

##### IN THE NAVY

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

BENIGNO T. RAZON, JR.

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

DONNA L. SMOAK

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

##### To be lieutenant commander

FABIO O. AUSTRIA

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

MELISSA C. AUSTIN

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 lieutenant commander

SHAWN D. WILKERSON, JR.

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 captain

BUDD E. BERGLOFF