

one of the finest orators we have ever had in the Senate while I have been here. She does it in a unique way, but we all listen.

BARBARA MIKULSKI, thank you very much.

We also had to work hard with the Finance Committee. I extend my appreciation to our ranking member, RON WYDEN. He and I have served together in Congress for a long time, more than three decades, but not only do I appreciate his work but also his staff director, Josh Sheinkman. I may not pronounce his name just right, but everybody knows Josh. I want the Finance Committee and all of their staff to know how much we appreciate this product that they were responsible for piecing together.

I already talked a day or so ago about Dennis McDonough, the President's Chief of Staff. He is a remarkably fine man.

Brian Deese, Senior Adviser to the President, was one of the reasons we got the great agreement we got out of Paris with those accords dealing with the environment.

Katie Beirne Fallon, President Obama's Legislative Affairs Director, I have already laid out on the record what a wonderful person she is.

Jason Furman, Chairman of the Council of Economic Advisers, I extend my appreciation to him and his entire family whom I know.

Marty Paone, I talked about him.

We really care a great deal about them.

There are many others who helped craft this compromise.

From the Republican Leader's office: Brendan Dunn and Scott Rabb.

From Speaker RYAN's office: George Callas and Matt Hoffman.

From Leader PELOSI's office: Katherine Monge and Wendell Primus.

From Senator CORNYN's office: Monica Popp.

From the Senate Finance Committee: Ryan Abraham, Brett Baker, Kim Brandt, Chris Campbell, Adam Carrasco, Anne Dwyer, Karen Fisher, Liz Jurinka, Matt Kazan, Jay Khosla, Jim Lyons, Juan Machado, Todd Metcalf, Matt Prater, Josh Sheinkman, Katie Simeon, Tiffany Smith, and Todd Wooten.

From the Senate HELP Committee: Nick Bath and Andi Fristedt.

From the Senate Banking Committee: Mark Powden.

From the Senate Committee on Environment and Natural Resources: Angela Becker-Dippmann and Sam Fowler.

From Senator SCHUMER's office: Meghan Taira.

From Senator GILLIBRAND's office: Brooke Jamison.

From Congressman LEVIN's office: Karen McAfee.

I realize I may be missing some people. So to everyone who helped push this legislation across the finish line, thank you. You have done America a great service.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. REID. Madam President, will my friend allow me to interrupt for just a second?

Mr. HATCH. I will be happy to yield.

COMMENDING SENATOR HATCH

Mr. REID. Madam President, I had it in my notes, but I didn't do it.

I wish to express my appreciation for the majority staff on the Finance Committee. The chairman of this powerful Finance Committee is ORRIN HATCH. We have served together in the Senate for these many years. There is not a finer gentleman in the Senate than ORRIN HATCH. I apologize for reading over my notes. I appreciate very much his friendship and his leadership.

Mr. HATCH. I thank the leader, and I feel the same way toward him. He and I are dear friends, and we are going to continue to be dear friends, despite our differences.

PROPER OPERATION OF THE SENATE

Mr. HATCH. Madam President, I rise to discuss the state of the U.S. Senate. My 39 years of service in this body have given me an increasingly unique vantage point to reflect upon this institution. Over the years, I have seen the Senate both at its best—rising to meet the lofty expectations of the Framers—and, unfortunately, I have seen it at its worst.

Last year I came to the floor repeatedly to speak out against what I viewed as the abuse of the Senate by the previous majority, under which this great body fell into great dysfunction. In addition to identifying these abuses, I did my best to lay out a vision for how the Senate ought to function—how we could best live up to the best traditions of our forebearers.

Over the past year, since my selection as President pro tempore, I have endeavored to continue to offer what lessons I have learned and what accumulated knowledge I have acquired over my nearly four decades here to help our new Republican majority to get the Senate working again. After a year of hard work, I can report a significant degree of success. Under the leadership of our new majority leader and his team, the Senate is back to work for the American people.

By the end of last Congress, these best traditions of the Senate that have

allowed it to serve the Republic for so well for so long were left, in my opinion, in severe disrepair. The then-majority leadership curtailed debate on an unprecedented scale, moving to cut off debate before this body could even begin considering legislation. The leader also used the so-called nuclear option to permanently weaken the opportunity to debate nominations, including crucial lifetime nominations to the Federal court. In all of last year, the Senate voted on only 15 amendments, with the majority leadership refusing to countenance any amendment it did not support. The 113th Congress set a record for bills that bypassed committees—this institution's incubators of consensus. Instead of adhering to the committee process, the legislation was crafted in the back rooms of leadership offices and brought directly to the floor.

Thanks to this institutional degradation, the Senate became a wasteland of partisan warfare. Much of the time spent in session was wasted on voting on the previous majority's messaging bills. This legislation had no chance of passing the Senate and was designed simply to buttress the majority's election-year arguments. The time that was not spent on this political gamesmanship was otherwise wasted largely on rushing through President Obama's nominees at a breakneck pace.

Our new majority has thus faced the daunting task of restoring the Senate to its proper function so this body can resume its rightful role as the source of wise legislation. These efforts have produced some impressive statistics.

This year, the Senate has held almost 200 votes on amendments of individual Senators. That figure is nearly 9 times as many as last year. Earlier this year, the Senate brought up more amendments in a single week than all of last year.

Debate has also flourished. The Senate spent over 25 percent more days in session than last year. The majority leader has greatly curtailed the practice of filing cloture as soon as debate begins, restricting it to rare occasions that involve time-sensitive measures and, particularly, sensitive bipartisan legislation.

Furthermore, our committees are all back to work. With only a few exceptions, the legislation passed by the Senate has been crafted by the committee rather than by leadership. The close, collaborative environment that the committees foster helps build bipartisan consensus, even in these polarizing times. In fact, many of our committees posted impressive statistics of bipartisan legislating. The Finance Committee—the accomplishments of which I spoke on yesterday—has passed 37 bills, all bipartisan. The Homeland Security and Governmental Affairs Committee has passed 71 bills, all bipartisan. The Health, Education, Labor, and Pensions Committee has passed 10 pieces of legislation, and all but one was bipartisan.

According to the *Résumé* of Congressional Activity, as of December 1, the Senate had passed 391 measures as compared to 290 in 2014 and 246 in 2013. While this year's number compares favorably to the two previous years, the Senate's productivity is best measured not by a simple count of measures passed, in which a post office naming counts the same as a comprehensive budget for the entire Federal Government, but instead by the sort and substance of measures passed. This measure paints by far the best picture of the good work done by the Senate in the first year of our new Republican Senate majority.

Instead of wasting the Senate's precious time on political show votes, the new majority leadership has focused the Senate's consideration on measures that can actually pass, which almost always require bipartisan support. We have also made sure to fulfill Congress's most basic fiscal management responsibilities. We passed the first bicameral budget since 2009 and the first budget that balances in 14 years. Based on that budget blueprint, the Appropriations Committee passed all 12 appropriations bills for the first time since 2009. While the minority unfortunately chose to block numerous attempts we made to pass these bills on the floor through regular order, we struck a multiyear bipartisan budget deal to last through the rest of the Obama administration. Passing this legislation warded off the threat of another shutdown or a disastrous default on our debt. We have also struck a deal on an omnibus spending bill for next year that, while imperfect, makes important progress in a number of areas, such as repealing the antiquated oil export ban to create jobs at home and ward off the influences of Vladimir Putin and other dangerous rogues abroad, increasing resources for our military at a time of great threat, strengthening the Visa Waiver Program to protect against terrorists, and provisions to bar the transfer of Guantanamo detainees to American soil.

As we look forward to next year, our leadership has built a pathway to return to regular order in the appropriations process, allowing Congress to fulfill our constitutional duty to oversee the executive branch through the power of the purse.

The Senate also overcame a bitter partisan dispute to pass the annual National Defense Authorization Act to further our most basic responsibility to provide for the common defense. Under the leadership of our Armed Services Committee, with colleagues on both sides, we passed into law a bill that contains a wide variety of critical defense items, from acquisition reform to aid to Ukraine. Moreover, among the most important accomplishments of the year have been the long-term challenges tackled by the Senate. Over the past few years, Congress earned a well-deserved reputation for kicking the can down the road on a number of key

issues that affect Americans' lives in crucial ways—from our commutes to our health care to our children's education. This year Congress has taken a number of crucial steps to end this cycle of irresponsible delays. Instead of passing yet another patch to the highway trust fund, we passed the first long-term highway bill in a decade; instead of leaving seniors in a lurch with yet another doc fix, we permanently fixed how Medicare reimburses physicians and passed a real down payment on real entitlement reform; instead of consigning ourselves to a backseat role in shaping the international economy of the future, we passed the first trade promotion authority legislation since 2002; instead of waiting until the last minute to pass another extension of critical tax breaks, we have struck a deal to make much important tax relief permanent and provide multiyear extensions of others, providing vital certainty to business and family budgets; and instead of leaving our schools webbed in by No Child Left Behind and the Obama administration's conditioned waivers, we passed the Every Student Succeeds Act, which the *Wall Street Journal* called the greatest devolution of power to the States in a quarter century.

Moreover, we pushed against the Obama administration's most egregious overreach, preparing the way to reverse them under a future President. We passed Congressional Review Act resolutions to repeal the President's most onerous and job-killing labor and environmental regulations, and most importantly, we passed the Senate's first repeal of ObamaCare.

Finally, after the turmoil in the confirmation process in recent years, we have moved at a deliberate pace in examining the President's nominees. Despite the spurious claims of some on the other side, our record on confirmations fits favorably within historical norms. As of December 10, 316 of President Obama's judicial nominees have been confirmed, constituting more than 37 percent of the actual active Federal bench.

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

Mr. HATCH. Madam President, I ask unanimous consent to finish my statement.

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

Mr. HATCH. I thank the Presiding Officer.

By comparison, only 292 of President George W. Bush's nominees had been confirmed at the same point in his tenure, constituting less than 35 percent of the active judiciary. There are only 65 judicial vacancies today. Vacancies have been lower in only 13 of the 83 months, or less than 16 percent of the time, that this President has held office. During 2015, the average number of judicial vacancies has been 58, the lowest average for any year of the Obama Presidency.

This is a record of achievement that speaks for itself, one that easily shows

why PolitiFact awarded the minority leader three Pinocchios for his accusations that the Senate, under our new Republican majority, has been unproductive by historical standards. While there have been, no doubt, many bumps in the road—and we still need more mutual restraint of both the minority and the majority—there should be no doubt that our new Republican majority has the Senate back to work for the American people.

I thank the Presiding Officer for the extra time.

BUDGETARY REVISIONS

Mr. ENZI. Madam President, on November 2, 2015, the President signed the Bipartisan Budget Act of 2015 into law, H.R. 1314, P.L. 114-74. This bill passed the House of Representatives by a vote of 266 to 167 and the Senate by a vote of 64 to 35. Section 101 of H.R. 1314 redefined the term "discretionary spending limit" to add \$50 billion in budget authority for fiscal year 2016. This increase was split evenly between defense and nondefense spending. More specifically it increased the fiscal year 2016 discretionary spending limit for the revised security category to \$548.091 billion in new budget authority and the revised nonsecurity category to \$518.491 billion in new budget authority. Section 3404 of the fiscal year 2016 budget resolution provides me with the authority to adjust levels and allocations for such changes in definitions in enacted legislation. I am therefore adjusting the allocation to the Committee on Appropriations and the budgetary aggregates to reflect the spending limits of the Bipartisan Budget Act of 2015.

In addition to the changes triggered by P.L. 114-74, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, allows for various adjustments to the discretionary spending limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. The Senate will soon consider H.R. 2029, the Consolidated Appropriations Act, 2016. This bill includes numerous provisions that meet the terms laid out in section 251 of BBEDCA to generate a change in the discretionary spending limits. As such, this spending is eligible for an adjustment under the Congressional Budget Act.

Earlier this year I made adjustments to budgetary aggregates and the Committee on Appropriations' allocation to reflect provisions in appropriations bills that qualified for cap adjustments under BBEDCA that were being considered on the Senate floor. The adjustments I make today take these adjustments into consideration and reflect the appropriate level for adjustments for considering this Omnibus appropriations bill.