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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by Pastor Ken Carney, First Church of the Nazarene, Hot Springs, AR.

The guest Chaplain offered the following prayer:

Let us pray.

Heavenly Father, we come before You today asking You for a new touch of grace to fall on all of our elected leaders. You told us in Your Word to ask for wisdom. I humbly ask today for everyone who governs and makes decisions concerning our great country to be filled with Your divine wisdom. Please, Father, remember mercy for those who are weak and struggling.

I close my prayer by asking that You protect all of our elected leaders and their families from harm and danger.

This I pray in Your Holy and Matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 23, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, there are a lot of tired clichés about not giving up after an initial setback. I won't subject our colleagues to any of those this morning, but I will say that last night's vote represents an important first step toward passing a multiyear, bipartisan highway bill. It is the first step on a much longer road but, in my view, a worthwhile one.

This bipartisan bill will fund our roads, highways, and bridges for longer than any transportation bill considered by Congress in a decade, and the highway proposal will do so without increasing taxes or adding to the deficit. That is no small achievement.

Just consider what the Committee for a Responsible Federal Budget had to say about the bill we voted to move forward on last night. It is ''refreshing,'' they said, to see Congress focusing ''on a multi-year solution instead of just another short-term patch.'' In general, their overall view was that this is ''a fiscally responsible bill that relies on some pretty solid offsets.'' That is from the Committee for a Responsible Federal Budget. They called it ''a fiscally responsible bill that relies on some pretty solid offsets.'' Positive comments such as those echo the kinds of things I continue to hear from Members of both parties.

I would like to thank the Senator from California and the other Members on her side who worked with us to help prepare this bill and then voted with us to advance it last night. I hope we will continue to work together to finally deliver a fiscally responsible, long-term highway bill for the American people.

OBLIGATIONS UNDER IRAN NUCLEAR AGREEMENT REVIEW ACT

Mr. MCCONNELL. Mr. President, yesterday I joined Speaker BOEHNER, Senator COTTON, and Congressman POMPEO in sending a letter to the administration with a simple request: that the administration meet its full obligations to Congress under the terms of the bipartisan Iran Nuclear Agreement Review Act—a law both parties supported overwhelmingly just this spring. The law gives Congress the right to review all of the elements of an agreement struck between the White House and Iran and then take a vote on it.

The law is clear, but the administration has not submitted the side agreements between the International Atomic Energy Agency and Iran to the Senate, withholding the text from both Democrats and Republicans in Congress. And since the Iran Nuclear Agreement Review Act was signed into law prior to the completion of the negotiation in Vienna, Secretary Kerry was fully aware—fully aware—of the requirement in law to submit the side deal to Congress.

Congress cannot properly carry out its obligation to the American people until the administration fulfills its legal obligation to the American people and to Congress, so we are calling on the administration to do that immediately.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

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

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SUPPORTING OUR NATION'S VETERANS

Mr. REID. Mr. President, we can tell a lot about how a Senator feels about our veterans by seeing how they vote on issues dealing with veterans. We can tell a lot about a Senator by how he or she treats our Nation's veterans. Are they committed to giving our veterans the care and help they deserve and need or do they see American servicemembers as political footballs to be used for partisan fights?

I was disappointed yesterday to see my Republican colleagues try to actually manipulate a good veterans bill, a noble bill, and it was done for political purposes.

The senior Senator from Washington, who has worked so hard on veterans issues for years now in the Senate, crafted a bipartisan piece of legislation to help veterans to do a number of things—basically, to help with their families. It is a tragic reality that thousands of veterans and servicemembers struggle with issues related to reproductive health, including fertility, some as a result of injuries sustained in combat. Senator MURRAY's bill would give the Veterans' Administration the resources it needs to attend to our veterans' reproductive health. The legislation would also help facilitate adoptive services for wounded veterans who want a family of their own.

Senator MURRAY's bill was to be marked up. That means it would be finalized in committee before it was reported from that committee to the floor. That is one of the opportunities we have to get legislation on the floor. But in a cynical, duplicitous move, a handful of Republicans on that committee were determined to manipulate the legislation. Instead of working with Senator MURRAY and others on the committee to pass a good bill as is, the junior Senator from North Carolina and other Republicans tried to attach so-called poison pill amendments to the bill. Senator MURRAY, to her credit, saw immediately what this charade was all about as a political stunt and requested that the chairman pull her bill from consideration, which did happen. The Senator from Washington didn't want a good, bipartisan bill hijacked by a few Republicans looking to get their names on FOX television.

This episode says a lot about today's Republican Party. This is an attack on families, it is an attack on the health of women, and it is an attack on our veterans.

Every servicemember who puts on the uniform of the United States armed services deserves everything we can give them because they take an oath to defend our Nation. It is not a pledge taken lightly by these men and women who serve. They understand what is being asked of them. They know that at any given time they may have to sacrifice everything for this country.

We here in the Senate take a similar oath when we are sworn in to office, but we also make an unspoken, yet equally solemn, vow—to do everything in our power to support these veterans. We aren't called upon to make the ultimate sacrifices they are, but we have to recognize that they need our help. That means we do anything we can to give them the care they deserve. That means we always put their well-being above partisan politics.

The Republicans in this ploy yesterday put FOX News ahead of the welfare of the veterans community. This is, in fact, a reality. It is too bad for the veterans community.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 22, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first let me say it is important that we fund the highway trust fund and that we have a long-term commitment to the infrastructure of our country—the jobs, the economy, the neighborhoods.

I see the distinguished Senator from Oklahoma coming to the floor. He leads the committee that oversees transportation. He and my friend from California have put forward a 6-year authorization on policy that I think we should commend them for. I am proud to be a part of the group. Certainly Democrats have been united in saying we need a sense of urgency, we need to get beyond month-to-month highway trust fund renewals, and we need to make a commitment to a long-term approach, just as every other country has done in a global economy, so that we can continue to compete and win as it relates to our roads, bridges, ports, rails, and all of the other parts of our infrastructure.

What concerns me about the bill in front of us, though, is that, while we are on the one hand wanting to make sure we have good infrastructure for our communities, including safe roads, safe bridges, and other investments, one of the ways it is funded in this bill—and I believe strongly that we need to fix this before it moves forward, and I will do whatever I can to make sure we do, along with colleagues on both sides of the aisle who care about this—is a small provision that actually takes money away from communities and neighborhoods working very hard to come back from blight.

We have communities all across Michigan—this is called the Hardest Hit Fund. There are communities all across Michigan. I don't have the full list in front of me right now, but I will do this off the top of my head. We have Detroit, Pontiac, Flint, Saginaw, Lansing, and Grand Rapids. Here is the list: Highland Park, Jackson, Inkster, Ecorse, Muskegon Heights, River Rouge, Port Huron, Hamtramck, Ironwood, and Adrian. These are all communities that are working very hard, through public sector and private sector efforts, to rebuild neighborhoods, to take down drug houses on a block where children are walking by on the way to school, and to rebuild with a new park or new housing.

This is a program that has worked. In one of America's great cities that have gone through a lot of challenges called the city of Detroit, there is a huge effort going on right now, including public sector and private sector foundations. We have CEOs running towards the city of Detroit. It is really an amazing thing to see, what the private sector is doing. They are engaged in an effort to save and rebuild neighborhoods that can be saved by going into neighborhoods where the majority of houses are where senior citizens have lived for generations. Young couples have bought a house, but maybe there are two or three houses on a block that are empty and that are places where crime is occurring, such as drug houses. We take those down. What is happening in the city of Detroit is that home values are going up and things are beginning to turn around because of this strategy.

Unfortunately, in this bill, monies that have been allocated to cities across the country in States across the country—I believe we have a list of States. States across the country have been allocated funds to fix issues, to fix houses, to rebuild neighborhoods. In this bill, money we are counting on, money that has been allocated for this purpose will be taken back. Can my colleagues imagine that?

Here is the way this works. We have construction going on. Let's say they are removing asbestos from a home or taking houses down. The contractor does the work, and the city pays the contractor and then turns the bill in to the U.S. Department of the Treasury. They are counting on the fact that

they will be paid because we, the Federal Government, have given them in writing our word that they have a certain amount of dollars allocated.

This bill, unfortunately—and I am hopeful that this was not done on purpose and that we will be able to fix this—actually says that you incur that bill from the private contractor, but we are not going to pay it anymore. It is one thing if we want to debate whether this program makes sense going forward, but for allocations that have already been made for South Carolina, Illinois, and Ohio—and my good friend, ROB PORTMAN——

Mr. INHOFE. Mr. President, will the Senator yield?

Ms. STABENOW. I will be happy to yield to the distinguished chairman.

Mr. INHOFE. I have been listening. I say to my good friend that I am concerned about that.

As the Senator from Michigan knows, there are several titles in this bill. I chair the Environment and Public Works Committee, which is about 90 percent of the bill. But what the Senator is referring to here is in the banking title of the bill.

I understand—and I can't say this for certain—that there are a couple of amendments that address this. One amendment may be that of the Senator from Michigan.

Ms. STABENOW. Mr. President, I say to the chairman that Senator PORTMAN and I will have an amendment.

Mr. INHOFE. OK, it was my understanding that was the case. I have checked with the leaders of the banking committee, and I think they are anticipating that could happen. So I appreciate it, and I just wanted that clarification as to where that problem that you point out does exist in the bill.

Ms. STABENOW. Thank you very much, Mr. Chairman, for that clarification.

I do want to indicate very clearly that for communities around this country, this is a big deal. This is certainly a big deal for Michigan, and I can't in any way support any effort going forward unless this is fixed. It is a small amount of dollars in the larger scheme of funding this bill, and if it means that we fund the highway bill one less month rather than devastating communities such as Cleveland, Detroit, Flint, and cities in Illinois and South Carolina, Nevada, California, Kentucky, and across the country, then so be it. But I can't be any part of something that takes a huge effort and stops it in its tracks when it is so important to rebuild.

I just want to share one example of why this is so important. I know the chairman is waiting to speak, so I won't be long. But I do want to show that in every rebuild community—let me just give you one story.

In Detroit in October of 2009—this was in the paper—a 14-year-old girl on her way to high school was pulled behind a garage in a blighted neighborhood. In 2012, Detroit neighbors organized to try to protect schoolgirls from being assaulted on their way to school. One volunteer told the Detroit Free Press of rescuing a 13-year-old girl who was attacked in an abandoned garage. In 2012, a man who lived near Detroit looks for girls who are walking alone—girls walking to school, doing the right thing. We want them to go to school. We want them to get an education. The man abducted them at gunpoint and took them to vacant buildings and assaulted them. One man was accused of assaulting seven women. In 2012, a young woman was pulled into an abandoned house just two blocks from Denby High School and sexually assaulted—two blocks from school. She was trying to go to school when she was sexually assaulted. The Detroit Free Press interviewed an 18-year-old young woman who walked every day to school. She said she passed 88 vacant homes, and she knew other girls her age had been attacked in the neighborhood. This is getting fixed. This is getting fixed. Those buildings are coming down and in some cases what we have are landlords fixing them up. They are going in and taking back the house and rebuilding the house. People are buying homes. They are coming back into the neighborhoods. In some cases small businesses are buying these homes.

We have rejuvenation going on like I have never seen before. It is dependent on the blight funds that we, through the Department of Treasury, have made available. I am not debating whether we should add more. I would love to add more. We need more funds. We need a more robust program. What I am saying is that it is outrageous if we are in a situation where there is money that cities are already counting on and spending with the private sector, with neighborhoods, with church groups—everybody is involved in this—and they are in the middle of a project and they are told: You know what; the good news is we are going to fix the road in front of your house. The bad news is your neighborhood is going to fall apart because we are not keeping our commitments as it relates to blight.

I will be speaking more as we go. I want to certainly yield to our distinguished chairman. I appreciate the work of EPW, as I said earlier, in the policy. But this is critical to get done. This absolutely has to be out of this bill, and I hope it will be. I hope it will be.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding that the Senator from Indiana, Mr. COATS, is going to want some time to speak, and I am very flexible today. I just want to visit about the bill. We have so many parts of this, and I think that people have not really had a chance, and a lot of Members have not really gotten into the bill to see how far it goes and what it does.

This is the sixth one of these that I have had since I have been here in the House and the Senate. We had one in the House first. This bill, I think, is really good.

People forget that the last big bill we had was in 2005. It was a 5-year bill and it is very similar to the bill before us today. There were projects that took place that were in that bill that are now complete. In my State of Oklahoma, we had a bridge in terrible condition in Oklahoma City. In fact, we had a terrible accident. A lady with her three small children was driving under the bridge and concrete dropped and killed her. This has happened. I spoke yesterday about all the bridges and the problems that exist around this country with all of our deficient bridges. So it is serious.

Since 2009 we have not had a long-term bill. This is it. We have been operating on short-term extensions. There have been a total of 33 short-term extensions. On short-term extensions you can't get anything done. You cannot have any major reforms.

In this bill we have reforms in the NEPA system, the environmental system. We are giving latitude for road construction in terms of endangered species. There might be some little critter 6 feet down that some people don't want to disturb. Anyway, we are making exceptions. So we are really going to be able to get these projects going, and this is the first time since 2009 that we are doing it the right way.

Yesterday there were some provisions about which what we have tried to do is take them one at a time to show how much daylight is in this bill so that people know how their money is being spent. Every project that is out there can now be monitored.

What I would like to do is talk about the background of this. People don't realize that this was started in 1956 by the great General Dwight D. Eisenhower, who became the President of the United States. This Senator can say, as one of the most conservative Members of the Senate, I believe the Federal Government has grown larger and more invasive than our Founding Fathers ever envisioned, and our country could benefit from a smaller and more efficient government. I have observed that in government, if there is a problem out there, the government comes along and starts some kind of agency to deal with the problem and then the problem goes away, but the agency continues. In fact, they become part of the problem. Right now I am having a problem with one of the big bureaucracies, the FAA, on legislation that I proposed and that we passed 2 years ago, and now we have an extension of that.

When looking at the budgets of the various bureaucracies—and in that case I don't have the exact figures—it has almost doubled what it was in 1986, yet the workload is less. We have to keep in mind this is going on. This is what people are complaining about.

What they are not complaining about is what the Constitution says we are supposed to be doing.

The Constitution is very clear. It says in article I, section 8 what we are supposed to be doing as Members of the Senate and the House—No. 1, defending America, and No. 2, building and maintaining roads and bridges. Sometimes we need to get out that old worn out document and reread it and find out that this is what this bill is all about. No one else is doing it for us.

There are a lot of ideas that people have, and there are a lot of conservative groups, for example, that are saying we need devolution.

I will tell the Presiding Officer something that in all his infinite wisdom he doesn't know, and that is that 20 years ago I was the father of devolution. It is more fun to stand on the steps and say all we have to do is do away with all the Federal gas taxes and move them to the States and let the States take care of these. I would suggest that some people are in States such as South Dakota where there is a lot of land and not a whole lot of people, and that just wouldn't work. Here is the problem with that issue. In order to make devolution work—and, again, this Senator was the guy that as beautiful as it was on the stump, it was fun to talk about until I found out it was wrong. First of all, it is easy to repeal all the Federal taxes, but then you have to assume that all 48 States will agree to pass a tax increase, and that isn't going to happen. I think we all know that.

I want to mention something that is important, and that is to give the history of this. There are two areas where I believe the Federal Government has to be involved, as I mentioned, and that are consistent with the Constitution. This is both a conservative and constitutional understanding of the role of the Federal Government. President Eisenhower's Federal-Aid Highway Act of 1956 authorized construction of a 41,000-mile national system of interstate and defense highways. This chart I have in the Chamber shows the blue lines as the original highways, and the red came along later, which is the National Highway System. So you have the Interstate Highway System and the National Highway System. The blue is the Interstate Highway System, consisting of 41,000 miles of highways. This is actually a map of Eisenhower's Interstate Highway System back in 1956.

In order to finance this massive undertaking and to fund the remainder of the Federal-Aid Highway Program, the Highway Revenue Act of 1956 created the highway trust fund. That is what we have been talking about for a long period of time now. It provided that revenues from certain highway user groups be credited to the highway trust fund.

Interestingly, I can remember when the biggest problem with the highway trust fund was that it had too big a surplus. It was huge. I remember the Clinton administration tried to take $12 billion out of the highway trust fund for another program, and they were successful. It took me 3 years to get it back. That is because it was a target that had a lot of money in it. Well, the dedicated funding mechanism provided certainty for the Federal highway program. The 13-year authorization of the Highway Revenue Act gave the States the necessary certainty to plan and construct highway projects.

Since 1956, Congress has regularly reauthorized the Federal-Aid Highway Program. Eisenhower's highway act of 1956 was implemented to solve many problems we are experiencing now as our infrastructure deteriorates.

Keep in mind that it was all built on a 50-year basis and that it would last 50 years. Well, that was about 70 years ago. It is beyond its maintenance period now, and that is why it is so critical today.

The act originally in 1956 was implemented to solve the problems that we are experiencing now as our infrastructure deteriorates. Most notably, billions of dollars have been wasted on detours, traffic jams, and inefficiency in the transport of goods.

Not only did Eisenhower understand the constitutional order as intended by the Framers, but he demonstrated the terms and conditions of the Constitution in the implemented Federal-Aid Highway Act of 1956. The original principles of the Constitution and the Federal-State relationship exist to ensure liberty while maintaining security. Eisenhower was the President, but he was also a general. He was a star. He knew about the military. His original concern was not with the economy as much as it was with the military. This was following World War II, and he was anticipating that something else could happen. He wanted to make sure that we could move our goods and services around for military defense purposes. The principles were made operational via the interstate highway act of 1956, and this chart has the stated purpose of the act by the President. He said: ''The obsolescence of the Nation's highways presents an appalling problem of waste, danger and death.''

This is a statement he made at that time. Unfortunately, Congress has forgotten that passing fully funded, long-term transportation legislation is one of the unique responsibilities and has instead fallen into a pattern of passing short-term extensions. Now, I have already talked about how many extensions have been passed since 2009—33 of them. In those extensions, you don't get any of the reforms, you don't have any of the opportunities to build roads cheaper and repair the bridges much cheaper. Now we can do that.

So he said: ''Adequate financing there must be, but contention over the method should not be permitted to deny our people these critically needed roads.'' The need for a Federal investment is dire. Just look at the current condition of our roads and bridges. What was once the best transportation system in the world is now rapidly deteriorating as we struggle to maintain the existing condition of our infrastructure. Our global competitors are outpacing us in their infrastructure investment. I think we have another chart on that.

The interstate system is just as much about defense as it is interstate commerce: ''The obsolescence of the nation's highways presents an appalling problem of waste, danger and death.''

This was what the President said at that time. He is right. The condition of our roads currently has impacted the quality of life for all Americans. Fifty-four percent of America's major roads are rated poor or mediocre, according to the U.S. Department of Transportation.

This has become a matter of life and death: 32,700 Americans died in traffic crashes in 2013, with 1 of 3 fatalities related to poor road conditions, according to the Federal Highway Administration. We all remember back in 2007, up in Minnesota—it got a lot of attention up there at that time when they had the bridge collapse, the people who died, the people who were injured. It is something that could have been avoided if we had kept up-to-date on all of our bridges.

As I said yesterday, I talked about all of the bridges we have—not all of them, just some of the ones that are used more than any others. This shows the structurally deficient bridges. The darker the color the worse the bridges. There is my State of Oklahoma. You can see the entire northeast quarter of the State has a lot of the deficient bridges.

I was talking to the Senator from Missouri, Mr. BLUNT, yesterday. He talked about in Missouri—the problems we have in Missouri and Oklahoma. There are a lot of structurally deficient bridges in both states. The DRIVE Act is addressing that but also the very large bridges that are causing unnecessary deaths. Our national interstate system needs to be completely reconstructed. Right now, the 47,000—this is critical here. The 47,000-mile interstate system is about 60 years old. Many of the first segments, including segments in Oklahoma and Missouri and Kentucky, are now well beyond their 50-year design life.

When Eisenhower successfully passed the Federal-Aid Highway Act in 1956, both the House and the Senate were controlled by Democrats, while he was a Republican. The measure was met with widespread bipartisan support. There is no such thing as a Republican bridge or a Democratic road. This is something that should be blind to partisan politics, but nonetheless he was very active and he considered that one of his top priorities.

In fact, during the debates in Congress in 1955 and 1956, there had been no

opposition to the interstate system. The DRIVE Act,that is what we are going to be voting on—we have already voted on a motion to proceed to it, so we have crossed that bridge. We are now going to be considering amendments. The DRIVE Act is a long-term investment vision with new reforms that will provide States with certainty and flexibility needed to revamp our National Highway System.

We are going to—this is the only opportunity we are going to have to get this done. We are going to try to finish this bill by the end of next week. So that will be quite an undertaking. I would invite and hope that all of our Members will bring their amendments down. We will be considering amendments. We can't consider them unless they come down. What I don't want to happen is to be standing here begging for amendments to come down, and then 2 weeks from now, right before it comes time, find that we have to pass a procedure not to allow amendments.

We don't want that to happen. So we are saying get your amendments down here early. We know there are some of them—there has been a lot of publicity on this—that are not germane. Yet we are going to go ahead and consider them. We are going to open the amendment process. That is one thing I think the Republicans do better than Democrats because during the years the Democrats controlled this Chamber, we just had a handful of amendments at that time. We passed that 8-year record in the first month by encouraging people to bring down amendments. So I am asking the Democratic and Republican Senators to do that.

This is going to be the most significant bill—now that we have passed the Defense authorization bill. That is not all behind us yet. We are still meeting on that. In fact, we had a meeting this morning, but nonetheless it was passed from the committee and from the floor. Now the most important legislation that is left for the rest of the year is this bill we are talking about now. There is going to be a lot of legislation that is going to be introduced.

In my committee, the Environment and Public Works Committee, a lot of people think of that, and I know the Presiding Officer is an active member of that committee. It is not just public works. It is not just roads and highways and bridges. The other part of it, the environment and public works, includes all of the overregulation.

Right now, if you go back to your States—I don't care what State it is—and you talk to people on the streets who are in business, they will tell you the greatest problem we are having right now is overregulation by the EPA. The Environmental Protection Agency is passing regulations right now. I mean, look at the cap-and-trade legislation. That would constitute the greatest tax increase in history. Yet they tried to pass it as legislation. Now they are trying to do it as regulations.

The waters of the United States. That is an issue that if you talk to your farmers—I don't care if it is in South Dakota, Oklahoma, Missouri or any of the rest of the country—and you ask what is the biggest problem you are facing right now, it is nothing that is found in the farm bill. It is the overregulation by the EPA. They will single out the waters of the United States bill or rule that they are trying to put through. I recall so vividly, just a few years ago, when two Members authored bills to take the word ''navigable'' out. I am sure there are some who have forgotten the fact that the regulation of water in the United States has always been left to the States, except for navigable waters. I understand that. Even being a conservative, I understand the Federal Government needs to be regulating those.

What the liberals tried to do is take the word ''navigable'' out so the States would have no say in the regulation that is out there. So not only did we defeat the legislation, but both Senator Feingold and Congressman Oberstar, who were the sponsors of the bill, were defeated in the next election too. We have all these things. We have endangered species. These are all part of this committee. So it is overregulation that is consuming most of our time.

Repairing our roads and bridges is an area where everyone agrees. You have to keep in mind, this bill passed—our bipartisan bill—unanimously out of committee, not one vote against.

I am prepared to yield the floor because I understand the Senator from Indiana is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to thank my colleague from Oklahoma for his recent statement. I also understand he is willing to help relieve me a little bit, as I am the next Presiding Officer. I appreciate that. I will relieve him of that responsibility as soon as I finish my remarks.

WASTEFUL SPENDING

As many know, I have, since February, been coming to the Senate floor—now 18 different times—to highlight waste, fraud, and abuse within the Federal Government. The Senator from Oklahoma was talking about his committee, which he runs in such an efficient and effective way—I am particularly taken with the overregulation under this administration. It resonates with me. It is killing our farmers. It is killing our small businesses.

We are all for safe, sound, cost-effective regulations that address safety and health. No one is trying to undo those, but we have an agency that is running amuck with ideological determinations on the basis of what ''they think is best'' for the country, regardless of what numbers come up, what impact they have—what negative impacts. No one has better led this effort than the Senator from Oklahoma, Mr. INHOFE. I thank him for that.

But today I have come to talk about waste, abuse, and fraud. I have been down here 18 times since February, once a week. I could be down here every day. I could be down here every hour. It is astounding the amount of taxpayers' hard-earned dollars that has to pay for what has been categorized by neutral agencies—not on a partisan basis at all—as total waste, total fraud, and total abuse.

So here I am again, trying to do the best we can to make this government more effective, more efficient, and more focused on the essential things it needs to do—wiping out, eliminating the abusive use, the wasteful use, and the fraudulent use of hard-earned tax dollars.

Today, what I would like to speak about relates to the so-called Affordable Care Act. I think we found that a better title would have been the ''Unaffordable Care Act.'' But last week in the Senate Finance Committee, we had the Director from GAO—a member from GAO, Mr. Bagdoyan. He is the Director of Audit Services at the Government Accountability Office.

It was a fascinating hearing, but he came to report to us about abuses that are taking place or could take place with the Affordable Care Act enrollment. It is amazing. I would like to go over that. His audit team—this is his job. His job is to audit the spending of taxpayer dollars. In this case, they looked at the Affordable Care Act enrollment process. They wanted to see whether the procedures that had been agreed to, to prevent people from abusing this in a fraudulent way—if they had been implemented at the Centers for Medicare and Medicaid, CMS.

So what they did is run an undercover so-called secret shopper investigation to test the internal controls of healthcare.gov to review how the Centers for Medicare and Medicaid Services handle this new program. Particularly, this investigation was designed to determine how effective the administration's Federal health insurance exchange is protecting against fraudulent applications. So it is a very narrowly focused test and a very legitimate test to see if the agreed-upon measures and criteria for qualifying to enroll in health care, the ObamaCare bill, have been put in place.

There are millions of people who have selected ObamaCare plans through healthcare.gov. Eight million Americans in 34 States have selected plans, and 87 percent of those have qualified for premium subsidies. That alone adds up to tens of billions in subsidies each year, all coming through healthcare.gov. That is an issue in and of itself. I am not here necessarily to address that. We can address that at another time.

But the key question was, if applicants misrepresent themselves with fake facts in order to receive those subsidies, would the folks at healthcare.gov find those, catch them, and keep them from qualifying. Unfortunately, the answer is a resounding

no. The GAO, the Government Accountability Office, found that 11 out of 12 fake applications received approval. For this investigation, GAO created false identities and used them to apply for premium tax subsidies through the Federal health insurance exchange. They used fake documents or, in several cases, no documents at all. It was just a test. So they would learn that either those applications would be turned down or that those restrictions which were designated—that those running healthcare.gov knew what they needed to do and did what they needed to do.

The Centers for Medicare and Medicaid Services accepted 11 out of the 12, accepted the fake documents, for some didn't even attempt to verify their authenticity, and as a result they enrolled those applicants. They granted them thousands of dollars in premium tax subsidies. Specifically, CMS awarded $30,000 in advanced premium tax credits to 11 of those 12 fraudulent applicants in 2014 alone.

As 2015 began, CMS then terminated coverage for 6 of those 11 fake individuals, noting that they had not properly registered or provided necessary documents. So it seemed then that, OK, the program turned out to work and CMS finally caught on to the fact that they were issuing subsidies for fraudulent applications. Well, that optimism was very short-lived because GAO then called CMS pretending to be those individuals who had been turned down, and in five of the six cases, they were able to get their coverage and subsidies restored without submitting any paperwork.

The system handles millions of applications with billions of dollars of subsidies, and they did not design a mechanism to identify fraud even though they had been told they were not identifying the fraud and not putting the measures in place to do so.

Part of the problem is that the law is so gargantuan, it is nearly unworkable. But there is no excuse for these compliance numbers when billions of taxpayer dollars are at stake.

Unfortunately, the administration continues to measure success by the number of people who have signed up for ObamaCare. Last year, the administration rejoiced when reaching its enrollment goal and lauded it as proof the exchanges were working just fine. However, given the results of this investigation, I wonder what percentage of those enrollees were real people providing real information and how many were people providing no information or false information.

When the test revealed that 11 out of 12—that is a pretty high percentage. You can multiply that out over what you think might be happening in the enrollment process, and there could be very substantial amounts of taxpayer money being paid in subsidies to people who do not qualify.

Careful oversight of these programs for Federal benefits is of utmost importance, whether it is CMS on ObamaCare or whether it is any other agency in government that is providing benefits to individuals. I have listed many of those in my ''Waste of the Week'' speeches.

This government needs to—must and Congress must do better in terms of oversight to make sure taxpayer dollars are spent effectively and efficiently, and if not, returned to the taxpayers so they don't have to send them here to be wasted in the first place.

Clearly GAO used only a small number of claims, but imagine what hasn't been looked at or identified and what those numbers would be. This is a canary in a coal mine. If this isn't an alarm bell of dysfunction, I don't know what it is.

Today I am not going to speculate on how much money has been wasted because of the acceptance of false applications, but I will put $30,000 of documented abuse of subsidies that were paid for under the GAO investigation. So it is just a little bump on our gauge as we head toward $100 billion, and I have been told that next week's waste of the week will take us to our goal of $100 billion. We had hoped to reach that goal by the end of this year. We are way ahead of time. And, as I said, I could come down here every day or maybe every hour, given the waste we are finding in this misuse of taxpayer money.

I thank the Chair again for helping me out on the time situation. I look forward to relieving the Presiding Officer in the chair.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, we have so many elements of the bill that is under consideration now, the DRIVE Act. It is enjoyable to talk about it. Yesterday we talked about the transparency, the fact that we have a way that the public can know every dime.

I was watching as the Presiding Officer was giving a presentation on waste in government. That is not the case here. If all government agencies had the transparency we are going to have with the DRIVE Act, where everyone is going to know on a day-to-day basis the progress of every bridge, every highway that is being done, the renovations, then we wouldn't be having that problem. We are doing it right.

You know, I look at these different parts of the bill. It is so big, you can talk about it for a long period of time. Yesterday we went over not all of the deficient bridges in the country but quite a few of them, and when people stop and realize that people die unnecessarily because of deficiencies in our bridges—it is a serious thing.

But one of the parts of this bill that people are not aware of as much as they should be is the freight section of the bill, transporting freight around. We talked about the history. We talked about the fact that the first bill that came along for a transportation reauthorization bill back in 1956 was primarily for military purposes. Now we realize the deficiency—we are compared to China, compared to other countries in not keeping up our highway system.

Today the National Highway System carries more than 55 percent of the Nation's highway traffic and 97 percent of the truck freight traffic. Of the 4 million miles of public roads, the National Highway System represents 5.5 percent of the Nation's most heavily traveled miles of road. That 5.5 percent carries 97 percent of the freight.

Americans depend on a well-maintained National Highway System that provides critical connections between urban and rural communities. American businesses pay an estimated $27 billion a year in extra freight transportation costs due to the poor condition of public roads, which increases shipping delays and raises prices on everyday products. Recognizing that it is the foundation of the Nation's economy and the key to the Nation's ability to compete in the global economy, it is essential that we focus efforts to improve freight movement on the National Highway System.

You know, in all the bills—and I have been involved in six of these over the years—we have never really singled out freight to be addressed. Yet there is no one in here who hasn't gone down our roads and highways and seen the congestion and the traffic and trucks idling here and there and everyone being late, and there is a tremendous cost to that.

The DRIVE Act includes two new programs to help States deliver projects that promote the safe, efficient, and reliable transportation of consumer goods and products. The first new program is the National Freight Program. The National Freight Program is distributed by a formula that will provide funds to all States to enhance the movement of goods, reduce costs, and improve the performance for businesses.

It is kind of interesting because one of the good features about a transportation system and the way we have been doing it with our Transportation reauthorization bill is that we rely on the States to decide what their priorities are. This infinite wisdom in Washington where they think they know more than we know in the States is not true at all. So this is one of the rare areas where we go to States and say: Look, you guys, you decide what you think your priorities are in Indiana or in Oklahoma. So we have a formula to address that.

The problem with that is when you get to moving freight, they do not have

that as a high priority because most freight moves through a State and they do not consider that to be a local problem. They are more concerned about passenger cars. So it doesn't appear in their priorities. Well, it does appear now.

So we have the first new program, the National Freight Program, which is a different type of formula, and it addresses the movement of freight through States. The program will expand flexibility for both rural and urban areas to designate key freight corridors that match the regional movement of goods on roads. It will improve the efforts to identify projects with a high return on investment through State freight plans and State advisory committees.

The second program is the Assistance for Major Projects Program. It creates a competitive grant program to provide funds to major projects of high importance to the community, to the region, and to the Nation. The program includes a set-aside for rural areas and ensures an equitable geographic distribution of funds.

These new freight programs will only exist if the DRIVE Act is enacted. That is what we are talking about now—the DRIVE Act. And it will be enacted by Congress, I am very confident.

I can't imagine, by the way, Members not listening to the people back home. Right now, if you go back to any of the States—I don't care what State it is—and you talk to the State departments of transportation, they will be listening to not just the road builders and suppliers but the people who are driving on the roads. It is the most popular thing in America. So I can't imagine having the opportunity to have a 6-year program and getting justification for voting against it.

I think it is time to be innovative and forward-thinking in how the Federal programs use tax dollars to responsibly partner with the States to improve the National Highway System, and the DRIVE Act is the answer.

Let's talk about Fort Lee, NJ. Here is the George Washington Bridge, which connects Fort Lee, NJ, to New York City. It is the second worst freight bottleneck by congestion index in the Nation. Average speed slows to 29 miles an hour. Rush hour speeds in the morning and evenings slow to below 15 miles an hour. The nearby I–95 Cross Bronx Expressway is the most congested corridor in the country. The morning southbound commute is considered the worst of the worst in the country. The George Washington Bridge is the world's busiest motor vehicle bridge. That is what we are looking at.

Yesterday we were talking about the Brooklyn Bridge. Some of us here are old enough to remember the old Tarzan movies. Do you guys remember that? Do you watch the reruns? Johnny Weissmuller was his name. He had a lot of muscles and was a very strong guy. One of his movies was ''Tarzan's New York Adventure.'' In that movie he was being chased around the Brooklyn Bridge. The Brooklyn Bridge was built in 1883 and here we are today and we still have the Brooklyn Bridge. Anyway, Johnny Weissmuller crawled up on the top as the cops were chasing him with guns and all that and he dived off. Every time I drive over that bridge, I think I am going to be diving off there if it collapses.

Houston, TX, is home to 5 of the top 20 freight bottlenecks in the Nation. Texas is home to 9 of the top 25 freight bottlenecks. Freight bottlenecks cost the freight industry in Texas some $671 million a year—that is just in Texas, the bottlenecks—and 8.8 million hours of delay.

I–45 at U.S. 59 is ranked third by the congestion index. I–45 at U.S. 610 North is ranked 15. Average speed slows to 39 miles an hour. Morning and evening rush hour speeds drop way below that.

Look at this. You can see that is a problem. That is why this is a very important part of the bill that is before us now.

I think we have an opportunity here. We have to sometimes remind people of what doesn't work. What doesn't work are short-term fixes or short-term extensions of previous bills that were passed. The last one we passed was in 2005. It was a 5-year bill. It expired at the end of 2009. At that time we should have started another transportation reauthorization bill, but we didn't do it. So we have had short-term extensions.

There is a guy named Gary Ridley out in Oklahoma who is recognized nationally. He has been here testifying several times before us as a nationally recognized scholar. He really understands transportation. If we look at the 33 short-term extensions we have operated under here in America after 2009 and before this bill, it wastes more dollars than a long-term reauthorization.

I think it is important for a lot of people to hear this because sometimes there are rating organizations that say: Well, we are going to oppose a bill because it is a big spending bill. Sure it is a big spending bill. You know, that old, worn-out document called the Constitution says what we are supposed to be doing here is defending America and building bridges and roads. So that is what this is all about, and we are going to do it. But for conservative groups to say they don't want to support this bill—they have dropped short of understanding the fact that the alternative is to have short-term extensions, which is an irresponsible use of dollars. The conservative position is to pass a funded highway reauthorization bill.

I know a lot of people will be talking about devolution. I can talk about this because going back 25 years ago, at that time a guy named Connie Mack, who was a House Member and later a Senator from Florida—he and I were the fathers of devolution. You didn't know that, did you? We are the ones who introduced the devolution bill. The idea sounded good on the stump because you could say: Well, we will just repeal all the Federal taxes and make State taxes out of them.

Well, it didn't quite work that way because you can't do that. If you repeal a Federal tax, then you have to pass a State tax. And how many people here are naive enough to believe that all 48 contiguous States would be willing to pass a sizable State tax increase? It is not going to happen. So that is why the National Highway System is so important. That is why Eisenhower started this back in 1956.

I have friends up in Wyoming. There are very few people in Wyoming, but there are a lot of roads that are part of our National Highway System. If devolution occurred in Wyoming, they would have to pass a 31-cent-per-gallon gasoline tax increase in Wyoming. It is not going to happen. We know it is not going to happen. So we are not going to have a uniform system unless we do it this way.

The opportunity we have now is the DRIVE Act. I know the House has made some statements that they want to do a 5-month extension. See, there we go again, another short-term extension. Their reasoning, I guess, is they want to get to the year's end and then couple that—because of the popularity of the highway bill—with some of the tax changes that are set to take place at the first of this coming year.

So I know some of my friends—because I have talked to them over in the House—have said: Well, we want a short-term bill because we don't think you are going to pass a long-term bill in the Senate.

Well, when they find out we are going to pass a long-term bill—we are going to pass this bill—that will change things. So I look forward to that, to the opportunity to get this passed and get it passed in a timely fashion.

By the way, we have to keep in mind that we are on a deadline. The deadline is the end of this month. The highway trust fund runs out of money at that time, so that is why it is important that we get this passed.

ORDER FOR RECESS

Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. and that the time during the recess count postcloture on the motion to proceed to H.R. 22.

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

Mr. INHOFE. With that, 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. 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.

Mrs. FISCHER. Mr. President, I rise today to speak about critical legislation before the Senate regarding our Nation's transportation regulatory framework and infrastructure.

As an active member of the Senate commerce committee and the Environment and Public Works Committee, I am proud of the work my colleagues and I have done to develop a strong, comprehensive bill that keeps our Nation moving by making our transportation system safer and more efficient, while also increasing our global competitiveness. As many may know, my father was the director of the Nebraska Department of Roads. Through his service—and by osmosis—I gained a deep appreciation for infrastructure projects and enabling them to move forward in Nebraska and elsewhere.

I have spoken with families, consumers, workers, and business owners all across the State of Nebraska. The message is loud and clear. Nebraskans want a long-term highway bill. Nebraskans want to bring certainty to local projects and increase safety on the roads and highways.

In the coming days, the Senate has the opportunity to provide our constituents with just that—a 6-year transportation bill that will help vital projects get up and running.

The bill enhances safety, makes much-needed regulatory reforms, and increases investment in our Nation's infrastructure.

I appreciate the work that Chairmen THUNE and INHOFE and Senator BOXER and their committee staff members have accomplished with the DRIVE Act.

The DRIVE Act will reauthorize surface transportation programs for 6 years—something I have long advocated—to provide certainty for States, businesses, families, and the traveling public. Most importantly, the bill advances key provisions to ensure that local infrastructure projects in my State will move forward with a better and more defined process from the onset.

Throughout the process of developing this bill, I worked with local stakeholders in Nebraska, including our State department of roads, highway builders, consultants, and transportation leaders. The meaningful changes I championed will provide better coordination between the Federal Highway Administration and States on streamlining environmental permitting and review and programmatic agreement templates when initiating new infrastructure projects.

More specifically, the bill will establish procedures, based on a template developed by the Transportation Secretary, allowing States, in addition to the Federal Government, to determine which State or Federal agencies must be consulted prior to beginning an infrastructure project.

In addition, the bill provides technical assistance to States that want to assume responsibility for reviews of categorical exclusion projects, which are a category of projects that don't have a significant impact on the environment, triggering a less arduous level of environmental review.

My provision would help States provide their own certification regarding the appropriate level of environmental review of certain projects, rather than wasting time and taxpayer dollars waiting for the Federal Government to provide the assessments.

Given Nebraska's challenges with starting and completing infrastructure projects, these elements of the DRIVE Act offer a major step forward for transportation projects in my State. I appreciate all of the input my office received from Nebraska's transportation stakeholders on these crucial issues.

The bill also includes major components of a bill I introduced earlier this summer called the TRUCK Safety Reform Act. The legislation offers important regulatory reforms to the Federal Motor Carrier Safety Administration, or FMCSA, and encourages stronger regulatory analysis, more transparency, and wider public participation in this regulatory process.

The bill also provides regulatory relief to agricultural producers in Nebraska, reforms research at the Department of Transportation to reduce duplication across the modal administrations, and it addresses the challenges of the CSA truck scoring program.

I am also pleased that the bill establishes a new freight program to prioritize, increase efficiency, and lower the cost of the movement of freight imports and exports throughout our Nation.

The freight program will help America's transportation system continue to facilitate expanding U.S. trade flows.

The DRIVE Act further incorporates performance-based regulations into our Nation's transportation system. Performance-based measures will offer States more flexibility in meeting the goals of infrastructure-related regulations.

Furthermore, the reforms to our transportation system will increase U.S. global competitiveness and strengthen safety on our Nation's roads. They will also provide certainty to States and local governments, businesses, consumers, workers, and families.

Although this bill does not include every single provision for which I initially advocated, I was willing to compromise. I was willing to compromise for the greater good of our country's transportation network. I truly appreciate Senator BOXER's willingness to negotiate in good faith.

I encourage all of my colleagues to support this essential legislation. It is time for us to address our Nation's transportation challenges.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

THE BUDGET

Mr. COATS. Madam President, I repeatedly have come down to the Senate floor to talk about our budget issues. Earlier this morning I talked about my 18th waste of the week—looking at waste, fraud, and abuse in terms of government spending and a waste of taxpayers' dollars.

The first 4 years of this 6-year term that I am enjoying and participating in, I have been consumed with the issue of our continuing deficit spending and increasing national debt.

I was part of a group working directly with the President in an effort for many months with his top people to reach an agreement on how to address our long-term budget situation. It is no secret that under this administration the national debt has almost doubled. It is staggering to think that over the 230 or 240 years of the life of this country we have gone from $10.6 trillion to now $18.8 trillion of debt. It is going to have consequences.

As chairman of the Joint Economic Committee, we recently released some information entitled ''Ten Things to know about CBO's Long-Term Budget Outlook.'' This is something we spent a great deal of time debating years ago, but it has fallen under the radar. We are obviously dealing with issues that are important. This Iran deal that has just been signed by the administration deserves intense concentration and consideration in terms of how we address it. We also have the continuing economic malaise and slow recovery from the recession.

We have a number of issues we need to address, such as highway funding, health care, and so forth. These are all important issues. But underlying all of this is a fundamental issue that has not been addressed, and if it is not addressed, it will have significant and adverse consequences for the American people, not just for future generations but even for our own generation.

I keep trying to bring us back to this gorilla in the room that we ignore and keep thinking we will deal with it later. It has been passed on, and the so-called can has been kicked down the road election after election, through different Presidents and resulting in more and more negative consequences for the American people.

Our Joint Economic Committee just recently released ten things we need to know about the Congressional Budget Office's long-term budget outlook.

No. 1, the United States cannot rely on borrowing forever. This is not a complex issue. If you continue to borrow more money and don't pay your bills, eventually the tax collector is at the door. With the tax collector being at the door, this means eventually investors will demand higher and higher interest rates because we don't have the confidence the United States is going to be able to pay its bills.

No. 2, mandatory spending skyrockets. We all have known the spending for Medicare and Medicaid and entitlements is running amok and it needs to be addressed on a long-term fix.

No. 3, according to CBO, ''The large amount of debt could also compromise national security by constraining defense spending in times of international crisis or by limiting the country's ability to prepare for such a crisis.'' Look at the world today. It is aflame. Yet we are cutting our defense at historically low rates of readiness in terms of dealing with this. So while the threat increases daily and is right there before us, we are slashing our spending on defense and national security because we cannot afford it due to the entitlements eating all of this up.

No. 4, bankruptcy looms for Social Security. We stand here and pretend like everything is fine and everybody is going to continue to receive their Social Security checks, no problem. CBO projects that bankruptcy looms for Social Security. The report that just came out from the trustees has basically said that within a relatively short period of time Social Security is going to hit bankruptcy. What does that mean? That means dramatic cuts in Social Security benefits to people who have counted on using Social Security to help for their retirement or dramatic tax increases to cover the deficit.

There is a portion of Social Security—the Social Security disability benefits—that the trustees said is going broke next year. We are more than halfway through 2015, and CBO projects that by the end of 2016 the Social Security disability fund will be going bankrupt. That is what has been said here. If you don't trust my words, read the—not my favorite newspaper but one that usually gets its facts right—the New York Times. Today's New York Times has a major article: ''Social Security Disability Benefits Face Cuts in 2016, Trustees Say.'' I will quote a couple of items which are written in this issue:

> Eleven million people face a deep, abrupt cut in disability insurance benefits in late 2016 if Congress fails to replenish Social Security's disability trust fund, which is running out of money.

That statement was issued by the administration.

> Officials expressed concern about the program as they issued their annual report on the financial condition of Medicare and Social Security, which together account for 40 percent of all federal spending.
>
> The trustees of Social Security . . . said the disability trust fund would be depleted in the last quarter of 2016. After that, they said, benefits would automatically be cut by 19 percent because revenues, largely from payroll taxes, would be sufficient to cover only 81 percent of scheduled benefit payments.

Folks, we have been warning about this for years, not doing anything about it, and we now have this report from the trustees who oversee these funds, and the report, as published by the New York Times today, says this thing is going broke next year and cuts will be 19 percent because we don't have the money to pay for it. You would think the alarm bells would be sounding. You would think we would finally understand we are hitting the wall on spending and that we would finally step up and do something about runaway entitlement mandatory spending or everybody will end up paying the price.

I will add one more point from the New York Times:

> The trustees, in their report, said that the squeeze on the disability program was ''but the first manifestation of larger financial imbalances facing Social Security as a whole, as well as Medicare.''

Where is AARP? Where are the people in retirement who say don't touch a penny of my Social Security or Medicare benefits, when the trustees say don't worry, we will not have to touch a penny of it; the program is going broke on its own.

For all of us who have been pleading to do something to address this issue, it is not even being talked about. Yet anybody who comes to the floor and says this kind of stuff is immediately pilloried by AARP: Oh, they are going to go off and cut our Social Security. No. It is going to automatically happen because we haven't addressed the issue. So don't criticize us for trying to address an issue that will cut your benefits by 19 percent or cause the program to go broke. Support those who have had the courage to stand and say: Folks, we have to do something about this. If you want to continue and guarantee Social Security benefits when people retire or give them Medicare coverage when they retire and need it, something has to be done now or there will be massive cuts. That is not just a Republican or conservative standing and saying that we are spending too much money and we have to cut back on that; the trustees who oversee the programs are warning us and saying you have to do something or everybody is going to take not just a haircut but a major cut.

A couple of other things came out on the budget term outlook. The Federal debt has nearly doubled since President Obama was elected. It now stands at 74 percent of the economy. The Federal debt has nearly doubled since the President was elected. What a legacy. Why in the world would a President of the United States with a responsibility to oversee the fiscal basis of what makes this country work and to commit to people that he will address problems as they occur—if this was a private business, it would be in bankruptcy. Nobody would buy the stock of this business. Nobody would buy bonds of this business. Nobody would invest in this business because it is totally dysfunctional and it is totally going broke. Yet the Federal Government has printing presses down in the basement and they keep printing out dollars. That decreases their value to cover our debts, and they continue to tell people to go ahead and loan money to the States. We are also going to keep taking your taxes, but buy our bonds and don't worry because we are going to pay them back—not at this rate. We are heading toward the wall, we are in the crisis, and we are not doing anything about it.

No. 6, and the last point. Hopefully, CBO, the Congressional Budget Office, made correct assumptions. Their warnings are based on assumptions and hopefully we will make some efforts and prevent some of this, but if they are off by just three-quarters of 1 percentage point, it will result in a dramatic change of raising the Federal debt from 111 percent of the economy by 2039 to 159 percent of the economy. You know who has those numbers? Greece. Japan is careening toward that catastrophe.

If you want to see a model or example of what happens to a country that allows its debt to run unchecked and to hit the 100-percent mark of its total economy, just take a look at what is happening in Greece. None of us wants to see that happen, but we have far too few alarm bells sounding in this country because it is happening. This isn't just Republican or conservative propaganda. This is the Congressional Budget Office. It is not Republican, it is not Democratic, it is totally neutral. It is math. It is numbers. It has nothing to do with ideology. It has everything to do with numbers that ought to be driving us to deal with this issue, standing up to our constituents and saying, regardless of the political consequences, folks, just do the math. It is pretty simple math. If we don't do something, everyone is going to pay the price.

For those organizations—and I call out AARP—that scare people with mail and phone calls and everything else saying that they are going to cut your Social Security and take some money away from your disability benefits, that is not what we want to do. We want to guarantee what we have promised to people, but if we don't take these actions, it will automatically happen. So we need the support of everybody who has concern not just about my generation, who are retiring in record numbers, but about the future for our children and grandchildren. What is this country going to be if we can't take these steps?

I get exercised about this, and it is why I came back. It is one of the two main reasons I decided to run for the Senate again. I was worried about terrorist attacks and the nightmare of a marriage between weapons of mass destruction and terrorist groups impacting our country and the world. But while we seem to be struggling to address the terror issue and having some success—at least we are aware of it on a daily basis—we are letting this fiscal crisis go by without even talking about it. I think everybody is exhausted. We have had exhausting exchanges. We

have had bipartisan Democrats and Republicans working together and pleading with the President and the White House, starting with Simpson-Bowles, which was a bipartisan effort. The Gang of 6, the Committee of 12, the supercommittee were all bipartisan efforts.

I was part of the dinner group, which was an effort to plead with the President to do something together to address this problem and being turned down time after time after time. Now we are sailing toward the end of this Presidency, and obviously nothing is going to be done even though the Social Security trust fund is going to expire on the President's watch. They will come up with some gimmick and shift some money around and so forth, thereby just putting us further in debt and kicking the can down the road. They have to cover this because politically they will not allow this to happen, but they will do it in a way that makes our situation even worse.

As the President careens toward retirement and his legacy, one of those legacies will be questioned by people for years and years into the future: Why didn't we do something when we had the chance on a bipartisan basis with support from both parties? Why was the President so adamant about not doing anything to address this problem?

Time is running out. Social Security disability will collapse under the President's leadership before he escapes at the end of 2016. You can tell how frustrated I am, but I will keep coming down here and talking about this stuff and hopefully—well, we don't want it to happen under a crisis. We don't want to be days away from bankruptcy, so we move some money around in the Federal budget and so forth and so on, take it from Peter to pay Paul, put us further in debt, and then kick the can down the road.

I feel for the next President, whoever that might be. They are going to get a can of worms because we didn't do anything about this during this tenure.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS

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

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, Vermonters—like many Americans—are frustrated. They are frustrated when they see short-term patches that do not make investments in our crumbling infrastructure. They are frustrated with seeing meaningful policy advance, while Congress bickers over how to pay for it—and at what expense to other critical programs.

Passing a long-term authorization to make needed improvements to our aging roads and bridges is a matter of common sense. It is a matter of safety. And quite frankly, for us in Congress, it's our job.

After 11 short-term extensions over the course of 3 years, Congress finally approved MAP–21 in 2012. Now, two short-term extensions later and faced with another expiration deadline, we have a choice: another patch, or pass a meaningful, long-term transportation authorization that will give our States the ability to build and repair roads, bridges, and byways, to promote rail safety and transit, and to invest in the critical infrastructure that supports our cities and towns, enables interstate and intrastate commerce, and creates jobs for American workers. The time to pass a plan for long-term transportation funding is now.

Vermonters take great pride in our historic downtowns and small communities. In our cities and towns, we have a culture of getting things done. We find a way to accomplish our shared goals. But, when those shared goals rely largely on a Federal funding stream that is unreliable at best, and uncertain at worst, it makes it impossible to double down on the investments needed to keep the cars, buses, and trucks moving on our roads. We can invest in bridges and roads overseas. We do it all the time. We decided to spend a couple of trillion dollars in Iraq. We didn't use any offsets; we just put it on the credit card. As one Vermonter said to me back home: We spend billions upon billions of dollars to build roads and bridges over there, and then they blow them up. Why don't we spend a little bit of that money here at home, and we will take care of those roads and bridges?

As much as we invest in bridges and roads overseas, we must do so right here at home. Look at this bridge show in this picture I have in the Chamber. It is located in East Montpelier, just about 5 miles from where I was born. It was built in 1936—the year my parents were married. It is in dire need of repair. Weather, the sometimes very harsh Vermont climate, age, and traffic volume—more than 4,400 vehicles cross it per day, 10 percent of which are trucks—have led to the deterioration of the bridge. It is one of nearly 300 long and short bridges in Vermont that have been deemed structurally deficient. The East Montpelier Bridge remains open—at least for now. It will be replaced in 2018, with a price tag of $7.3 million, about 2 minutes' worth of the money we wasted in Iraq. It is an issue of safety. It is an issue of economic certainty. It is a commonsense investment that has been delayed for too long because resources are far too scarce. I am willing to bet the same could be said of all 50 States represented in this body.

We all agree that a long-term transportation bill means safe bridges, paved roads, and completed railways. But it also encourages innovative projects that incorporate public health, environmental, and social incentives. Look no further than Burlington, VT. A picturesque town nestled on the shores of Lake Champlain, it is home to a variety of innovative entrepreneurs and businesses, from high-tech hubs to specialty food producers. As our businesses and communities grow, Vermonters depend on safe and reliable modes of transportation to keep them connected.

Church Street is a pedestrian-only street that welcomes locals and visitors to enjoy the many vibrant shops and restaurants. As businesses begin to sprawl beyond the limits of Church Street and settle into new homes along Pine Street, the city has invested in safe modes of travel to ensure accessibility. The Bike Path Rehabilitation Project and the Safe Streets Collaborative are projects that consider the needs of the community as a whole—either in a vehicle, on foot, or pedaling.

Main Street—the heart of any Vermont downtown—is home to small businesses and services such as post offices, grocery stores, medical offices, and banks. In a rural State such as Vermont, investing in our infrastructure extends beyond bridges and roads. It is sidewalk repair. It is establishing crosswalks. It is widening roads to provide for parking, and it is installing such basic things as street lighting, refuse receptacles and landscaping.

After many years of economic decline in downtown Barre—one of our larger cities—the city's Main Street was left with empty storefronts and lonely streets. The community introduced the Big Dig—a multiyear effort to revitalize Main Street and City Hall Park. With funding sourced from Downtown Transportation Grants and Federal funding sourced through the Agency of Transportation, 200 State employees were able to relocate into a new office building in the heart of downtown.

Look at the before and after pictures. The differences are stark. These are the kinds of Federal investments, coupled with investments from States and towns, that can revitalize communities across the country. This project brought life back into Main Street. Businesses filled vacant office spaces, restaurants opened their doors, and the sidewalks welcomed locals and visitors alike. The transportation funding went beyond just improving the physical infrastructure; it was an investment in

the health and economy of the community.

The highway trust fund is not just about infrastructure; it is about jobs—jobs that cannot be shipped overseas.

Earlier this year, I met with Jeff Tucker, the president of Dubois & King. D&K is a Vermont owned and based consulting engineering firm which employs 100 people, including about 80 Vermonters. Jeff's frustration was clear: short-term highway trust fund extensions paralyze the ability of States and municipalities to plan. Jeff's company provides high quality engineering jobs with an average annual salary of over $71,000. These jobs come with full benefits—health care, paid vacation, sick and holiday paid time off and retirement packages.

A significant portion of his business includes transportation-related engineering projects that originate from the Vermont Agency of Transportation. The Vermont Agency of Transportation creates a statewide plan based on the State's known Federal transportation funding share—something the agency has not been able to count on in a long time. There are thousands more examples of businesses around the country hampered in the same way. In a State like Vermont, a short-term construction season paired with a short-term funding stream is a terrible combination, for both the State and the companies that provide these services.

Now the Senate is debating how to move forward with a long-term investment in our roads and bridges and railways. It is an important debate. There is a lot about this policy proposal that I support. I share the concerns, however, of many that it will undermine the safety of riders, bikers, and pedestrians.

The policy is not perfect, but how we pay for it should also be considered. The highway trust fund has been supported for the most part by a user-fee driven system. Our roads and byways need our attention, but a long-term extension of this authorization, paid for by robbing from other critical programs, is as unsustainable as a network of short-term patches.

America is starving for real, certain infrastructure investment. The highway trust fund cannot limp forward on a continued series of short-term extensions. Our country's progress is being stalled, and it is time we start building for our future.

JUDICIAL NOMINATIONS

Mr. President, last week the junior Senator from Arkansas objected to a request to vote on any of the five nominations to the U.S. Court of Federal Claims. They have been waiting for 10 months for a vote. He did not want to debate the merits of any of these eminently qualified nominees. I think the junior Senator is dusting off the Republican playbook from the last Congress to try to do to the U.S. Court of Federal Claims what he could not do to the DC Circuit.

The caseload statistics of the U.S. Court of Federal Claims—as in other courts—have increased and decreased at various times. This does not mean that one Republican should be permitted to put up a wholesale blockade of nominees to a specific court preventing every single one of them from being considered on their merit by the full Senate. Furthermore, in contrast to the assertions made by the junior Senator for Arkansas, the number of new cases filed with the court since 2007 has actually increased by 13.4 percent.

Early in the last Republican administration, there was discussion about the caseload of the U.S. Court of Federal Claims, but no Senate Republican voiced concern then. In fact, during the Bush administration, the Senate confirmed nine judges to the CFC—with the support of every Senate Republican. Only three CFC judges nominated by President Obama have received confirmation votes. This is the same double standard that Senate Republicans tried to apply to President Obama's D.C. Circuit nominees, when they filibustered and refused to permit any of President Obama's three pending D.C. Circuit nominees from receiving a vote last Congress.

Not a single Republican on the Senate Judiciary Committee raised a concern about the CFC's caseload either during the committee hearings on these nominations last year or during the committee debate last year or this year. In blocking these five nominees, the junior Senator from Arkansas ignores the Senate Judiciary Committee's unanimous votes on these nominations in 2014 and again this year. He also disregards the chief judge who speaks on behalf of the entire court and the five past presidents of the U.S. Court of Federal Claims Bar Association who have urged the Senate to fill these vacancies.

In 2003, the now-chairman of the Senate Judiciary Committee engaged in a debate on the caseload of this court. He said then: ''I feel it is unfair to these Court of Federal Claims nominees to deny them a seat by bringing up this point at this late date.'' I hope that the junior Senator from Arkansas will heed these words and remove his objection to an up or down vote on these nominees. If he personally does not believe these judges need to be confirmed, he can certainly vote against them.

The fact is that all five of these nominees are impeccably qualified. One of the nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the court, but the junior Senator from Arkansas objected. The nominee is strongly endorsed by the Hispanic National Bar Association and has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department.

Another nominee, Jeri Somers, retired with the rank of lieutenant colonel in the U.S. Air Force, but the junior senator from Arkansas objected. The nominee spent over two decades serving first as a Judge Advocate General and then as a Military Judge in the U.S. Air Force and the District of Columbia's Air National Guard. In 2007, she became a Board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Mr. Bonilla and Ms. Somers are just two of the five nominees being blocked from consideration by one Senator. Both of them have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving from this Senate. I urge the Senate majority leader to move to confirmation votes on these well qualified nominees without further delay.

Since President Obama was sworn in as President of the United States, I am afraid Republicans have made it their priority to obstruct nominations put forward.

More than half a year into this new Congress, the Republican leadership has scheduled votes to confirm only five judicial nominees. Let me contrast that with the last 2 years of President George W. Bush's tenure. Democrats had taken over the Senate majority. If we treated Republican President Bush that way the new Republican Senate majority is treating Democratic President Obama only five judges would have been confirmed by today in 2007. Instead, we confirmed 25 district and circuit court judges by July 23, 2007.

Let me say that again because I want to make it clear that we would not play politics with judges because they are supposed to be outside of politics. By this time in the last 2 years of President Bush's term, when I was chairman of the Judiciary Committee, we had moved 25 judges through the process to confirmation. Today's Republican leadership has allowed only five of President Obama's judicial nominees to be confirmed.

In the last 2 years of President Bush's tenure the Democratic majority moved 68 district and circuit judges through the process to confirmation. And today, we find Republicans objecting to even considering highly qualified men and women to these judgeships. In the last 2 years of the Reagan term a Democratic majority confirmed 85 judges.

Twenty-five by this time in 2007, 68 in all during the last 2 years of President Bush's term. Only five for President Obama. Seventeen by this time in the last 2 years of President Reagan's term, 85 in all. Only five for President Obama.

You know all this does is politicize the Federal judiciary. They are an independent branch of government. The Senate ought to be confirming them. Let's not have a double standard. We made it clear we would not do

that with President Reagan and President Bush. We shouldn't do it with President Obama.

It is up to the majority leader and the Senate Republicans to demonstrate that they are not applying a double standard that is solely driven by who occupies the White House. The Senate should be confirming these long delayed U.S. Court of Federal Claims nominees and then proceeding to nine other judicial nominees pending on the Senate Executive Calendar.

I see my good friend on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise to talk about a very important amendment that Senator FEINSTEIN and I will be offering to the transportation bill when we move to consideration. That vote may be around 2 a.m., and then the clock will tick. But then at some point on Sunday, I am hoping that we will begin the process of considering amendments and, chief among them, should be the Feinstein-Wicker amendment to the bill regarding truck-length increases. Our amendment would authorize the Secretary of Transportation to require a truck size-and-weight study before promulgating a rule to increase the minimum length limitation for trucks.

Now I show to my colleagues and I show to the Presiding Officer a poster. What I am showing is a picture, a drawing of what we call twin 33's. This is the tractor trailer. Here is a 33-foot trailer, and here is another 33-foot trailer tacked on to the back of that. So twin 33's are long trucks—longer than is allowed in 39 States.

So far we have let the States make the decision about whether to accept these, and some 39 of our Federal States have decided: No, we don't want trucks this long with the twin 33 trailers on them in our States.

Our amendment would accept that decision on the part of the States. Our decision would allow those 39 States to continue to make that decision. Of course, the States that want trucks that long can make that decision themselves.

Why are we having to offer such an amendment on this highway and transportation bill? Because the Appropriations Committee, by a very close margin of some 16 yeses and 14 noes, has decided otherwise. Unless we act as a Senate, that legislation on the appropriations side of things will go forward and will become the law of the land, telling 39 States that they cannot make their own decisions on twin 33's.

So we would allow the States to continue to make this decision while the Secretary of Transportation promulgates a full rule to increase the minimum length limitation.

I will tell you that preliminary information from the U.S. Department of Transportation indicates that we don't need to go to mandatory twin 33's. The U.S. Department of Transportation has concluded there should be no change to the current maximum truck length limit allowed on Federal highways.

Their preliminary report goes on to say: ''The Department finds that the current data limitations are so profound that no changes in the relevant laws and regulations should be considered until these data limitations are overcome.'' So that is the counsel of the U.S. Department of Transportation.

I will say that I am not always bound by what the Federal departments say. As a matter of fact, I would stress that decisions are better made by the States and State legislators, Governors, and transportation commissions, but I do think it is instructive that even these people at the Federal level are counseling against this idea of a Federal mandate to all 50 States that they must move to the twin 33's. So that is the U.S. Department of Transportation.

Why is ROGER WICKER from Mississippi on the floor advocating for federalism and advocating for States making their own decisions, basically advocating against a Federal mandate for these long trucks?

I will tell you. I started hearing from folks. When this issue came before the Appropriations Committee, a group of people rose up and said: What are you doing? What are you thinking, mandating this to all 50 States without their consent?

So who is for the Feinstein-Wicker amendment and opposed to mandatory twin 33 trucks in all of our States? I will tell you who is opposed to it—advocates for highway and auto safety. AAA knows a little something about getting around the United States of America. AAA is for the Feinstein-Wicker amendment. The National Troopers Coalition knows a little something about safety on the highways. They are opposed to mandatory twin 33's.

I will also tell you it is very interesting that as for the Mississippi Trucking Association, you would think every trucker would want to be for this, make more money, and get to haul more stuff. The Mississippi Trucking Association contacted our office and said: We don't want this. Senator WICKER, other Members of the Senate and the House, oppose this Federal mandate that is about to come out of the Appropriations Committee and pass the Feinstein-Wicker amendment. The Mississippi Trucking Association is for our amendment and against twin 33's, along with a host of other trucking associations from east to west and from north to south.

I will tell you who else is opposed to mandatory twin 33's: the Mississippi Sheriffs' Association and a host of other States' sheriffs associations and the Mississippi Association of Chiefs of Police and a host of other State associations of chiefs of police.

Did I mention that the Illinois State Senate unanimously passed a resolution in support of what the Feinstein-Wicker amendment would do and opposed mandatory twin 33's. The Illinois State Senate unanimously passed this resolution saying to the Congress: Leave it up to the State of Illinois. We know what is best for our State when it comes to infrastructure. We know what is best for our State when it comes to the safety of our citizens.

So it is people such as them. The Mississippi Transportation Commission, or MDOT, has passed a unanimous resolution asking us to oppose twin 33's on a mandatory basis.

Why are people so opposed to these? They haul a whole lot more. Obviously, some people would make a lot more money if they could have this much area in their trailers to haul things. So why are people opposed to it?

Well, they are concerned about—for one thing—wear and tear on our Nation's infrastructure. We are going to pass a bill, I hope, in a few days and send it over to the House. We hope we get it sent to the President on a bipartisan basis, and we want to build some more highways. We want to strengthen our bridges. Everyone within the sound of my voice knows we need to do that. It is a question of how to come up with the money, but the last thing we need to do is to authorize—not authorize, mandate—something that is going to cause more wear and tear and that 39 States don't want because of the wear and tear.

Also, estimates are that this forced mandate, if it comes from Washington, DC—if the Feinstein-Wicker amendment or something like it doesn't pass—will cost about $1.2 billion to $1.8 billion per year in additional funding because of the pavement damage. It just doesn't stand to reason that you can mandate this sort of additional truck length on the highways without more damage to the highways. It makes sense, and we have statistics to prove it.

Also, it is a matter of public safety. I will tell you that not every interstate in my State of Mississippi is exactly straight and narrow. We have some hills, and we have places where the curves are less desirable than I would like them to be. We are told that stopping distances are going to increase if we mandate this sort of thing on the 50 States. There are longer stopping distances for double 33's than the truck configuration we currently have on the roads in the United States of America. The double 33 trailers in some studies took 22 feet longer to stop than the current double 28's with normal operating brakes.

I have four grandchildren in Mississippi. I have two daughters with small children, two sons-in-law in Mississippi, and they are driving up and down these highways. I would just as soon they not have to compete on the roads, on those curves.

On Waterworks Curve in Jackson, MS, I would rather my three grandchildren not be in a van with a twin 33

trying to pass them. I just don't think it is safe for my children and my grandchildren, and the State governments in 39 States apparently agree. If they decide they disagree, they have that right.

Also, I think that Senator FEINSTEIN and I, with our amendment, are standing up for small business. Do you know who can afford a twin 33 tractor-trailer rig, double 33's? The big guys. The big companies. You know their names. They can afford to do this. And certainly one can understand why they would think it would be better for their business.

But I will tell you there is a reason why the Mississippi Trucking Association is opposed to this. They do not have the money to convert to a bunch of twin 33 double trailers. They would rather not do this. As a matter of fact, this Federal mandate—if Congress decides to do this, and I certainly hope we don't; I hope we don't think we are so smart we can mandate this on 50 States—is going to put some small truckers out of business. That is why the Mississippi Truckers Association passed a resolution. That is why they have contacted me.

And I will tell you this, Mr. President. While the American Trucking Association says they are for these twin 33's, the individual members of the ATA—the American Trucking Association—have come to me and said: Thank you, Senator WICKER, for standing up for our interests because we are small businesses and we can't afford to get in this competition. It will run us out of business to have to go out and make a capital investment.

I would also make an argument just in the name of federalism. There is a reason we have 50 States. And, you know, my Republican Party won an election in November and we won control of this body. One of the things we have said as Republicans is that we don't think all the wisdom resides here in Washington, DC. We don't like a lot of Federal mandates; we like States making decisions.

We made a bold statement last week that States should make their own decisions and school boards locally should make their own decisions with regard to education. I voted for that. I applaud that. It didn't go as far as many on this side would have perhaps wanted, but we made a strong statement that we wouldn't have a national education school board policy; we would move more of the decision-making back to the States. So why on Earth, a week and a half or 2 weeks later, would we make a decision here in Washington, DC, that we know more about how to take care of infrastructure; that we know more about truck lengths and more about safety for our children and grandchildren here in Washington, DC, than State legislatures do? I just don't think we will do that.

I urge my colleagues, while we have some time to debate, to get down to the floor. Let's talk about this issue. We will be standing in quorum calls and recesses subject to the call of the Chair for perhaps most of this weekend. We have time to debate this issue now and for the few moments it takes Sunday or Monday or Tuesday or whenever we actually vote on this. We are entitled to a vote, Mr. President, on this germane amendment. And this is germane. It is not something extraneous, dealing with social issues or Planned Parenthood or any number of nongermane issues that I am sympathetic with. This is a transportation issue. It is germane to the bill. The Senate needs to work its will on this issue. It needs to go over to the House and they need to work their will.

I think that once we think about this, I would say to the Presiding Officer and to the rest of my colleagues, we will make the decision that we ought to leave this issue up to the States. There is a reason 39 States don't want to do this, in their considered opinion. We ought to respect that decision. We ought to do it in the name of federalism, in the name of the States having the right to do things a little differently in each State if they want to, in the name of safety, in the name of infrastructure, and in the name of fairness.

I thank Senator FEINSTEIN for joining with me on this bipartisan amendment, and I urge my colleagues, when the time comes—after the brief debate on the floor on this issue has occurred—to vote yes in favor of the Feinstein-Wicker amendment.

Mr. President, I yield the floor to my friend.

The PRESIDING OFFICER. The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 1858 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I call up the Roberts amendment for consideration.

The PRESIDING OFFICER. The Senate is on a motion to proceed. Amendments are not in order.

Mr. ROBERTS. Mr. President, when it is in order and I call up the Roberts amendment for consideration, I will thank my colleagues Senators ALEXANDER, BURR, CORNYN, COTTON, GARDNER, RISCH, SASSE, BOOZMAN, and TILLIS for joining me on this amendment.

Today we ask our fellow colleagues to stand with us to protect the U.S. economy from $3.2 billion in retaliatory tariffs being applied to our exports to Canada and Mexico every year—every year.

A recent ruling from the World Trade Organization found, for the fourth and final time, that our Country of Origin Labeling Program for meat—or what the acronym says is COOL, to which it is often referred—that this labeling program violates our trade agreements with our two closest trading partners.

This debate isn't about the merits of a particular labeling program or our opinions about how our beef or pork or chicken should be sold. No, this debate is about a simple fact, and facts are stubborn things.

Whether you support COOL or whether you oppose COOL, the fact is that retaliation is coming unless the Senate acts to stop this program that the WTO has found to be discriminatory.

Over the years, this body has attempted many times to craft a workable COOL Program for all stakeholders while still living up to our international trade obligations. Congress, through directives in the 2002 farm bill and the 2008 farm bill, required the establishment of COOL for meat. Through regulations issued in 2009 and revised in 2013, the Department of Agriculture made several attempts to implement a workable and WTO-compliant COOL Program. However, as I mentioned earlier, again and again the WTO ruled in favor of Canada and Mexico. On four occasions—four—our trade regulator ruled that the U.S. policy did not live up to our international trade obligations and disadvantaged our best trading partners, Canada and Mexico.

Some have suggested we should salvage this labeling program by once again making more changes. However, simply changing certain aspects of the program will not prevent the $3.2 billion in retaliation from damaging our economy. Don't take my word for it. Here is a statement, issued just today, from the Canadian Government, which will determine whether retaliation on U.S. products will take effect in the near future: "The only acceptable outcome remains for the United States to repeal COOL or face $3 billion in annual retaliation."

I have worked with many of my colleagues over the years and over the last few weeks to craft a solution that meets the needs of all stakeholders. However, after all of our work, it is clear that to protect our economy—to ensure Canada and Mexico drop their pursuit of retaliation on U.S. exports—we must first take up the House-passed bill repealing COOL, a bipartisan bill that received 300 votes in the House of Representatives.

The damages Canada and Mexico are seeking are immense—over $3.2 billion in sanctions on U.S. products is probable if we do not repeal COOL—and these are not just agriculture products in the crosshairs. Products including beef, pork, cherries, and ethanol—repeat, and ethanol—wine, orange juice, jewelry, even mattresses, furniture, and parts for heating appliances are just some of the targets of Canadian retaliation. Mexico has yet to finalize their list, but we expect it to be just as damaging.

California alone has $4 billion in exports to Canada at risk. Florida, Illinois, Iowa, Michigan, Minnesota, New

Jersey, New York, Pennsylvania, Texas, Washington, and Wisconsin each have roughly $1 billion in exports from their State at risk from the Canadian retaliation alone.

I remind my colleagues that again today Canada released a statement in response to legislation authored by others that reaffirmed their position: ''The U.S. Senate must follow the lead of the House of Representatives and put forward legislation that repeals COOL once and for all.''

Now, I must emphasize to my colleagues that retaliation is fast approaching and the responsibility sits squarely on our shoulders to avoid it. Regardless of what farm groups, the Department of Agriculture, or the USTR say or regardless of what some Members would like, Canada and Mexico—and only Canada and Mexico—have the ability to halt retaliation.

So this takes me back to the beginning of my statement: It doesn't matter if you support COOL or if you oppose COOL, you cannot ignore the fact that retaliation is imminent and that we must avoid it.

Repeal of mandatory COOL is necessary to protect the U.S. economy from damaging sanctions, and our amendment will accomplish just that.

I urge my colleagues to adopt the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ROBERTS. Mr. President, I ask unanimous consent that the ''Statement from Ministers Ritz and Fast on Senator STABENOW's Proposed Bill to amend U.S. Country of Origin Labelling (COOL)'' be printed in the RECORD.

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

(From Agriculture and Agri-Food Canada, July 23, 2015]

STATEMENT FROM MINISTERS RITZ AND FAST ON SENATOR STABENOW'S PROPOSED BILL TO AMEND U.S. COUNTRY OF ORIGIN LABELING (COOL)

(By Agriculture Minister Gerry Ritz and International Trade Minister Ed Fast)

Senator Stabenow's (COOL) 2.0 fails to address Canada's concerns and would continue to undermine our integrated North American supply chains. By continuing the segregation of and discrimination against Canadian cattle and hogs, Senator Stabenow's measure will harm farmers, ranchers, packers, retailers and consumers on both sides of the border. This is contrary to successive World Trade Organization (WTO) decisions that have clearly ruled in Canada's favor.

The U.S. Senate must follow the lead of the House of Representatives and put forward legislation that repeals COOL once and for all.

The only acceptable outcome remains for the United States to repeal COOL or face $3B in annual retaliation.

Canada will continue to stand up for the rights of our cattle and hog producers to ensure this harm is ended and to restore the value of our highly integrated North American livestock market.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. CAPITO. Mr. President, I rise in strong support of the DRIVE Act. I commend Chairman INHOFE and Ranking Member BOXER for their bipartisan work on this bill that passed out of the Environment and Public Works Committee with a unanimous vote.

A long-term highway solution such as the DRIVE Act will provide our States with the certainty they need to advance major road and bridge projects. Passing a 6-year bill would be a great achievement for this Congress, especially in the context of our recent history, and I am hopeful we will seize this opportunity.

Several years ago, as a member of the House Transportation Committee, I strongly supported the last long-term highway bill that helped support major roads in West Virginia and around the country.

The 2005 highway bill was extended 10 separate times—10 times—between 2009 and 2012. During that period, States were only assured Federal funding for a period of weeks or months, making lasting improvements to our highway infrastructure difficult, and it shows.

As we saw between 2009 and 2012, several short-term extensions resulted in fewer and more costly fixes. In 2012, we passed MAP–21 to reauthorize the highway program for 2 years. I served as a conferee on that legislation.

MAP–21 was a strong bipartisan achievement that included a number of important reforms to streamline project delivery and help States complete their projects more efficiently and economically, but ultimately MAP–21 was a 2-year bill.

Since MAP–21, we have had more of the same: short-term extension after short-term extension. The recent history shows how significant this opportunity we have is. We have before us a bipartisan, fiscally responsible bill that will provide the certainty our States need to improve the Nation's highway system for several years.

I am encouraged by the bipartisan vote we saw last night to move to debate, and I hope my colleagues will continue to work together to drive that DRIVE Act into law.

West Virginians rely heavily, as do most people around the country, on roads, bridges, and highways to fuel our economy, to access hard-to-reach places in our State, to get to and from work, and to transport goods and services. West Virginians understand the need for a long-term highway bill. Nearly one-third of our State's major roads are currently in poor condition.

The Federal Highway Administration has listed 960 West Virginia bridges as structurally deficient. We have quite a few bridges in our State because of our beautiful mountains.

The DRIVE Act will increase funding for maintaining and repairing these bridges. The bill prioritizes maintenance of our major roads, helping to address the current state of disrepair on highways across this country.

This is a statistic of which, quite frankly, I was jarred by the number. Each West Virginia motorist pays an average of $575 a year in extra maintenance costs due to the poor road conditions. The DRIVE Act will help our States address maintenance and repair, meaning safer and less costly trips for our drivers, but the biggest thing is the certainty that comes from a long-term highway bill. It is important for not only the maintenance aspect, but it is most important to advance new projects. Large highway projects are expensive multiyear endeavors.

States can't plan for the future based on funding commitments for a week or a month. Whether the issue is relieving congestion and improving access to rural communities to fuel economic development or moving freight across the country, the DRIVE Act will help the most important projects move forward.

In West Virginia, U.S. Route 35 in Putnam and Mason Counties is one of our most critical projects. It is an important freight link for the goods moving from the Southeast to the Midwest, but it has been two lanes for a very long time. It was one of the most dangerous roads that interstate truck traffic shared.

Thanks in part to the 2005 bill I talked about, the majority of Route 35 is now a four-lane highway, and our State efforts to complete the remaining 14 miles are well underway, but the DRIVE Act will aid efforts to get that project across the finish line. It will also help us build Corridor H for residents in Central and Eastern West Virginia, an important part of the Appalachian Development Highway System. When this road is completed, it will link counties in Central West Virginia with the Interstate 81 corridor, improving safety and providing economic development opportunities for our communities.

Whether it is Route 35, Corridor H, the King Coal Highway, Coal Fields Expressway or other high-priority projects across our State, States need that certainty that is going to come from a dedicated Federal investment to move forward. That is what a long-term highway bill does while creating jobs for our construction workers.

According to the Contractors Association of West Virginia, construction and employment in my State fell by 11.3 percent between November of 2013 and November of 2014. That is 1 year.

Passing a highway bill that supports investment in our roads and bridges will put these men and women back to work.

Reauthorizing our highway program for 6 years would be reason enough, in my opinion, to strongly support the DRIVE Act. I want to highlight another part of this bill that is important to my State. It reauthorizes the Appalachian Regional Commission through 2021. West Virginia is the only State whose boundaries fall entirely within the commission's boundaries.

Earlier this year, the commission marked its 50th anniversary of leading efforts to fight poverty and improve the quality of life in the Appalachian region. Over that period, poverty in the Appalachian region has been cut in half, and the percentage of residents over 25 with college degrees has nearly tripled, but there is much more work to be done.

The DRIVE Act authorizes a broadband deployment initiative through the ARC to help increase access to high-speed internet—a problem in rural America—in support of distance learning, telemedicine, and business development.

Reauthorizing the ARC and bringing broadband to small, economically distressed communities will help bring jobs to West Virginia. The ARC provides important support for health care, education, and infrastructure programs, and I am pleased the DRIVE Act will allow the commission to continue its efforts for the next 6 years.

Now is the time to move our transportation system forward and meet the needs of our growing population, ensure safety for travelers, and promote growth in areas that struggle economically. The Senate has the opportunity to make a real and positive difference for all Americans by passing the DRIVE Act.

I ask my colleagues on both sides of the aisle to support this important legislation.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, as we have been talking about fixing our Nation's infrastructure, I want to raise a concern I had with one of the potential ways in which we are talking about paying for it. That is by using funds out of what is called the Hardest Hit Fund.

Over the years, I have worked in my State of Ohio and around the country to help deal with this issue of abandoned homes. We are all concerned about communities that have blighted properties because they tend to be magnets for crime, for drugs, and for other illegal activity. It turns out that one of the best ways to increase home values in some of the blighted neighborhoods around our country and in my home State of Ohio is to actually take these abandoned homes, tear them down, and have that property be used for other purposes, whether it is new development, a community garden or whether it is simply razing the property to ensure that homes in the neighborhood are not affected negatively by those home values going down.

There is a lot of information out there about this now because many States have become active in doing it, and it appears it is working. In other words, home values are increasing, sometimes dramatically, by taking down these blighted properties. I think, perhaps inadvertently, Members of this body who are looking at ways to pay for the highway trust fund extension decided that the Hardest Hit Fund was the place to look. There is no question there has been a GAO report about some aspects of this fund and how it has been used, where there might be need for reform, maybe significant reform, but this one area of dealing with blighted properties is one we need to be very careful with.

Main Streets across our country are looking to us right now in the U.S. Senate to ensure that we don't overreach, and trying to find funding for infrastructure, in effect, creates more problems in those neighborhoods. In my home State of Ohio, we have nearly 80,000 dangerous abandoned homes. One of the best things that you can do to address public safety in tumbling home values in those neighborhoods is to demolish these structures. By the way, some of the data that we have from cities in my home State of Ohio says they cost neighbors up to 80 percent of their value.

We have also seen that first responders sometimes are at risk when these homes are subject to arson and other crimes. Sadly, we lost a firefighter in one of these homes in Ohio because of arson.

I remember touring some of these abandoned homes in Toledo, OH, where I got to witness one of the homes being torn down. I have done the same thing in Warren, OH, and I have done the same thing in other communities around our State. I have done the same thing in Toledo with the mayor. As we were talking to neighbors, I asked the neighbor who was right next to one of the homes being torn down, how do you feel about this? She said what other neighbors have told me on other opportunities that I have had to go into these communities and talk about abandoned homes. She said: Well, it will be better because there is less blight and there is less crime. We have a concern because this abandoned home is being used by drug dealers. But she also said: You know, ROB, I live right next to this home. There are only a few feet that separated these two homes. She said: I have three kids at home. Every night when I went to bed, I was worried about what might happen, that an arsonist would light this home on fire, as has been done throughout the city of Toledo and other cities with abandoned homes, and that my kids would be at risk.

This is something that is working. I am concerned that if we do not take this into account as we look at how to pay for this infrastructure bill, we will make the situation worse rather than better.

One way we are getting at this in my home State of Ohio and around the country is land banks. In some of the hardest hit States, manufacturing States like Ohio and Michigan got to work attacking this issue. The resources they need to demolish these properties in order to help struggling neighborhoods recover come in part from the Hardest Hit Fund.

In Ohio we now have 24 land banks. I think there are six more in formation. By the end of the year, we expect to have at least 30 county land banks in Ohio.

After visiting some of these neighborhoods that are impacted by these homes and walking the streets with local officials in 2013, I authored a bill called the Neighborhood Safety Act. It was a companion bill to a bipartisan House effort that was led by some Ohio Members of Congress, including DAVE JOYCE, MARCY KAPTUR, and MARCIA FUDGE. Our legislation called for the Hardest Hit Fund to be used for demolition purposes.

After we pushed for this and pushed aggressively, this important change was made. It provided nearly $66 million to my State of Ohio to deal with these thousands of abandoned homes we talked about. I know the State of Michigan also received a significant part of the Hardest Hit Fund for these purposes, as did other States. Again, I am concerned about this potential pay-for in the legislation that could take away some of these funds, which are critical for doing this important work. I have been in touch with the land banks in Ohio. I am talking to the Ohio Housing Finance Agency to determine what is the best path forward to protect these funds. We are working right now with the committee leadership to see if we can modify the language in the underlying bill. I know it is something that is a concern to Senator STABENOW because I spoke to her about it earlier today, as well as my colleague from Ohio Senator BROWN.

I don't know what we are going to do going forward. We may need to offer an amendment to change the language. I am hopeful we can have this be part of a managers' amendment. Again, dealing with these abandoned, blighted homes is a public safety concern. It is a huge concern for local officials, local officials in my home State whom I have talked to, been on the streets with, but also local officials across our country. We have to protect these funds for the communities that so desperately need them.

I wish to particularly thank a friend back home, Jim Rokakis, director of the Thriving Communities Initiative at the Western Reserve Land Conservancy. He has done excellent work highlighting issues in Ohio and has helped to bring people together.

I hope we will be able to resolve this issue in a managers' amendment, but if

not, I do intend to offer an amendment, and I hope that amendment can be supported on a bipartisan basis to ensure that we are not, perhaps inadvertently, taking away this tool that we are using every day to make our neighborhoods safer and to improve home values for the people we represent.

The final point I wish to make about the underlying legislation is that it also includes very important language that reforms our regulatory system—specifically, our permitting system. For years now, people have been talking about the fact that America is a place where it is hard to building something. In fact, it has gotten to the point that one international survey that is widely respected has said that America has fallen to No. 41 in the world in terms of the ease of doing business as it relates to green-lighting a project. Think of a commercial building, road or bridge being built or an energy project, whether it is solar, wind or oil and gas.

What we are finding out is that it is so hard to build something in America, that some of these funds are going somewhere else. Sometimes in foreign capitals, as we visit as congressional delegations, we see a lot of cranes and a lot of activity. Part of that is because these funds are not coming to this country because it takes so long to build something and to get the permits, and there is so much uncertainty and the capital is not patient enough. There is more legal liability here than in so many other countries. So being No. 41 in the world has led to our having fewer good-paying construction jobs here in this country.

As a result of this concern, over the last 3 years, I worked with my colleagues on both sides of the aisle to draft commonsense legislation to speed up the permitting process, while still ensuring that we go through a regulatory process that includes an environmental review and other reviews. This legislation streamlines the process and requires one Federal agency to be accountable, which is not the case now. It deals with some of the issues that we have now. For instance, you may have as many as 35 different Federal permits on an energy project just to get the project going.

It also helps with regard to legal liability. With regard to the statute of limitations, instead of having it run 6 years after the final environmental review, we limited that to 2 years, which is plenty of time to bring a lawsuit. Some have found that the 6-year statute of limitations makes it very difficult to find investors.

This is an important part of the legislation that we are dealing with as part of the highway trust fund. It is part of this infrastructure bill and will not only provide more funding for our highways and roads but will also ensure that we can move forward with more of these projects more quickly and use the money for efficiently.

This legislation has been supported broadly across the aisle. It was reported out of our committee—the governmental affairs committee—earlier this year with a strong bipartisan vote. I believe the vote was 12 to 1. It is supported by the U.S. Chamber of Commerce and also by the AFL–CIO Building Trades Council. They feel strongly about it for all the right reasons. They want to bring back some jobs. A lot of construction jobs that were lost during the financial crisis have yet to come back. This will help.

I commend the authors of the underlying legislation for including my bill as part of the underlying bill. I sure hope it stays in the bill because it is the right thing to do for taxpayers, it is the right thing to do to get projects moving, and, of course, it is the right thing to do to create more jobs at a time when all of us continue to be disappointed by the recovery, which is one of the weakest recoveries we have ever seen in the history of our country.

I thank the Presiding Officer for allowing me to talk about an issue that is of concern; that is, that the Hardest Hit Fund does an excellent job in our communities with regard to abandoned homes. We have to be careful that we not pull the rug out from under these organizations that are doing a terrific job helping to make our communities safer and helping to increase home values.

Again, I wish to commend those who have included in this legislation our permitting bill. Senator CLAIRE MCCASKILL from Missouri and I have worked on this for 3 years. It is good bipartisan legislation. It makes sense in order to get America back to work and building things again. It will help in terms of the highway funding by making sure that funding goes further, and it will also help in terms of all sorts of construction of other projects, such as energy projects, commercial buildings, and other infrastructure.

With that, I yield to my colleague.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

OVERTIME PAY

Mr. FRANKEN. Mr. President, I rise today to talk about the Department of Labor's proposal to provide overtime pay to more Americans, a step that could affect as many as 90,000 middle-class workers in Minnesota and nearly 5 million around the country.

Right now, if someone makes more than $450 a week, or about $24,000 a year, there is a very good chance they don't qualify for overtime pay, and that is below the current poverty line for a family of four. The newly proposed regulations would raise that level to $970 a week, or about $50,000 annually. That means that a salaried worker earning less than that amount will be able to benefit from overtime pay regardless of the duties that he or she performs. This change would benefit an enormous number of Americans whose wages have remained virtually unchanged while the cost of education, childcare, and retirement have risen steadily over the past decade.

Last month, we saw the 64th straight month of private sector job growth since the Great Depression. Our economy overall is getting stronger, but too much of that prosperity is going to people at the top. Middle-class families and those aspiring to be in the middle class simply are not reaping the benefits. In fact, America's wealth gap between middle-income and upper-income families is at its highest level—the gap—since 1983. The gap between the highest and lowest earners is at its greatest since before the Great Depression. This kind of inequality is not just bad for those workers. It is bad for our economy as a whole, which is strongest when we have a thriving middle class.

Overtime protections were first passed as part of the Fair Labor Standards Act of 1938 in the midst of the Great Depression, when the economy was far worse off than it is now. It was passed as a way to protect workers from abusive employers and lay the groundwork to rebuild the middle class. While overtime protections have been a staple of the American economy, they no longer reach many of the workers they were intended to help.

Just look at the trends. In 1975, overtime covered 62 percent of full-time salaried workers, including a majority of people with college degrees. Today only 8 percent of workers are eligible for overtime, which is an especially alarming statistic since hourly wages for the average worker have remained flat in real dollars since 1979. That is why in January of this year I joined several of my colleagues in pushing President Obama to update these outdated overtime rules. We asked the President to allow more working people to qualify for overtime and to index those earnings, that threshold, to keep up with inflation so that future generations of American workers could reap the benefits of their hard work. I am glad the administration agreed. These proposed rules will help put more money in the pockets of those who work longer hours or provide incentive to employers to hire more workers or increase the hours of part-time workers and help strengthen the economy. These rules will allow workers to spend their new-found earnings and spur further economic growth. They will help grow our shrinking middle class, which is the backbone of our economy, and help create a pathway for those who want to become a part of the middle class. It is vital that we support this proposal to guarantee overtime pay to millions of more Americans.

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

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

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 1844 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HOEVEN. 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.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

Mr. BLUMENTHAL. Mr. President, as I watch this great deliberative body move toward a transportation bill, I sometimes feel as though I am watching an impending train wreck or a car crash because on the issue of safety this bill reflects a tragic, unfortunate, unforgivable missed opportunity. If we authorize this transportation measure, which is vitally important to the future of our Nation and will help drive economic growth and create jobs, we will miss the opportunity to make our roads and rails safer, more reliable, and more resilient for our economy and quality of life. We are missing an opportunity to, in effect, save lives.

Anyone who has opened the morning newspaper and read about a derailment—whether in Bridgeport, Rikers Island, the Bronx, NY, or Philadelphia—causing injuries, deaths, loss of both life and property, can ask, understandably, why can't they do something? Anybody who discovers a used car bought by a friend or a relative or oneself rife with recalls and the need for repairs can justifiably ask, why can't they do something? Anybody who has had a near miss on the highway with an 80,000-pound truck going 75 miles an hour because there is a tired truckdriver under pressure from an owner or because there are two 33-length rigs can justifiably ask, why haven't they done something? The answer is because the Senate is missing an opportunity now, this year, on this bill.

I spend a lot of time driving Connecticut's roads and seeing firsthand how all of these vital forms of transportation—railroad, bridges, ports, and airports—are in need of investment.

The latest example and evidence is from a report released today—it is called the ''TRIP report''—in New Haven finding that 45 percent of roads there are in poor condition and that the cost to drivers is $707 a year in repairs. That is real money. The roads are in very bad condition—45 percent of them—in the New Haven area alone. And the ''TRIP report'' ought to be a powerful reminder of the need for robust and enduring investment.

I wrote to the writers and drafters of the bill before us asking for a good bill that makes the kind of investment we need to respond to the needs that are reflected in the ''TRIP report,'' which is in the range of billions of dollars a year, but this measure provides to Connecticut only about $500 million a year—a pittance compared to what the need is in Connecticut.

According to the American Society of Civil Engineers and the Federal Highway Administration, keeping roads and rail reliable and safe means investment. Creating jobs means investment. Driving the economy forward means investment. All of those goals can be served by a robust and adequate investment.

I urged that the bill cover the full 6 years. Instead, this bill really is a mirage of what is necessary. The bill before us fails to provide a long-term and robust plan to meet the priorities for our Nation's transportation infrastructure. Major construction projects, such as building the I–84/Route 8 highway interchange in Waterbury, known as the Mixmaster, and replacing the Aetna Viaduct portions of I–84 in Hartford, will take years to complete. This bill provides only the illusion of a long-term authorization, backed only by 3 years of dedicated funding for highways and no—let me repeat—no dedicated funding for critical infrastructure investment in our Nation's commuter railroads.

When the American people discover what is in this bill, they are going to again say: Why can't they do something? Why can't they do something better than this train wreck and car collision of a bill?

I voted against the motion to proceed to this bill because of its failure to provide a path forward and this bill's failure to provide a reliable funding source for the commuter rail systems millions of Americans depend on every day and its failure to address our country's ongoing crisis in transportation safety.

We have seen the evidence of safety failure in a variety of tragic instances—in Philadelphia, in Westchester County, where a collision at a grade crossing killed six people; a derailment in the Bronx that killed four; a train on the wrong track that struck and killed a worker in West Haven; and, of course, the derailment in Bridgeport that injured more than 70 people.

Positive train control would help prevent these kinds of tragedies. It is a technology similar to GPS—not much more complicated—that monitors track conditions and speeds and helps trains slow or stop before there is a collision or derailment. It is not a new or novel or original, untested technology; it has been around for years. This bill fails to bring our railroads into the latest 20th-century technology, not to mention the 21st-century technology that positive train control offers.

The Northeast Corridor is in urgent need of at least $570 million per year to enable a decent and adequate state of repair, to give railroads a realistic chance of implementing lifesaving positive train control technology, and to improve safety at rail grade crossings. That is money which can't be created by a mirage or an illusion in a bill like this one. The national infrastructure safety and investment grants program was designed to provide this level of support. If Congress were to dedicate the necessary funding from the highway trust fund, it could be done, but Congress is ignoring this fundamental need.

On our roads, American bus and truck drivers perform an essential service and they work hard at it, but their industry also has well-documented safety issues. Unfortunately, this legislation creates additional hurdles for the Federal Motor Carrier Safety Administration to promulgate rules and to address safety issues. Rather than making the world safer, it actually enables more danger.

The bill before us allows 18-year-olds to sit behind the wheel of an 80,000-pound truck going 75 miles an hour—with no requirement to get rest—to drive 75 miles an hour not only within the State but across State lines.

The bill allows giant twin 33's—new to our roads—to be driven across State lines, putting drivers at risk and further degrading our highway system.

The bill eviscerates rules on how much rest truckdrivers must take. That rest is essential to safety.

I sought to strike and modify these damaging provisions in committee, and I urged my colleagues to support essential safety reforms, but unfortunately those calls went unheeded.

Over the last 2 years, the commerce committee has had a tragic front-row seat—a unique insight into the tragedies that pile up when safety is ignored. Our national safety regulators all too commonly look the other way when auto companies, for example, conceal information to protect profits over human life.

I appreciate the work of Senator BOXER, who has stripped the most offensive provisions out of the title governing the National Highway Traffic Safety Administration. That title no longer limits grants for the prevention of drunk driving, for example. Unfortunately, it still contains unacceptable loopholes.

Due to the GM ignition coverup and the Takata airbag crisis, there are currently an unprecedented 64 million cars on the road today that are under safety recall. Let me repeat that number. There are 64 million cars on the road today that are under safety recall.

That is 25 percent of the total 250 million cars in America. To say this number is unprecedented fails to do it justice.

Along with a number of my colleagues, particularly Senator MARKEY, I advocated numerous policy changes to ensure accountability for these problems and make them less likely in the future—not just to punish but to protect. I would like to focus on two that are particularly urgent.

First, many of the cars that have been recalled are 10 or more years old and in the hands of their second or third owners. There needs to be a provision that says to these car dealers that when a car is in a recall, they have an obligation to notify a new owner and, in fact, to repair the car.

Second, as we learned in the case of GM, Federal prosecutors simply lack legal tools to file criminal charges against companies for knowingly concealing information about defects that can kill. Deliberate coverup and concealment of deadly defects should be punishable criminally, as it is in other industries where the stakes are similar. We know that employees at GM were aware of dangerous safety defects but chose to remain silent or, in fact, mislead authorities, leading to hundreds of injuries and deaths.

This measure and the DRIVE Act do nothing to hold manufacturers or their corporate officers criminally responsible when they knowingly fail to disclose those risks. Even after the defects are discovered, this bill lacks the teeth to ensure that wrongdoing is not repeated. Their civil penalty authority for safety violations is currently capped at $35 million. The DRIVE Act leaves these fines at just a pittance compared to the revenue of GM—less than the cost of doing business. Safety fines need to be meaningful rather than a pittance, less than the cost of doing business. Congress must remove this cap and ensure that safety penalties provide a meaningful deterrent to wrongdoing. Even at $70 million, it is a pittance compared to GM, which made $156 billion in 2014.

Americans deserve better than another 6 years of crashes, bridge collapses, accidents that are preventable, and they need protection to stop it. I hope my colleagues will join me to implement reforms now and take strong steps to build and maintain a transportation system worthy of the greatest, strongest country in the history of the world.

For our economy, we can create jobs. For our quality of life, we can ensure quality and convenience. For our safety, we can prevent tragedy. We can do better with a transportation system that keeps people safe.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. PERDUE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

NUCLEAR AGREEMENT WITH IRAN

Mr. PERDUE. Mr. President, I rise today to talk about a very important topic for our country, the future of our kids, and the future of our kids' kids.

This morning I was in a Foreign Relations hearing about Iran. It is pretty obvious that the administration has decided once again that our democratic values and procedures are just too high of a hurdle to clear. Instead of keeping its promise to the American people and following the pledge it made to Congress just a few months ago to give everyone time to review the terms of this deal, the administration has instead undercut all of us again. This administration has effectively ignored 98 Senators—myself included—and 400 Representatives who voted for the Iran Nuclear Agreement Review Act earlier this year. By advancing this vote at the U.N. Security Council, this administration has violated the very balance of power between our three branches of government.

I am outraged that this administration continues to circumvent Congress at every turn, from regulations, to mandates, to foreign policy. This is an absolute failure of the administration to do what is best for the American people, our security, and indeed the security of the world.

The precept for this deal with Iran simply doesn't make sense. This deal started off by ceding the right to enrich to Iran immediately, reversing decades of U.S. nonproliferation policy. In fact, Secretary Kerry said in 2013 that ''we do not recognize the right to enrich.''

This deal reverses six United Nations Security Council resolutions and turns a pariah proliferator into a legitimate nuclear state.

This agreement allows Iran to leapfrog over the 18 countries who have peaceful nuclear programs but no enrichment and to be treated like countries like Argentina, Brazil, Germany, Netherlands, and Japan who have peaceful energy programs and domestic enrichment but who do not have a nuclear weapon. These five nations are upstanding members of the international community.

This deal takes Iran—the largest state sponsor of terrorism and a violator of human rights as well as an international pariah—and treats Iran's nuclear program like Japan's.

Secretary Kerry said at a hearing in the Foreign Relations Committee in March that ''our negotiation is calculated to make sure that [Iran] can never have a nuclear weapon.'' But President Obama has said that ''in year 13, 14, or 15 . . . the breakout times would have shrunk down to almost zero.''

So this deal will not protect Iran from becoming a nuclear weapons state; it just delays it. As I have said all along, I cannot support any deal that allows Iran to become a nuclear weapons state—not now, not in 10 years, not ever.

What is more, this deal provides Iran with billions of dollars of sanctions relief upfront, before the IAEA completes its assessment on whether Iran's nuclear program is indeed peaceful. It took the IAEA 19 years to make this determination for South Africa's program. And this deal starts lifting United Nations and European Union sanctions this year, the arms embargo in 5 years, and the ballistic missile ban in 8 short years. This deal will provide Iran with a windfall of sanctions relief of up to over $100 billion—funds that President Obama's National Security Advisor Susan Rice just recently conceded will go to terrorism, the Iranian military, the Houthis, and Assad.

President Obama said that ''this deal is not built on trust, it is built on verification.'' But this deal doesn't require ''anytime, anywhere'' inspections of all nuclear and military sites. Instead, it empowers Iran to create lengthy delays when IAEA inspectors request access to suspicious nuclear sites that are indeed not declared by Iran. From what I understand, the IAEA will have two teams traveling a country twice the size of Texas. And let's not forget that Iran developed the Fordow facility and it operated for years despite having IAEA teams on the ground.

And if we do find Iran to be in violation of this deal, our enforcement mechanism has no teeth. Snapback sanctions in fact are a fantasy. Paragraph 37 of the Iran deal states that Iran will cease performing all of its commitments to the deal in the event of a full or partial snapback. Iran will walk away if we try to hold it to the very deal it just signed off on.

With this all-or-nothing nature of the snapback, will anyone try to punish Iran's cheating? History tells us that when Iran cheats, it does so incrementally, in small steps, so no single action in and of itself can be punished, but when you look at it over time, their cheating is egregious.

Will any nation be willing to stake sinking the entire deal over minor cheating? Even if sanctions are indeed snapped back, Iran's sanctions relief is front-loaded. They will be able to so quickly pad their economy to make themselves more resistant to future sanctions. Most dangerously, this deal is predicated on the idea that the regime will change its dangerous behavior, when we have only seen proof that we will see more of the same—sponsorship of rogue regimes and terrorism worldwide.

So I am curious, given what we know now about this deal, how the United States not only voted for this deal at

the United Nations Security Council but actually sponsored the resolution. Secretary Kerry claims that should Congress disapprove of this deal, we would be in noncompliance with all of the other countries in the world. He claims that there will be no nation standing with us on our sanctions or opposition to Iran.

Well, I say we let the nations of the world decide for themselves. Let's give the world the option. We have stood alone before. Do you want to do business with Iran or the United States? We have stood alone many times in history when it meant doing the right thing.

The American people and the fine people of Georgia who are calling and writing into my office every day are uncomfortable with this nuclear deal for Iran, and they are uncomfortable with our future under its provisions. So I say to this administration that you cannot circumvent the American people with this nuclear deal. Congress will have its say. We worked hard for this 60-day review period and I will do my part to muster the 67 votes required to disapprove a deal that leaves Iran as a nuclear threshold state in a little more than a decade.

This 60-day oversight period is the result of a bipartisan effort in the House and Senate, protecting the balance of the three branches of government. Now we must act together to protect our country and our world from a very bad actor like Iran from ever becoming a nuclear weapons state.

Mr. President, I rise also in the time remaining to speak very briefly of a current issue that we are going to vote on, possibly this weekend; that is, the highway trust fund. Georgia sent me to Washington to help solve our fiscal crisis, not make it worse. As a member of the Senate Budget Committee, I am working every day to find smarter ways to prioritize our spending. That way we can support critical functions of the Federal Government such as funding our National Highway System.

Make no mistake—I support funding infrastructure, but we must do it responsibly. Transportation is a top priority as it supports a robust economy and is one of the responsibilities the Federal Government is charged with in executing under the Constitution. As we continue to debate the highway bill in the Senate, I am committed to finding the right funding and enough funding for our critical infrastructure needs.

As proposed, the highway bill authorizes spending for the next 6 years yet only funds these programs for the next 3 years. Passing responsibility over to the next Congress to find additional funding mechanisms for the remaining 3 years is unacceptable. It is what has gotten us in this debt crisis in the first place. Some of my colleagues have suggested this is simply the way the Senate has acted in the past. Yes, I got that. Again, it is what got us here. That may be true, but it does not make it right. I was not sent to Washington to accept this status quo.

A serious long-term solution needs to be fully funded, not filled with half-empty promises that cannot be kept or could add to our national debt. I am working to find a responsible way forward in order to provide Georgia and other States with more certainty through a longer term solution, instead of settling for just another short-term fix. Today, I am introducing an amendment to simply match the authorization period with the available funding. That sounds basic; it sounds simple. It is what I have to do at home in my home budget. It is what most Americans have to do. If they don't have the money, they don't spend it. This amendment ensures that Congress is not authorizing spending programs beyond a point where there is no money to pay for them in the future.

I urge my colleagues to join me in breaking Washington of its chronic overspending problem. I urge my colleagues to support a fiscally responsible highway bill that matches the length of the authorization with the funding mechanism. That way we can continue to fund our critical infrastructure projects without compromising our conservative budget principles.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

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

Mr. THUNE. Mr. President, the Senate has an opportunity to pass a multiyear transportation bill that ensures critical transportation projects move forward without disruption. As part of this bipartisanship bill, the DRIVE Act, we also have an opportunity to pass necessary policy changes that enhance safety and make our transportation system work better.

Part of the DRIVE Act includes important work on transportation policy we have undertaken at the Senate Commerce, Science, and Transportation Committee. We will lose an opportunity to pass bipartisan reforms if we do not approve this critical legislation.

The last time we passed a multiyear transportation bill into law was 2012. However, since 2009, we have passed 33 short-term extensions to avoid a funding gap that would stop much-needed transportation projects. Highway and transportation infrastructure projects—and in many urban areas, public transit projects—are important to our constituents and our Nation's economy.

If we continue to do short-term extensions—again 33, literally 33 short-term extensions since 2009—that is a terrible way to run a highway program. It does not allow State departments of transportation to plan. It does not allow those who are involved in the construction, the contractors who build our roads and bridges, an opportunity to plan. It creates all kinds of uncertainty out there.

We need the certainty that comes with a long-term highway program instead of having these 33 short-term extensions. So this is a unique opportunity that we have to actually put in place policies that would guide us at least for the next 3 years and hopefully beyond. Our transportation system is one of our government's visible assets. Our constituents who sent us here notice when there is a problem with it.

The Federal infrastructure investment that Senator INHOFE and Senator BOXER have taken the lead on in the Environment and Public Works Committee and the transit projects for which the banking committee is responsible are not the only critical parts of our transportation system. There are policy decisions and advanced safety initiatives. We have rules governing how and when and where we build critical projects, as well as oversight of various regulations at the U.S. Department of Transportation regarding trucking, freight rail, passenger rail, and automobile safety requirements.

These areas are the exclusive jurisdiction of the Senate commerce committee. I have the honor of chairing the Commerce, Science, and Transportation Committee. I was pleased to see my friend from Florida, Senator NELSON, who is the ranking member of our committee, return last night following his surgery last week to help advance consideration of the DRIVE Act.

Let's talk about some of the policies that I have worked on with colleagues on both sides of the aisle that will not become law if we fail to move forward with this bill. Keep in mind that Senators WICKER and BOOKER are the authors of the rail safety bill that the commerce committee passed by voice vote last month, and their bill is included in this legislation.

Let's also recognize that commuter rail systems, including New Jersey Transit and Virginia Railway Express, have stated that they will not meet Federal deadlines for implementing positive train control technology. This legislation currently before the Senate would authorize grants and prioritize loan applications to help commuter railroads deploy this new technology to help address safety issues and to get positive train control up and running as soon as possible.

The bill also includes numerous additional rail safety requirements, including the implementation of necessary automatic train control modifications and crew communication improvements, to improve operations while

positive train control is being implemented.

The National Transportation Safety Board recommended requiring inward-facing cameras in all passenger railroads to create more accountability. This bill requires all passenger railroads to install such equipment in their locomotives. In fact, I have a letter here from the National Transportation Safety Board, in which Chairman Christopher Hart says:

> I applaud the recent passage of the passenger rail safety bill. I was pleased to see the inclusion of our recommendations regarding inward and outward audio and image recorders.
>
> Thank you for your ongoing support of the NTSB.

That is from the National Transportation Safety Board Chairman, Mr. Christopher Hart. So having these necessary improvements will make our passenger rail systems much safer as they travel across the country.

The bill also streamlines the permitting process for improvements to existing railroad track and infrastructure and improves multimodal planning and permitting. The Secretary of Transportation will have new authority to speed up projects and to reduce paperwork burdens. Outside of improving rail safety, we include a proposal offered as an amendment during committee markup by Senator MCCASKILL to ban rental car companies from renting vehicles needing recall repair work.

We also include several provisions to increase consumer awareness of recalls, increased corporate responsibility, and improved highway safety efforts in all the States. Following a harsh inspector general report criticizing the Federal Government's auto safety regulator, this bill requires the full implementation of reforms outlined in that report. Once these reforms are implemented, the agency's funding authorization will substantially increase to meet the GROW AMERICA requests for vehicle safety efforts. These are important safety provisions in this bill. They make our roads and our transportation system safer, and they deserve our support.

At the committee level, some provisions of our title were the subject of constructive discussions that helped us improve this bill before it made its way to the floor. Here are a few things we did to broaden support for this proposal after our committee passed the bill last week.

Senator MANCHIN raised concerns about a provision I authored that requires additional testing for a new train braking requirement known as ECP that will be required under law by 2021 and 2023. I worked with Senator MANCHIN. We came to an agreement that if new real-world tests show that the requirement isn't effective, it cannot proceed. If it is effective, there will be no delay in its implementation, and there will be no need for new rulemaking.

We worked with Mothers Against Drunk Driving on another important issue to combat drunk driving. When we heard they had concerns with our 24/7 sobriety program grant language, we worked with them to address those concerns and to assure that the dedicated grant program with ignition interlock laws continues.

A pilot program our bill proposed that would allow licensed truckdrivers between the ages of 18 to 21 to cross short distances outside the borders of their home State now requires not only the approval of participating States but also the approval of the Secretary of Transportation. At the Commerce Committee we have worked on a bipartisan basis to change, drop or add provisions since we marked up the bill to earn the support of colleagues on both sides of the aisle.

There are still some differences. I expect amendments where this body will have the opportunity to decide important issues that we have debated throughout the committee process. One such issue, which I heard a variety of opinions about, concerns the current $35 million cap on fines that the Department of Transportation can assess on manufacturers for auto safety violations. This bill would double the cap to $70 million, provided that the Department first finishes a still undone rulemaking process on penalty assessment factors that was required in our last highway bill.

I have heard arguments that this cap on fines for auto safety failure should be raised more or even set at an unlimited amount, but we are doubling this cap to $70 million and conditioning an additional increased authorization for vehicle safety on implementing needed reforms.

This bill enhances safety. If we do not pass this bill, auto safety regulators don't get more funding, as called for by Secretary Foxx and various safety groups following the record 64 million auto safety recalls we have witnessed over the past 2 years. Penalties for auto safety violations will not go up if this bill doesn't pass, commuter railroads don't get new assistance to implement positive train control or the other critically important safety improvements that the NTSB, Amtrak, the FRA, and others have called for. None of that happens if this bill doesn't pass. Rental car companies don't face a Federal ban on renting vehicles that are subject to open recalls if this bill doesn't pass.

Not passing the safety reforms in the DRIVE Act would be an incredible missed opportunity for addressing a host of key safety improvements. Some in this building believe it would be easier if we just passed another short-term extension. They are right. It would be much easier, but keeping highway and related transportation infrastructure projects funded for a few more months doesn't address safety and regulatory issues that we cannot afford to keep ignoring.

Five months from now, if tax reform leaves us with new options, we can always decide to infuse additional funding into the bill before the Senate, but delaying action on transportation for 5 months could also compound our difficulties. Remember, there have already been 33 short-term extensions passed by Congress since 2009.

A silent part of every argument for a short-term extension is let's not address safety and other critical transportation needs. The right decision for the American people is to seize the opportunity to pass a bipartisan, multiyear transportation bill without delay.

I wish to share with you some of the letters of support we have received from various organizations that have looked at the body of work that is included in these particular provisions that I have mentioned.

The Governors Highway Safety Association says:

> GHSA congratulates the U.S. Senate Commerce Committee on releasing S. 1732. This six-year reauthorization bill will provide needed stability and consistency for state highway safety agencies to reduce the number of crashes, injuries and fatalities on America's roads.

This is from the American Public Transportation Association. It says:

> On behalf of the American Public Transportation Association (APTA), our 1,500 member agencies, and the millions of Americans that depend on public transportation, I write to commend the Committee's hard work to advance comprehensive rail legislation that attempts to address safety, funding needs, Amtrak enhancements, improved project delivery, and other important rail policy issues.
>
> We fully support the inclusion of a rail title within any broader surface transportation authorization package considered in the Senate.

That was from the president and CEO of the American Public Transportation Association.

The National Association of Railroad Passengers states that they are writing ''to endorse the inclusion of the Railroad Reform, Enhancement, and Efficiency Act (S. 1626) into the Comprehensive Transportation and Consumer Protection Act of 2015 (S. 1732).

''The move to include passenger rail authorizing language in a broader highway and transit bill is an important step in recognizing the critical role intercity trains play in a national transportation system.''

This letter is from the States for Passenger Rail Coalition:

> On behalf of the States for Passenger Rail Coalition, Inc., (SPRC) I write in support of the actions taken by the Commerce Committee to introduce sections of the highway bill. I am particularly pleased that the Railroad Reform, Enhancement, and Efficiency Act (R2E2)—as approved by the Commerce Committee—was included as a title of the bill.

These are just a few of the examples of letters we have received. The final one I will mention is from Transportation for America, and there again they say they appreciate the fact that we are authorizing ''the federal passenger rail program with the transportation safety and freight provisions

under the jurisdiction of the Commerce Committee through 2021,'' and that ''this proposal moves the federal transportation program in the right direction in addressing the nation's freight needs.''

The point I wish to make is there have been some of our colleagues on the floor who have been finding fault with various provisions in the bill, and obviously there are going to be a lot of people who aren't going to support this in the end anyway, but we ought to at least be talking about the facts. We ought to be talking about what is actually in the bill, and we ought to be talking about the important reforms that were made in this legislation that addressed safety issues, safety on the highway, safety on our rail system, improvements and reforms in our passenger rail systems, and the commuter railroads we have traveling across this country. There are a number of needed safety improvements and reforms that will be lost if we fail to act.

The letters I have mentioned are just a few examples of the organizations that rely upon those forms of transportation, that recognize this is an opportunity we should not miss.

I hope we will take advantage of the opportunity and not do another short-term extension, which would be the 34th now since 2009, and not put in place the types of changes, reforms, and improvements that are needed in our transportation system across this country. If we fail to act now—the window that people think we have now for a short-term extension—the 34th short-term extension—we will be looking at this sometime later this year, and we will be right back where we are right now.

We shouldn't miss this opportunity. We should take advantage of it and try, and as best we can as we move this across the Senate floor and debate some of these issues—if there are ideas about improving it, making it better, making it stronger, I think that is what this debate is all about. But I want to make sure that as we talk about these issues we are accurately characterizing and reflecting what is actually in the bill and all the work that has been done on both sides of the aisle by both Democrats and Republicans and Members who are interested in these issues.

There are a number of committees that have jurisdiction over transportation issues. As I mentioned, the Commerce Committee is just one. The Environment and Public Works Committee has had the lead on writing the bill. The Finance Committee, on which I also serve, is responsible for—at least largely responsible for—trying to come up with the pay-fors the way that we are going to fund this, and the banking committee deals with many of the transit provisions of the bill.

So there are multiple jurisdictional issues involved here. All the committees have been active. All the Members on those committees have been active. I can certainly say that on our committee, the commerce committee, we had great participation from both Republicans and Democrats on the committee. We had a lot of good input, which didn't end when we reported the bill out of the committee but continued on through the weekend and into this week. So we continue to look at ways we can make this bill stronger.

But I have to say, all the things that are included in here, all the things I mentioned along with the components and features of this bill that have been worked on by other committees, are important changes. Probably, most important of all, is that we get something that puts in place a multiyear bill that creates the kinds of conditions that are conducive to jobs and to economic growth. We all know how important transportation infrastructure is to our economy.

I come from a part of the country where we rely heavily—we drive long distances, we have a lot of geography that we have to cover. Our economy, because we are agriculturally based, relies very heavily upon getting our products to the marketplace. So we have to have good roads and bridges, we have to have a railroad system that works, and we believe that many of the things that are done in this bill contribute to, enhance, make stronger, better, and more efficient our transportation system. That is good for jobs, that is good for the economy in this country, and that is why it is so important that we move forward.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, after last night's cloture vote, we are one step closer to providing a long-term solution for the shortfalls in the highway trust fund. Soon we will begin debate on legislation that will provide more clarity and certainty to our States and to highway builders and workers throughout the country.

Earlier this week, I was pleased to learn that our distinguished majority leader and the ranking member of the Environment and Public Works Committee were able to reach a bipartisan agreement to authorize and fund a long-term highway extension. I want to commend both of them and everyone who was involved in putting this bill together for their hard work and willingness to put partisanship aside in order to help the American people.

Now the rest of us need to follow their example. I want to express my support for this bipartisan highway bill and urge all of my Senate colleagues to do the same.

The legislation that we will soon be debating would authorize expenditures from the highway trust fund for 6 years and provide 3 years of funding. It would do so without adding a dime to the deficit and without raising taxes.

Over the last few months, we have all heard from the naysayers who claimed that such a feat was impossible, that there was no path forward to provide long-term highway funding without a massive tax increase. I am pleased to see our colleagues have provided us with such a path. All we have to do is be willing to walk down that path.

This bipartisan bill provides us with a historic opportunity when it comes to highway funding. It would provide the longest extension of highway funding we have seen in over a decade.

I know my colleagues on the other side of the aisle—including some who will likely come out against this bill—like to point to the 2012 MAP–21 legislation as a paragon for how Congress should consider and pass a long-term highway bill. Of course, MAP–21 extended highway funding for only 2 years. This legislation we will be debating this week will go for a significantly longer period of time.

In short, passage of this bill would be a significant victory for good government, and, of course, it would provide a great example of what is possible when Members of both parties work together.

Of course, we have seen a number of these types of examples in the Senate this year. For example, earlier this year we passed legislation to permanently repeal and replace the Medicare sustainable growth rate system, a problem that had plagued Congress and our health care system for years. Shortly thereafter, we passed a bipartisan bill to combat human trafficking. And, of course, after that, Members from both parties in both Chambers came together to renew trade promotion authority and update our trade laws for the 21st century.

The Senate is working again, and I don't think it is going to stop any time soon. I think the highway bill will be the next item we add to the long list of bipartisan victories we have achieved in the Senate under the current leadership. We just need to keep moving this bill forward.

Of course, this bill isn't perfect either. Anyone who is desperate to find a reason to vote against this legislation could likely scour through the text and find some frivolous reason.

The pay-fors in the bill—at least as far as I am concerned—don't all represent ideal policy choices. But we shouldn't hold a good bill hostage while we search for perfection. Indeed, as I said a number of times here on the floor in recent months, I have been here in the Senate for 39 years, and in that time I don't remember voting on very many bills I thought were perfect.

This is a good bill. It is not meant to be a partisan wish list or a political messaging vehicle. It provides a serious

and workable solution to a legitimate problem, and it was designed to get support from Members of both parties.

Once again, I want to commend my colleagues for getting us this close to a solution on highways.

As we all know, the House has taken a different path with regard to highway funding. They have sent over a 6-month patch with the intention of using that time to work on a solution that would both fix problems in our Tax Code and provide for long-term highway funding.

The idea of linking highways to tax reform has a lot of support here in Washington. Like I said, that is the path the House has opted to go down, and I know leaders in the Obama administration have a similar vision.

I want to make one thing clear. I support tax reform. I have been and will continue to be the most outspoken Member of the Senate in favor of robust, bipartisan tax reform. I agree with many of my colleagues that linking that effort to the highway funding could make a lot of sense.

Luckily, the Senate's highway bill will allow us to continue to pursue that path. Keep in mind, that under this bill, we will have 3 years of additional authorized highway expenditures to pay for when all is said and done. This means that whenever we can agree on a tax reform package, whether it is 6 months from now or later, it will still be possible—and likely just as sensible—to tie the two efforts together.

My colleagues also need to keep in mind that while this legislation addresses the immediate need for highway funding, the fundamental issues that fuel the need for tax reform will remain in place. We will still face an increasing number of corporate incursions and foreign takeovers. Our tax rates will still be too high, and our Tax Code will still be altogether too complicated and burdensome.

In other words, if Congress passes this bipartisan, long-term highway bill, we will still be under enormous pressure to fix our Nation's broken Tax Code and to provide relief to struggling job creators and taxpayers throughout the country. No one should question that.

Once again, I urge my colleagues on both sides of the aisle to support this bipartisan highway package. It provides a realistic path forward to a solution that all of us want to see. Traditionally, Members of both parties have been able to come together to deal with our Nation's infrastructure. For the sake of our citizens who need better roads and highways; for our builders, engineers, and job creators, who want to grow and expand; and for our workers who need good jobs, I hope we can do so with this important legislation.

Now, having said that and having found good in what both the House and Senate are trying to do, I think it is important to point out that delaying this for 6 months is not going to work. I can see the same roadblocks thrown up every step of the way, and then you get to the end of that particular time and the leverage is going to be with those who want to stall this fight to begin with.

So I am concerned about doing that, especially when we have what really is a very good highway bill here in the Senate and could solve at least these problems for a while, and we can still work on tax reform in the process.

I have no illusions. I have been around here for a long time, and I know how difficult tax reform is going to be. I also know it takes Presidential leadership, which I hope will be there when the time comes. But we have no guarantee it is going to be there.

I can remember many months ago that I said to the President: If you want tax reform, send us a well-thought-out bill, and we will see what we can do to put it through. I am still waiting, and I can say that to put all our apples in that particular basket may not be the smartest thing we can do, especially since we are going to be in an election year next year. That could make it very, very difficult by the end of this year to really do what we all know we should do.

This bill answers that problem. It gets rid of one very important big problem, and that is our highway funding. It is no secret that we on the Finance Committee provided—and they didn't think we could do this—really around $82 billion, which we found in the code. We did not expect all $82 billion to be used, but they were there, and it would have given us approximately a 6-year highway bill.

That is not going to happen now. But to have a 3-year highway bill, with some of the things we were able to come up with—even though some are difficult and controversial—is nothing short of a miracle. So I think we have to get this done. We need to show the House that the Senate is moving ahead, and we also need to cooperate with our friends in the House when it comes to tax reform.

I hope we can bring both Houses together and do tax reform before the end of the year. It would be wonderful if we could. I don't have any illusions about it, however. But I think we ought to do what we should do, what we have to do, and what needs to be done at this particular time.

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

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. HATCH. I will be happy to withhold.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from California.

Mrs. BOXER. Mr. President, I appreciate the remarks of my friend from Utah. Before Senator HATCH leaves the floor, I just want to say that we have worked very hard to put this bill together. It has been difficult. If I were writing it, I would have written it differently. If the Senator from Utah were writing it alone, he would have written it differently. But we have worked together long enough to know that we have to meet each other halfway.

Mr. HATCH. Will the Senator yield?

Mrs. BOXER. Of course.

Mr. HATCH. I want to thank her.

Mrs. BOXER. Oh, that is nice. Thank you.

Mr. HATCH. This has not been an easy thing to do, and she has taken some unnecessary and unjust criticism for trying to do the art of the doable here in the Senate.

I just want to tell her it has been a privilege to work with her, and I want to make sure that together—and with the help of others—we get this bill through for the benefit of this country and for the benefit of our highways.

I know how hard the Senator from California and the distinguished Senator from Oklahoma have worked on the highway bill. So I just want to say I have tremendous respect for the Senator and appreciate her efforts in this regard and want to give kudos to her. Keep it up. We have to get this done.

Mrs. BOXER. I say to Senator HATCH, that means a lot to me. I so remember that the Senator from Utah set the pace for bipartisan cooperation when he worked with the late great Senator Ted Kennedy. People looked at the two of you and said: This is impossible. But my colleague was able to find the common ground and build on it, and I watched that.

Senator INHOFE and I have been able to do our best to also find the sweet spot where we could come together and work together. I just wanted my colleague to know that the teamwork I watched between himself and Senator Kennedy from time to time on very important issues made an impression on me and certainly on the Senate and on the whole country.

Mr. HATCH. If the Senator will yield again—

Mrs. BOXER. Of course.

Mr. HATCH. I remember when we finally got together. It was way back in 1980–1981.

Mrs. BOXER. That is right.

Mr. HATCH. From that point on we found ways of coming together and getting things done that are monumental and landmark pieces of legislation. There is no reason why we can't do that today.

Let me just mention that on the Committee on Finance we have put out of the committee almost 40 bills that are bipartisan—not just one Democrat or one Republican, but bipartisan in nature—not the least of which is the highway bill—the funding, rather. And I just have to say that we are doing what we should do here.

I think people feel good about it. I have had people come up and say it is wonderful we are having amendments again and working together and we are getting things done. And I certainly attribute some of that to the distinguished Senator from California and the work she is doing here in the Senate. I do personally appreciate working with her.

Let's get this done. I will do everything in my power to help the Senator from California, and I thank her so much.

Mrs. BOXER. Yes. I say to Senator HATCH, we are going to have some tough votes coming up, and some people aren't going to like this amendment or that amendment, but all I want to say is this: Let's keep our eye on what the prize is.

Before the Senator leaves the floor, I want to share with him a photo. Last week, on the California-Arizona border, a bridge collapsed. Now, this bridge had been rated as structurally obsolete because so much traffic was going between California and Arizona—so much more traffic than was anticipated. We are so fortunate there were no deaths involved.

To me this is the reason why we are doing what we are doing. We just can't sit back and wait for some great, wonderful future promise to come down from the sky and say: We have solved the funding problems.

We want to find that solution. It is not at hand. So what the Senator did, which was so important—working with all the members of the Committee on Finance and across party lines with leadership and everybody else—was to put together sources of funding that he felt the Senate could live with.

As it turned out, there were a couple of things that were a bridge too far—talking about bridges—for a couple of Members, and we are fixing those. We are fixing those, and it is good. But none of these pay-fors are delightful. They are all hard. But this is what we are trying to turn around.

So I say to my colleagues on both sides—and I have said it to my own caucus over and over—nobody is going to love every page of this bill because that is the nature of legislating. If we each could write our own bill, we would love every page. We would be thrilled. We would blow kisses at every page. But we don't write it ourselves. We have to step back, and we have to allow the process to work.

Yesterday, that process worked. It was tough, but we got more than 60 votes to begin work on a long-term surface transportation bill. That bill is going to give certainty to our States—3 years of certain funding and a 6-year authorization, with the hope that in the coming months we can figure out a good way to look at international tax reform and other ways to pay for the final 3 years.

But let me be clear. It has been more than 10 years since we have had more than a 2-year extension. This is a 3-year bill, and it makes great improvements in the Environment and Public Works title.

We really did compromise, Senator INHOFE and I, and he and I really worked well together in this area. This cloture vote was so key and so important to business and labor and all the people who know they don't want this to happen to them in their State, in their commute. How many more bridges have to fail before we recognize that we can't be patching up this highway trust fund little by little? It is just not working.

I often say this—and I hope it doesn't bore people because I have said it a lot—if you wanted to buy a house and you found a house and you went to a good banker and he or she looked at you and said ''I have great news for you, Mr. or Mrs. America—we have checked your credit rating, your credit rating is great, and we are going to give you a mortgage'' and you said ''That is wonderful news'' and then they said ''But it is only for 6 months or 5 months or 1 year,'' you are not going to buy that house. That is what we have been doing to our States and local entities. They can't build anything new. They can't make investments that are important because they don't have a guarantee that the funding will be there.

The beautiful thing about our funding system is it is Federal, State, and local, and there is even sometimes some private money that comes in. So the Federal Government is the spark. I don't know what the Presiding Officer's ratio is in Louisiana, whether it is 50/50 or 60/40. In my State, it is about 50/50. We have 50 percent local State dollars to 50 percent Federal dollars. Some of our States rely on the Federal Government for 90 percent of their transportation dollars, and one State, 100 percent. So this isn't a question of having the States do this by themselves; they really can't do it by themselves.

It was President Eisenhower—a Republican President—so many years ago who said if we are going to have a strong country, if we are going to protect our national security, we have to be able to move people and move goods. He took a tour across this great Nation, and he came up with the notion of a highway trust fund and a national transportation infrastructure.

Well, the EPW Committee—which I am the ranking member of and Senator INHOFE chairs—provides about 70 percent of the spending in this Transportation bill. We came together in a 20-to-0 vote and voted in favor of the DRIVE Act. This is going to support millions of jobs—not hundreds, not thousands, but millions of jobs across our great Nation—and it will provide economic security. If we don't do this and we wind up with a patch, believe me when I tell you that our States will shut down their programs because they just can't move forward.

It is imperative that we act now—I agree with Senator HATCH—because we have come so far. If we don't do this, we will be looking at another extension. Somebody told me it was the 34th extension—the 34th extension. That is not right. We need to do our work. The committees have done their work.

I was happy to hear that Senator BROWN now says that the transit funding is good. It is very good, as well as the highway funding.

So I want people to keep in mind the picture of this bridge. It means that when there are goods moving through from Arizona to California or California to Arizona, the cars and trucks have to go 400 miles out of their way—the cost of that to our Nation's business, the difficulty of that to those who drive the trucks and the vans.

I will say that this link is closed indefinitely. That is a terrible thing to say. They don't have a plan to fix this because it is so complex, and we need the funding so that they can. We have emergency funding in this bill—$100 million per year—to look at situations like this and come in and help.

How many more bridges have to collapse before we do our job? We cannot be economically competitive when truckers delivering goods have to drive 400 miles out of the way to get goods from one State to another.

Here are the facts: There are 61,300 bridges that are structurally deficient in America. Fifty 50 percent of our roads are in less than good condition. We have no excuses. We need to move forward.

I will show a list of supporters of our work. I just implore those 38 or so Members who voted no on going to this bill—I ask you to take a look at these groups and tell me in your heart of hearts how you can say no to them. These are hard-working people. They are Republicans. They are Democrats. They are Independents. They are people of every political stripe—the American Highway Users Alliance, the American Public Transportation Association, the American Road and Transportation Builders Association, American Society of Civil Engineers, American Trucking Associations, equipment distributors, general contractors, equipment manufacturers, metropolitan planning organizations, the National Asphalt Pavement Association.

I have four of these charts. These are the people who want us to vote yes: The National Association of Counties—I started off as a county supervisor—they know the bridges and roads are in disrepair; the National Association of Manufacturers; the National Association of Truck Stop Operators; the National Governors Association; the League of Cities; the ready mixed concrete people; the sand, stone, and gravel people; the independent drivers; the Portland Cement Association; the Retail Industry Leaders Association.

Here is another one, the last one: The U.S. Chamber of Commerce. Now, I ask you, when do we see the U.S. Chamber of Commerce, the International Union of Operating Engineers, the Laborers' International Union of North America, the United Brotherhood of Carpenters—when do we see all these on the same side? The answer: When we write a highway bill.

America is coming together around our efforts. We should be unanimous even though there are parts of the bill I don't like and you don't like. Colleagues, we cannot have a perfect bill.

It is an imperfect bill in an imperfect world. But unless we wrote it ourselves, we would never be thrilled with every provision.

I will finish. The AAA—remember those people we call when we break down? The AAA said: Pass a bill. They are tired of coming out to start up cars that aren't running well because they get caught in some kind of sinkhole.

The U.S. Conference of Mayors; the American Association of State Highway and Transportation Officials; Mothers Against Drunk Driving—and I want to say that at first Mothers Against Drunk Driving opposed this bill. Now they support it. There is also the American Council of Engineering Companies.

This is a list of people who are begging us to pass this bill.

Democrats stood here, and we called on the Republicans to please come up with a bill, and they did. There were reasons to say we didn't love it, and we sat down and we worked hard. I have to say that Senator MCCONNELL and his staff, my staff, Senator INHOFE's staff, Senator DURBIN and his staff—we have been working hard. We are still working to get more votes. We need more votes. We need this to happen.

Today my plea is that the clock is ticking. We have 8 days, colleagues, until the highway trust fund goes bust. Guess what. We can solve this problem, get a strong bill that increases funding in the first year by 6 percent and after that a couple percent a year for 3 years. It scores well. It doesn't add a penny to the deficit. I am so glad we are moving forward, but we need more support.

Here is my last plea to everybody who might possibly be listening—maybe my relatives, but in addition to that, anyone who might be listening: There are going to be amendments that I don't like and that you don't like. Could we try to keep our eye on the prize? This is the prize. We don't want this happening anyplace in this country. It brings devastation.

We have a good bill before us. Is it perfect? No. Are the pay-fors perfect? No. Are we continuing to improve it? Yes. Can we always do more later? Yes.

Let's say yes together, Republicans Democrats. Let's deliver this for the American people.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, as I do on many Thursdays, I rise again today to share about the lives of the men from my State, the North Dakotans who died during the Vietnam war. I have been talking about the 189 men who didn't make it home, but that is not a complete accounting of the people we lost as a result of Vietnam.

Many of our Vietnam veterans continue to feel the effects of their service long after they return home. Some developed medical conditions that, quite frankly, are hard to explain. I have worked with a number of these men, many of whom became my friends and one who is very special to me, a veteran by the name of Bill Broer, who was former director of the North Dakota Bureau of Criminal Investigation.

WILLIAM ''BILL'' BROER

William ''Bill'' Broer started his work in law enforcement as a security policeman in the U.S. Air Force. During the Vietnam war, Bill was stationed at a base that supported aircraft that was used in Agent Orange campaigns. Bill died in 2002, at the age of 53, from non-Hodgkin's lymphoma.

In 1989, Bill was appointed Director of the Bureau of Criminal Investigation and was an outstanding law enforcement official. He was awarded the Attorney General's Meritorious Service Award in 1991 and the North Dakota peace officers highest award, the Lone Eagle Award, in 1996.

Bill worked hard for North Dakota law enforcement both at his desk in our office and during his free time. He started a bowling tournament to bring together people involved in law enforcement from across our State so they could get to know each other and work together in an environment that took them away from their official duties. That tournament is now in its 30th year.

Bill also was instrumental in creating the Peace Officers Memorial that stands on the capitol grounds today, recognizing that those who serve in law enforcement also take that risk every day that so many of our servicemen do in protection of our people.

But I want to say something more than that about Bill. I am quite certain I probably would not have been attorney general without Bill's help, and I certainly don't believe I would have been a United States Senator without the lessons I learned from Bill Broer. He was a great friend and a trusted adviser to me.

Quite honestly, I don't know anyone in law enforcement who didn't absolutely love him. His staff was devastated when Bill was taken ill. We were devastated when we lost Bill way too early—I know not as devastated as his wonderful wife and his two great daughters. I remember when he used to rush home so he could be at a basketball game, of course in his suit and tie, always cheering them on. His only fault probably was being an Atlanta Braves fan.

JOHN SCHNEIDER

Another friend of mine, John Schneider, died in 2001 from a brain tumor. He also was a Vietnam-era veteran and a true friend and public servant of the highest caliber.

John served in the Peace Corps in Afghanistan in the 1960s and was tops in his language class, which was learning Pashto. He worked with farmers to introduce a hardier, more productive wheat variety to the region.

While in law school, John was drafted. He entered the Marine Corps in 1970 and was deployed to bases in Japan and the Philippines during the Vietnam war. John finished his law studies after he was discharged and joined a firm in Fargo, ND. He was elected to the North Dakota House of Representatives in 1982 and was known for his brilliant command of the legislative process. He was appointed U.S. attorney for North Dakota in 1993. In fact, he served in that capacity because I begged him to join me. He served as our U.S. attorney during those same years that I served as attorney general, and we spent a lot of time together, especially in Indian Country, working on the law enforcement issues of the day.

John was devoted to his wife Lois and their sons Jasper and Rocky. He loved cooking—cooking with way too much salt for them—and visiting with them for endless hours, even taking longer routes to school so he and his sons could talk.

John organized the Schneider baseball games, family tennis matches, and other competitions. The boys have a love of baseball to this day because of John. He loved to sing, knew thousands of songs, had a beautiful voice, and wrote and produced original family Christmas plays for 15 years.

John was thoughtful and kind. He loved life and he loved North Dakota and its people.

Now I have the privilege of sharing about the lives and deaths of other North Dakotans, those men who did not come home from the war.

JAMES ''JIMMY'' LEVINGS

James Levings was commonly called Jimmy. He was from New Town. He was born on October 18, 1948. He served in the Army's 503rd Infantry, 173rd Airborne Brigade. Jimmy was 19 years old when he was killed May 23, 1968.

His father James Conklin, Jr., served our country in the Army during the Korean war, and his grandfather Martin Levings also served in the Army in Europe during World War I.

Jimmy grew up close to his grandparents, aunts, uncles, and cousins. They said Jimmy thought the world of hunting, hiking, and riding horses.

His family appreciates the letters he mailed them when he was serving in Vietnam. They remember the pictures he mailed them and how proud he looked to be serving his country.

Jimmy's cousin Rex Mayer said he enjoyed when Jimmy stayed with his family when they were young because Jimmy was like an older brother who played with him and took him to the movies at the nearby theater. Rex said Jimmy was 17 years old when he enlisted in the Army and volunteered to return to Vietnam for his second tour. Rex remembers seeing Jimmy when he was home on leave between his tours and that Jimmy had a different look about him, that he was changed by what he experienced in Vietnam.

Jimmy was shot and killed in Vietnam when he approached his base perimeter and was accidentally mistaken as a hostile force.

Jimmy is buried in Snowbird Chapel Cemetery and his name is memorialized on the Mandan, Hidatsa & Arikara Fallen Soldiers Memorial near New Town.

WARD WALTER

Ward Walter was born October 13, 1917. Prior to serving in Vietnam, Ward had lived in McKenzie County and in Minot. He served in the Army's 720th Military Police Battalion. Ward was 50 years old when he died on November 29, 1967.

Ward spent most of his adult life working in law enforcement and serving in the Army. Based on Ward's time in the Army and experience in four countries, his fellow soldiers became like family to him. His camaraderie and guidance earned him the nickname of Pop.

One month after arriving in Vietnam, Ward's team was tasked with setting up an ambush. Once in their ambush position, a U.S. Army jeep drove by and spotted movement. Thinking Ward's team members were opposing forces, the jeep opened fire, shooting Ward in the chest and killing him.

To commemorate Ward, members of his battalion named the movie theater at their post in Vietnam the Sergeant Ward ''Pop'' Memorial Theater.

The Army recognized Ward's service by issuing him the Bronze Star Medal for Valor, the Purple Heart, and the Good Conduct Medal.

LEON LOCHTHOWE

Leon Lochthowe was from Minot. He was born March 23, 1945. He served in the Marine Corps' Mike Company, 9th Marines, 3rd Marine Division. Leon died on September 22, 1967. He was 22 years old.

Leon was the oldest of four children born to Don and Donna Lochthowe. His mother Donna said that growing up on the family farm, Leon was a free spirit and enjoyed riding his dirt bike in off-road races. He married Betty Berg, and they had a son Rickie and daughter Kimberly.

On September 10, 1965, Leon, his wife, and two children were driving north of Minot and were hit head-on by a drunk driver. Leon's wife and both children were killed.

After his wife and kids' deaths, Leon's draft number was changed to that of a single man. He chose to enlist in the Marines. A year after his family's death, he arrived in Vietnam.

Leon's fellow marine Gerald Loretta credits Leon with saving his life by pulling him to safety after he was wounded so badly he could not move. Other fellow marines have also written about Leon's heroism during his service.

On September 22, 1967, Leon received a letter from his mother stating that his parents were in California with his brother Gary, who was critically ill with spinal meningitis. Gary recently had enlisted in the Marines and was in his first days of basic training when he was hospitalized. That same afternoon, rockets and artillery began shelling the area that Leon was defending. Shrapnel struck him in the chest, and he was killed instantly.

Leon's parents left California, where their son Gary was in a coma, to return to Minot to receive Leon's body and hold a funeral. Just hours after arriving home, Donna learned that her father had died in his home. The day after his funeral, they held Leon's funeral. During Leon's funeral reception, the family learned their son Gary had just died in California. This is a family who had held three funerals for the men they love in just 1 week.

ROBERT ''BOBBY'' STOREY

Robert ''Bobby'' Storey was from Grand Forks, and he was born July 22, 1946. He served in the Army Reserve's 17th Aviation Group, 1st Aviation Brigade as a helicopter pilot. Bobby was 22 years old when he died on November 21, 1968.

He was the oldest of four children. His father Henry served in the Air Force and the family moved to different bases while the kids were young.

Bobby's sister Debbie said that Bobby was kind and had a smile that would light up a room. She remembers that in high school he played quarterback for the high school football team and was nicknamed Bunny because of how fast he could run. Bobby's friends came to their house often, which meant a house full of boys and a refrigerator stocked with milk.

Bobby attended college at the University of North Dakota. He joined the Sigma Nu Fraternity, and he and several of his fraternity brothers enlisted in the Army.

Bobby became a Warrant Officer helicopter pilot, and about a month after arriving in Vietnam his helicopter was shot down and Bobby was killed. After his death, Bobby's father also went to Vietnam, serving our country in 1970 and 1971.

After Bobby's death, both of Bobby's brothers chose to wear the number 22 on their sports jerseys, just like Bobby had in high school. In memory of Bobby, his youngest brother named their son Robert.

DELAND ''DENNIS'' ZUBKE

Deland ''Dennis'' Zubke was from Grassy Butte, and he was born October 28, 1951. He served in the Army's 15th Artillery Regiment. Deland was just 19 years old when he went missing on March 1, 1971.

He was one of five children born to Drusilla and Gerald Zubke.

One of Deland's fellow soldiers, Ralph, wrote a remembrance describing how Deland volunteered to take Ralph's place on a dangerous mission the day Deland was last seen. His actions that day under intense enemy and friendly fire made Deland a hero. In Ralph's eyes, Deland should have been awarded a Silver Star for his courage under the most difficult combat conditions imaginable. Deland had arrived in Vietnam about 2 months earlier.

In 1978, the Army changed Deland's status from Missing in Action to Died While Missing. Deland has never been found.

DAVID KLINE

David Kline was born July 31, 1948, and was from Hurdsfield. He was in the Army's 1st Cavalry Division. David died July 2, 1967. He was 18 years old.

David's sister Faye remembers that David was liked by everyone in Hurdsfield. David was the envy of many because he owned a pink and white 1957 Chevy convertible.

He played basketball for the high school team and liked playing his guitar for fun. ''Dancing in the Streets'' by Martha and the Vandellas was one of his favorite songs. He was senior class president and hoped to teach history someday.

He had a younger brother Curtis, who was just 11 months younger than David. They were so close, folks around town told them they were like twins.

Faye said that when she, David, and Curtis were young, they always participated in Memorial Day events, placing flags next to the headstones of our country's veterans. Faye recalls clearly that one time David noted that ''someday, I will have a flag just like that.''

She remembers the words he said to her, his little sister, the last time he left for Vietnam: ''Don't grow up too fast.''

ROBERT ''BOB'' FULLMER

Robert ''Bob'' Fullmer was from Grand Forks. He was born April 2, 1948. He served in the Army's 25th Infantry Division. Bob died on June 6, 1969. He was 21 years old.

Bob had two brothers, Bud and Bill. They both served our country. Bud served in the Navy and Bill served in the Army Reserve.

Bill said Bob was very social and enjoyed always having friends over. When Bob was killed in Vietnam, his parents donated his death gratuity to the Grand Forks Central High School to be used as a scholarship for students with average grades who wished to attend the University of North Dakota.

Bob's high school friend Barb Colby wrote a poem about Bob shortly after he died, and the poem was published in 1987 in the first issue of a magazine entitled ''Reflecting on the Memories of War.'' This was her poem:

Why didn't you say goodbye
The January day,
When that damn warring airplane
Took you so far away?
Maybe you knew before you left
That you were going to die
So your heart just wouldn't let you
Come and say goodbye.
Please try and understand
I can't come to where you lie.
I guess I feel like you did then.
I just can't say goodbye.

After learning that Bob's mother had read her poem, Barb visited his mother

on Memorial Day. After their visit, Barb wrote a letter to the editor of the magazine describing how she and Bob's mother reminisced about Bob's life and the people who have contacted his mother since his death describing the ways they have touched his mother's heart.

Talking with Bob's mother and seeing her laughter, strength, and warmth made Barb realize, 17 years later, that her poem was not finished. Barb wrote this ending to her poem and dedicated it to Bob and his mother.

Seventeen years have come and gone
Again it's the month of May.
I went back home and met your mom
On this Memorial Day.
She talked of you as a child and son
I told her stories of our youth.
And as we shared our memories and loss
She taught me a simple truth.
She showed me that your memory is alive
So you'll never really die.
She made me laugh—she let me cry
She helped me to say goodbye.

These are just some of the stories I am privileged to share, hopefully with the rest of the country, as we continue this 50-year remembrance of the Vietnam war and the people who took part. I think it is so critical and so important, especially in this time when we call on people to make sacrifices, that so many of the young people here, who would be the age of the grandchildren of many of the people who served, appreciate and understand the extent of the sacrifice and the disruption of family but the love of country that is an inherent part of each one of these stories.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent that following my very brief remarks Senator SULLIVAN be allowed to speak.

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

MONTANA WILDFIRES

Mr. DAINES. Mr. President, I want to bring attention to the serious wildfires going on in Montana as I speak. There are currently two large active fires burning in Montana, including 4,000 acres called the Reynolds Creek fire right in Glacier National Park, as well as the Cabin Gulch fire, 2,500 acres, near Townsend.

Our fire crews are putting themselves in harm's way to protect our lands, our forests, and our communities. With lower-than-average snowpack, we have had less-than-average rains. It has created a situation. We have very low water levels in our rivers and our streams, and our firefighting teams are facing ripe conditions for wildfire.

They are also being driven by high winds and dry fuels. So far this year, we are experiencing the second worst fire season in terms of impacted areas in a decade. The situation could only get more serious in the coming weeks and months.

Our communities, our watersheds, our wildlife habitat, our access to recreation—all of these critical Montana treasures—are at risk for wildfire. Please join me in praying for the safety of our firefighters, and please thank them for a job and service well done for the State of Montana.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to begin my remarks this afternoon by commending my colleague from North Dakota for her weekly tributes to our Vietnam veterans. I have watched her do that week after week. It is very moving. It speaks volumes to her character as well as the character of the veterans from North Dakota.

NUCLEAR AGREEMENT WITH IRAN

Mr. President, I come to the floor this afternoon to speak about one of the important issues facing the Senate today, for weeks, months, and maybe even years, and that is the debate we are having over the Iran nuclear agreement.

Many of my colleagues have already spoken very eloquently and very patiently about this agreement. I want to give one example. My colleague from Maine, Senator KING, was on the floor the other day when I was presiding. He was imploring us to fully debate the issue. He stated: ''The truth emerges from the fire of an argument on an issue of this importance.'' I couldn't agree more. We should debate this issue. We should fully vet this issue. We should bring all of the voices of the people we represent into this body to debate this issue.

Where to begin? There is so much here, so many issues. We have seen some of them: centrifuges, enrichment, inspections, sanctions, and anywhere, anytime inspections. We have to examine all of that.

I thought it was important today to step back and take a look at some of the big issues. There are three issues that I believe are particularly important as we start this debate: first, the role of the American people and this body and the Congress with regard to this agreement; second, the basic underlying premise of this agreement—the driving force that in many ways is behind this agreement; and third, the main goal as has been agreed to by the President and by Members of this body on what we should be trying to achieve with regard to this agreement.

First, the role of the American people in this body. There is confusion, which has been perpetuated by this administration, that those of us who are asking questions and are skeptical of the agreement are somehow being partisan. The President said that Republicans, no matter the deal, will disagree with him and not vote with him. In some ways he seems to be making this about his personal agenda. But with all due respect to the President, the Iranian nuclear agreement is much bigger than President Obama—much bigger. The President will be gone in 18 months, and the American people will have to live with the consequences of this agreement for decades. That is why it is so important that the Congress debate and approve or disapprove this agreement. Yet, had the Obama administration had its way, we would not be doing this today—what we are doing right now—debating this agreement.

In fact, throughout this process, from the very beginning, they have been dismissive of the role of the American people through their representatives in Congress to weigh in and bring clarity and wisdom to what this agreement is all about. Just a few months ago, the President said that he did not want the Congress to be involved at all. We started debating an act on this floor to provide this body with an opportunity to review and approve. He said he would veto it—no involvement from the American people. The administration only backed off when a bipartisan group of Senators, Democrats and Republicans, stood firm—a veto-proof majority—and said: No, the American people need to be read into this agreement. That was when we passed the Iran Nuclear Review Act. I personally would have preferred that this be viewed as a treaty by the administration, but we are reviewing it now under that law.

The President and Secretary Kerry have taken the deal to the U.N. Security Council—again, before Congress and the American people even started to debate the issue. The Russians and Chinese were voting on this agreement before we had the opportunity to do so. Members of this body, Democrats and Republicans, implored the Secretary by saying: Don't do this; it is an affront to the American people. They didn't listen. Finally, the President is saying—even before we debate—if we are not in agreement with him, he is going to veto whatever we do in this body.

This is not how the Federal Government is supposed to conduct foreign policy. Throughout the history of this great body, weighing in and voting on international agreements and international treaties of this magnitude have been the Senate's most important job, the heart and soul of what we do in this body. Sadly, two former Members of this body—the President and the Secretary of State—have actively fought against our involvement.

But Alexander Hamilton knew better. In the Federalist Papers, he spoke about the critical role of the Senate in foreign affairs. He warned against the President having sole authority over issues of such a ''delicate and momentous kind.'' He argued vigorously for the Senate to have a say on critical foreign policy and national security issues. Our history and the Constitution reflect this, and that is where we come in, and that is why we are debating this.

In examining the agreement, I think it is important to understand and look at the bigger picture. What is the driving force? What is the underlying premise? What is the philosophy that is

motivating this agreement? It is not hard to discern. From the beginning of the Obama administration, the President and his team have been focused on transforming our relationship with Iran to bring it into the community of respected nations, thereby transforming the Middle East. The President has talked about this a number of times. He highlighted this in a speech to the United Nations in 2013, and it is here again in the text of this agreement.

The text of the agreement states that the P5+1 expresses its desire to build a new relationship with Iran. That is in the agreement. This is a bold and ambitious goal, no doubt, but it is also dangerously naive. Interestingly, there is no reciprocal statement in the agreement by Iran about Iran wanting to have a new relationship with the United States or the West. We want it; they don't seem to want it. In fact, with its leaders regularly still chanting ''death to America; death to Israel'' even after the signing of this agreement, it seems very clear that Iran does not want a new relationship, and this is the biggest flaw of the agreement. It amounts to a high-stakes bet—the highest of stakes: the security of the United States—that Iran will change its behavior.

What I fear the most is if they don't change—and there is no sign that they are going to—within 10 years, by its own terms, this agreement will enable Iran to have a much stronger economy, a significant ballistic missile capability, to be on the verge of a nuclear bomb and still be the world's largest sponsor of state terrorism. This is a huge risk for the security of our country and our allies in the Middle East.

It doesn't have to be this way. This agreement could have mitigated these risks. We do this all the time in diplomacy. We tell countries that we negotiate with: If you improve your behavior, you will get rewarded incrementally, step by step—step by difficult step. For example, during the debate we had on the Iran Nuclear Agreement Review Act, I offered an amendment that was simple, but it was based on this issue: Sanctions would be lifted on Iran once Iran came off the list of countries that sponsored state terrorism. Simple. If you improve your behavior, you will get rewarded. This agreement does not do that. Instead, when you look at the structure of this agreement, it allows Iran to get almost all of the benefits up front.

Almost half of this agreement is about our obligations to lift sanctions in very minute detail—our obligations to lift sanctions on Iran within the next several months. Think about that. We had the leverage. The countries that negotiated this are among the most powerful in the world. We had Iran on the ropes with strong, American-led sanctions. We had the leverage, and we lost it with this agreement on the hope that Iran will change its behavior.

So far, it is clear that their leaders did not get the memo on the change of behavior or on the new relationship. Iran is still destabilizing the Middle East, holding Americans hostage, threatening Israel, and supporting terrorist groups, such as Hezbollah and others, throughout the world. In fact, Iran, which is a nation that has had imperial ambitions throughout the Middle East for centuries, could very well accelerate its destabilizing activities as a result of the power and prestige this agreement provides them.

Supporters of this agreement, including the President, are arguing: Look, United States, we have done this before. We have negotiated with our enemies to a positive end. President Reagan did it with the Soviet Union. He got a constructive deal. But this is a flawed analogy both strategically and tactically. When we negotiated with the Soviet Union, it was a negotiation between the world's two superpowers that were armed with nuclear weapons, similar military strength—thousands of military weapons. Here, however, we are bringing a nuclear pariah into the club of nuclear powers. This is very different.

Tactically, Team Obama has never demonstrated the desire to walk away from this deal. This wasn't the case with President Reagan. He famously walked away from the Soviets in Reykjavik, Iceland, over a verification issue on the INF agreement. ''This meeting is over,'' President Reagan said to George Shultz, his Secretary of State, when he thought we were giving away too much. ''Let's go, George. We're leaving,'' said the President. And they did. They left. A year later, Mikhail Gorbachev came back to the table and agreed to onsite inspections of their nuclear facilities. America and the USSR signed the INF treaty, and Soviet power began to unravel. Contrast that to the experience we have heard about in the last few months of these negotiations on the issue of conventional weapons and ballistic missiles.

The Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, testified in front of the Armed Services Committee very recently. He said: ''Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' That was said by the No. 1 military adviser to the President of the United States. But we did. Within 7 days of that statement, we did. The embargo on conventional weapons and ballistic missiles is going to be lifted as part of this agreement. When the Russians and the Chinese pushed this position at the very end of these negotiations, Secretary Kerry should have listened to General Dempsey's military advice and he should have done what Secretary Shultz did. He should have walked. He should have walked away to get a better deal.

Finally, I wish to conclude by underscoring what everybody, from the President to Members of this body, has agreed should be the principal negotiation objective of this agreement, which has always been to keep Iran from developing a nuclear weapon and to dismantle its nuclear capability.

In fact, this body weighed in last year—March of 2014—in a letter written by 81 U.S. Senators to the President of the United States about these negotiations. The letter had a number of benchmarks for the negotiators. One stated that sanctions ''must continue until Iran abandons its efforts to build a nuclear weapon.''

The letter then goes on to cite another critical basic goal of the agreement. It states: ''We believe any agreement must dismantle Iran's nuclear weapons program and prevent it from ever having a uranium or plutonium path to a nuclear bomb.'' Last year, 81 Senators stated that. Let me repeat that: ''We believe any agreement must dismantle Iran's nuclear weapons program and prevent it from ever having a uranium or plutonium path to a nuclear bomb.'' I agree with the 81 Senators. Mr. President, 40 Democrats, 40 Republicans, and 1 Independent signed that letter, and 72 of those Senators are still Members of this body. But they need to ask themselves: Are they sure this goal has been achieved?

I have read this entire agreement. I believe this goal has not been achieved, and that should deeply concern all Members of the U.S. Senate.

Let me conclude by quoting someone I normally do not quote on the floor of the U.S. Senate—Iranian Supreme Leader Ayatollah Khamenei, who just this past Saturday stated the following: ''Even after this deal our policy towards the arrogant United States will not change,'' and then he led the crowd he was before into chanting ''Death to America.'' That is the country that we are hoping and risking our future on that will change, that we will have a ''new relationship'' with, as the agreement states.

To the American people: We will continue to debate this critical issue.

In the words of my colleague from Maine, we will bring the fire to the debate and a truth will emerge. Unfortunately, here is one truth that I find self-evident: Iran is not changing anytime soon. That is because this agreement didn't force it to.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, if we ask most people in America what is the most heavily subsidized industry in America, which industry, which sector of our economy receives the highest level of Federal subsidy in America, I guess they would get it wrong, because it turns out the sector that gets the highest degree of Federal subsidy is for-profit colleges and universities—for-profit colleges and universities.

I wish to say a word or two about the current status of the largest of these

for-profit colleges and universities and the tactics they are using to become even fatter at the expense of the American taxpayers.

I will read a quote about the for-profit college industry:

> They are not educators and they're looking to manipulate this model to make money. There is nothing wrong with making money, but I think anyone making money in an educational activity has a higher standard of accountability.

Some might think that was a quote from some speech I gave here. They would be wrong. That was a quote from John Murphy, a cofounder of the University of Phoenix, during a recent interview he gave to Deseret News National. As the article rightly observes, the University of Phoenix is the ''grand-daddy'' of the for-profit industry, but the enterprise has experienced a dramatic shift in priorities since it became a publicly traded company, according to Mr. Murphy, one of the cofounders. The reason for the change, according to Murphy, is the combination of the new corporate entity—for-profit University of Phoenix—chasing stock prices with the temptation of the open spigot of Federal funds. Mr. Murphy calls the Federal student loan money ''the juice'' of the for-profit college industry. And for its part, the University of Phoenix is swimming in the juice. They received 84 percent of their revenue from Federal title IV funding in 2012 and 2013. How much? It was $3.5 billion.

According to law, for-profit colleges are prohibited—we don't want them to become too dependent on the Federal Government, so we prohibit them from receiving any more than 90 percent of their revenue from title IV Federal funding—90 percent.

When I think of the outrage I hear from those in Washington who track Federal money, I can't believe they are overlooking this industry. A major loophole, however, allows the University of Phoenix to not include veterans' GI Bill benefits or Department of Defense tuition assistance programs in their Federal revenue calculation. So I joined with Senator TOM CARPER of Delaware and others to fix this, to close this loophole, to hold the for-profit colleges to no more than 90 percent of the revenue coming directly from the Federal Government.

A recent article by Aaron Glantz published by the Center for Investigative Reporting provides a troubling look into the world of for-profit college recruitment of America's veterans and members of our military. The article details how the University of Phoenix has become a major sponsor of military events. In one instance, they paid $25,000 to sponsor a concert for military members and their families. The company gave away Galaxy computer tablets and wrapped the stage in a giant University of Phoenix banner. In other instances, the Center for Investigative Reporting found that the University of Phoenix sponsored ''resume workshops'' which essentially amounted to recruitment drives for their university. According to the article, the company sponsored hundreds of events on military bases, including rock concerts, Super Bowl parties, father-daughter dances, Easter egg hunts, chocolate festivals, fashion shows, and even brunch with Santa.

University of Phoenix paid $250,000—a quarter of a million dollars—to sponsor events over the last 3 years at Fort Campbell, KY. Private sponsorship of military events is not unusual, but it has to raise some eyebrows when the company whose profits depend on recruiting servicemembers are paying for these programs. Let's face it. That is what these events are for—recruitment events for the company.

In the name of corporate sponsorship, the University of Phoenix could gain direct access to military bases with a nod and a wink to servicemembers: Come to Phoenix. We care about the military.

Boy, has it paid off for Phoenix and what Mr. Murphy called ''the juice'' of Federal funds.

The University of Phoenix is the fourth largest recipient of Department of Defense tuition assistance funds which help servicemembers continue their education. In fiscal year 2014, the University of Phoenix received more than $20 million of these benefits. But hold on tight. Here is where the juice gets deep. When it comes to veterans' GI Bill funding, the University of Phoenix is a top recipient in America of these funds—$272 million. In return, the company offers servicemembers and veterans degrees of questionable value, below-average graduation rates, and—get this—a student loan default rate almost 40 percent higher than the national average. That is what we are offering to members of our military and veterans through the University of Phoenix and their programs.

I don't think this type of behavior by the University of Phoenix is what the President had in mind when he signed Executive Order 13607, intended to prevent for-profit colleges from gaining preferential access to our military.

I have written to Secretary of Defense Ash Carter about the outrage. If it is a matter of University of Phoenix not following DOD rules, I want the Department to take action. If the University of Phoenix's actions outlined in this report are within the rules, the rules need to be changed.

I want to say a word about another story by the Center for Investigative Reporting last week. This is almost incredible. It is difficult for me—I can't—to recount the details of the story I am about to relate, and my colleagues will understand why in a moment.

According to the Center for Investigative Reporting, nearly 2,000 unaccredited institutions received more than $260 million in GI Bill benefits between 2009 and 2014. Some of them are for profit; all are totally unaccredited. When someone serves in our military, we offer them GI Bill benefits—once-in-a-lifetime benefits—for the betterment of themselves and their family. Once they have used the benefits, they are gone.

One example of one of these unaccredited institutions that is receiving these benefits for our military—GI Bill benefits—is a sexual therapy school in San Francisco. The name of it is the Institute For Advanced Study of Human Sexuality—unaccredited. The activities that are described in the article about this school I cannot say on the floor of the Senate. The institute openly brags—this unaccredited institute receiving GI Bill benefits openly brags about its massive collection of pornography, and we sent this institution GI Bill funding. That is outrageous.

Seven other Senators joined me in writing to Secretary McDonald of the VA last week asking him to investigate and explain. I also expect to speak with him by next week, and I hope to hear that the VA is taking action. The GI Bill is too important for our veterans to have these benefits ever questioned because of a scandal such as this.

Stories such as these abuses by the for-profit college industry and these unaccredited so-called schools are appearing more frequently. In newspapers and other media outlets across America, this issue has never received so much attention. Unfortunately, here in the Halls of Congress, you can still hear the crickets when it comes to this issue. I hope this changes. If we are serious about really caring about our military and their families and our veterans, if we are serious about caring about taxpayers' dollars, if we are honest about this industry that is fleecing the American taxpayers and members of our military, this Congress should act on a bipartisan basis. But some of these schools have friends in high places. Every time I have tried to call them out, someone has stepped in to their defense, usually in a private manner so the public doesn't know.

The day of reckoning is coming for these for-profit schools. The stock market is catching up with them. Stockholders are catching up with them. Students and their families are catching up with the fact that they are a waste of time and money. Now we have to make sure the taxpayers have their day and their attention directed toward this outrageous exploitation.

5TH ANNIVERSARY OF DODD-FRANK

Mr. DURBIN. Mr. President, July 21 marks the fifth anniversary of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Let's remember what was happening when the law was created. In 2008, we were staring in the face of the greatest economic meltdown since the Great Depression. Wall Street banks and financial companies had built a multi-trillion dollar house of cards. They built it out of subprime and predatory mortgage lending, mortgage-backed securities with inflated credit ratings,

and unregulated derivatives based on these mortgages. It was enormously complex and risky, and our financial regulatory system was ill-equipped to oversee it. It all started coming apart when several mortgage lenders went under, and Bear Stearns began wobbling.

Then in March 2008 Bear Stearns went down. By September 2008 one giant financial company after another started collapsing: Lehman Brothers, Merrill Lynch, AIG, Washington Mutual, Wachovia. It was a time of panic. Credit markets froze. The stock market swung wildly. Congress had to take dramatic steps to stop the economy from going into free fall. Who suffered the most from Wall Street's misbehavior? Main Street Americans.

As a result of the financial crisis, unemployment went up over 10 percent. Nearly nine million Americans lost their jobs. Millions of families faced foreclosure on their homes. More than $19 trillion in household and retirement wealth was wiped away.

It was clear we had to act to get out of this ''great recession,'' and we did. We saved the auto industry, passed the Recovery Act to boost the economy, and stabilized the economy. We have now had 64 consecutive months of job growth, and the unemployment rate is down to 5.3 percent. But it was clear to all of us who lived through that financial crisis that we needed to reform our financial regulatory system and curb risky and predatory financial practices.

Five years ago, we did just that by enacting the Dodd-Frank Wall Street Reform and Consumer Protection Act. It took months of legislating—dozens of hearings, extended debate and amendments in committees and on the floor, and a robust conference committee process. The result was a landmark reform law that reined in the worst abuses of Wall Street and provided critical new protections for consumers and Main Street businesses.

One of those was the creation of the Consumer Financial Protection Bureau, or CFPB. I remember back in 2007 when a law professor named ELIZABETH WARREN told me about all the tricks and traps that banks and mortgage companies were using on consumers. She said we need an agency that is focused like a laser on making sure that there is transparency and fairness in consumer financial products. I agreed. So in 2008 I introduced the first bill that sought to create this consumer financial protection agency.

I could not have been prouder when this agency was established by the Dodd-Frank Act. This was a landmark win not only for consumers but for our overall economy.

When consumers have transparent and accurate information about financial products, they are empowered to make better choices. Senator WARREN did an admirable job of getting the CFPB up and running. And now, under the leadership of Richard Cordray, the CFPB has achieved great success in protecting consumers, especially those most often targeted by wrongdoers—students; older Americans; servicemembers, veterans and their families; and the economically disadvantaged. To date, the CFPB has obtained over $10 billion in relief to consumers through its enforcement actions.

The CFPB went after several of the Nation's largest credit card companies for targeting their customers with deceptive and fraudulent activities. This resulted in nearly $2 billion being paid back to more than 12 million customers nationwide. To further protect students and their families, the CFPB has brought action against for-profit colleges for their predatory lending practices.

In November 2013, the CFPB announced its first enforcement action in the predatory payday lending industry. This led to $14 million in restitution from Cash America for targeting servicemembers and their families and violating the Military Lending Act in the process. Since then, the CFPB has continued to limit the ability of payday lenders to prey on vulnerable families across America.

The CFPB is a tremendous success story. But the successes of Dodd-Frank don't stop there.

When the Dodd-Frank bill was on the Senate floor, I offered an amendment that dealt with the issue of debit card swipe fees. This amendment was adopted by the Senate with 64 votes—47 Democrats and 17 Republicans—and it was enacted into law. My amendment marked the first time that Congress acted to rein in excessive swipe fees, which were lining the pockets of big banks and costing billions for merchants and their consumers. I am pleased to report this reform has achieved significant success.

For those who don't remember, swipe fees are fees fixed by Visa and MasterCard, and are paid by merchants to card-issuing banks whenever a purchase is made with a card. Because Visa and MasterCard set the fees on behalf of all banks, there is no competition between banks on the fee rates—so the rates always went up. By 2009, the banks were collecting about $16 billion per year in debit swipe fees from merchants. And merchants had to pass that cost on to their customers in the form of higher prices. Of course, the banks didn't need all of this swipe fee money to conduct debit transactions. The actual cost to process a debit transaction is just a few cents. But the banks and card companies exploited the swipe fee system so they would receive far more than they would ever need—an average of 44 cents per transaction.

It didn't have to be this way. Many other countries have thriving debit card systems with swipe fees strictly regulated or prohibited altogether. But in the U.S., swipe fees were spinning out of control. There were no market forces working to keep fees at a reasonable level. So I offered my amendment to bring some reasonable regulation to this system.

My amendment said that if the Nation's biggest banks are going to let Visa and MasterCard fix swipe fee rates for them, then the rates must be reasonable and proportional to the cost of processing a transaction. And my amendment also said there needs to be a real choice of card networks available for each debit transaction. This reform cut the average debit swipe fee in half, from about 44 cents to about 24 cents.

This is actually pretty modest reform. Most other countries have gone much further in regulating swipe fees. But boy, did the big banks scream about it. They said swipe fee regulation would be the end of the world. They claimed it would kill the debit card system, devastate small banks and credit unions, and cause banks to jack up other fees on consumers. Well, the law took effect in 2011, so we have had some time to see how it has worked. And as it turns out, the horror stories that the banks predicted turned out to be pure fiction.

Let us look at the facts. First, swipe fee reform hasn't hurt the growth of the debit system. Debit card use continues to grow each year, according to the Federal Reserve. And it hasn't hurt small banks and credit unions, either. My amendment exempted all but the biggest one percent of card-issuing banks from fee regulation. The Fed announced in May 2013 that this small issuer exemption ''is working as intended.''

Credit unions and small banks have thrived since the amendment took effect, because the amendment has enabled them to receive higher fees than their big bank competitors. It has helped level the playing field between the big banks and the little guys.

Don't take it from me. Here is what press releases from the Credit Union National Association have said since my amendment took effect in 2011:

November 2012: ''Credit Unions Growing at Sustained, Increasingly Strong Pace.''

March 2013: ''The credit union movement is healthy, vibrant and on the rise.''

Last February: ''Credit unions experience fast growth on all fronts in 2014 . . . 2015 expected to surpass banner year.''

I know the small banks and credit unions will never thank me for this reform. But the reality is they have gained a competitive advantage through this reform. It has helped them.

And how about consumers? Well, the banks said my amendment would cause consumer checking fees to go through the roof—and they still try to pretend that is the case. But the facts say otherwise.

Last September the Wall St. Journal reported that ''After peaking in 2009, the annual account fees collected at U.S. commercial banks have declined markedly, even as the volume of bank deposits has swelled.'' Transparency

and competition is helping keep fees down.

The American Bankers Association reported last year that 62 percent of Americans pay nothing at all for bank services. And this year Bankrate.com found that 72 percent of credit union checking accounts came with no maintenance fees.

And what about savings to consumers? Well, noted economist Robert Shapiro did a study in 2013 and estimated that swipe fees overall were reduced by about $8.5 billion in 2012. He estimated that about $6 billion of these reductions were passed along from merchants to consumers in the form of lower prices.

While it may be hard to see those price reductions when you spread the savings across the entire economy, the fact is that the savings are real. Unfortunately, the savings should have been even greater. When the Federal Reserve drafted a proposed rule for my amendment, they planned for a fee cap of 7 to 12 cents—far closer to the actual cost of processing a debit transaction. But the banks lobbied the Fed hard to double the proposed cap, and the Fed gave in to the bank lobbyists. Of course, the banks and card companies promptly took advantage of the watered-down regulation and turned the fee cap into a fee floor. As a result, there are still excessive swipe fees begin charged in the debit system—not to mention credit card swipe fees, which have not been reformed at all.

There is no doubt that swipe fees continue to distort the incentives in our payments system. Banks and card companies continue to shape the system to maximize fees instead of efficiency and security. Just look at the issue of card security technology. The banks ignored this for years—until my amendment made part of the debit swipe fee contingent on having effective fraud prevention technology in place.

Just a few weeks after my amendment took effect in 2011, Visa finally announced a roadmap to promote adoption of smart-chip cards in the United States. MasterCard soon followed. That is good news, but unfortunately the banks and card networks are still steering away from using PINs on cards—even though the rest of the world uses a chip-and-PIN system and PINs mean lower fraud. Why avoid PINs? Because several other card companies compete with Visa and MasterCard on PIN transactions, and the competition means the fees are lower. Further reform is needed to correct these skewed incentives.

We have more work to do to make sure our credit and debit card systems are competitive, transparent and fair. I hope the Federal Reserve and my colleagues in both parties will work with me in this effort.

Unfortunately, when it comes to Dodd-Frank, Republicans in Congress have spent the past 5 years trying to undermine this legislation. We must not forget the lessons we learned from the financial crisis. We can't go back to the system we had before Dodd-Frank. Instead let's work together to protect what works, make constructive improvements, and expand Dodd-Frank's reforms where needed.

Remember, Wall Street used to get its way all the time around here, and they led us down a path that almost took our economy off a cliff. Let's not go back there. Let's promise the American people that never again will Congress allow financial tricks and traps to bring our economy to near-ruin.

I see one of my colleagues on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TROOP SAFETY

Mr. BOOZMAN. Mr. President, the dangers our troops face extend beyond war zones and unfortunately to within our Nation's borders, and it is time our policies reflect their risks no matter where they are stationed.

Just like the attack at the Little Rock Army recruiting station and the tragedy at Fort Hood, the recent senseless shootings in Chattanooga happened when our troops were unarmed, leaving them no way to defend themselves.

I fully support the actions of Arkansas Governor Asa Hutchinson to do what is necessary to protect the Arkansas National Guard by allowing members to be armed at guard installations. However, the Governor only has authority over the Arkansas National Guard. While Governors of other States have issued similar directives, I urge Secretary of Defense Ashton Carter and President Obama to order protective measures at Department of Defense installations.

HONORING MARINE STAFF SERGEANT DAVID WYATT AND THE OTHER SERVICEMEMBERS WHO LOST THEIR LIVES IN THE CHATTANOOGA TRAGEDY

Mr. President, the vicious attack in Chattanooga changed the lives of the families of GySgt Thomas Sullivan, LCpl Squire Wells, Sgt Carson Holmquist, SSgt David Wyatt, and PO2 Randall Smith.

The attack hit especially close to home for Arkansas, where SSgt David Wyatt grew up. While he no longer called Arkansas home, the State always had a fond place in Staff Sergeant Wyatt's heart. He often visited his family who still live in the Natural State and taught his children how to call the hogs.

He was a 1998 graduate of Russellville High School. Staff Sergeant Wyatt was active in athletics and played in the school band. He also earned the Eagle Scout, the highest rank of the Boy Scouts. His Scoutmasters, classmates, and teachers fondly recalled David as a young man who was a natural leader with a lot of enthusiasm and a unique sense of humor.

A career in the military was a natural fit for Staff Sergeant Wyatt, who came from a long line of military service. He enlisted in the Marines following the events of 9/11. During his 11 years in the military, Staff Sergeant Wyatt served in locations all over the world. He was well aware of the dangers of wearing the Nation's uniform, having served deployments in Iraq and Afghanistan. His mom, Deborah Wyatt Boen, told the Russellville Courier that her son was proud to be a U.S. marine and called his fellow marines ''brothers.''

No one could have predicted the violence that targeted his life while he was working to protect and defend our Nation with his band of brothers. But with the nature of the current threats we face and with increased calls from groups such as ISIS to attack U.S. servicemembers at home, it is vital that we reevaluate our security practices for all our military installations and fix any vulnerabilities that put our personnel at risk.

On Thursday, July 16, 2015, SSgt David Wyatt made the ultimate sacrifice for his selfless service to our Nation. SSgt David Wyatt is a true American hero.

I ask my colleagues to keep his wife Lorri, daughter Rebecca, son Heith, and the rest of his family and friends in their thoughts and prayers.

On behalf of our grateful Nation, I humbly offer my appreciation and gratitude for his selfless service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, today the Senate has begun work on legislation that would provide our States and communities across this great land the resources and reliability they need to soundly invest in our transportation infrastructure. After a full stumble start when our friends across the aisle decided to block our ability to proceed, they reconsidered, thankfully, and I am glad to see them join us to move forward on this sensible, bipartisan bill.

To this Senator, the most important part of the bill is that it doesn't kick the can down the road—at least not in the way we have done more than 30 different times. We have had more than 30 short-term transportation patches, which is a terrible way to do business, and frankly it should be embarrassing to us that we haven't been able to come up with a better solution.

While a 3-year transportation bill is no panacea, it represents progress and avoids a lot of the unpredictability and wait-and-see problems our States have had when it comes to planning longer term projects. Fortunately, this multiyear bill restores some sanity by providing resources over a consistent and dependable period of time. It is actually a 6-year bill. We have come up with a bipartisan group of pay-fors to take us 3 years out, but then hopefully we will continue to work on trying to find a way to pay for the last 3 years without adding to the deficit and debt, as has happened in the past.

This bill is really forward-looking, and this legislation provides the foundation for more commerce, more efficient travel, and more public safety by enhancing our transportation networks. In doing so, it provides for a more stable economic climate for the next generation, as our States plan to meet the needs of a continually growing population.

I am thankful in Texas that with strong economic growth and a lot of people moving there—voting with their feet, as I like to say—from other parts of the country, we know the value of good infrastructure. And when the highway fights in Washington, DC, froze to a standstill, Texas stepped up to the plate and refused to wait.

One example of that action that I mentioned earlier this week came last fall when Texans voted last November to overwhelmingly approve a measure that would provide an additional $1.7 billion to upgrade and maintain our vast transportation infrastructure. This came from a surplus in our rainy day fund. That proposal was approved with more than 80 percent of the vote, and in so doing, Texans clearly prioritized improved infrastructure and understood that by making our roads more efficient, we can decrease the 44 hours of car time that Texans spend stuck in traffic annually.

The vote also showed that Texans realized that our State is poised to grow significantly. In fact, our economy, which grew 5.2 percent last year compared to 2.2 percent nationwide—one reason our economy is growing is because people are coming to Texas to pursue their dreams. We are going to need better roadways to absorb the estimated 18 million vehicles expected to be added to our roads by the year 2040. This bill will help Texas manage the influx of people and vehicles so that we will have the transportation infrastructure to support the millions of new people who will call Texas home in the not too distant future.

Texas has long known that good transportation infrastructure is part of what has made us the economic powerhouse we are today. Take, for example, the farm-to-market roads that opened more than 70 years ago, with the idea that our farmers and ranchers needed a reliable transportation network to get their livestock and crops to town. So basically our farm-to-market roads gave our rural areas more access to the towns and cities that purchased those goods. This helped Texas agriculture—a substantial part of our economy—and made it even more competitive by providing a reliable method to transport our grown and raised goods to market—first around the local community, then around the State, and now around the country.

Of course, I was pleased, along with a lot of folks in the agriculture sector in Texas, that we passed trade promotion authority with the promise of opening up even more markets around the world.

Many generations have benefited from the investments we made in infrastructure to help them get efficiently from point A to point B.

Just as the farm-to-market roads provided a more reliable transportation network throughout rural Texas, this legislation includes vital resources that will upgrade rural routes and freight corridors in addition to improving the overall safety and efficiency of nearly 20,000 miles of major roadways in Texas.

While it is not perfect, as the Presiding Officer knows, this bill represents some progress. I wish I could say we have solved our transportation problems in perpetuity, but I don't think that is possible. But doing it for 3 years beats the dickens out of another short-term patch, as I mentioned a moment ago, and kicking this can down the road does nothing to support the next chapter of population and economic growth.

As we continue to discuss and review this legislation, I am going to continue to encourage our colleagues to consider just how much our entire country needs to strengthen the infrastructure projects that will hopefully help that 2.2 percent growth which we experienced in 2014 nationwide go upward and upward because that will create more jobs and more opportunity.

We have also seen that under new leadership, starting this last January, we have been able to make incremental progress in a number of areas on a bipartisan basis. Frankly, given the response I heard from many of my constituents last year when they complained to me about the dysfunction here in Washington, DC—even though, again, they are not necessarily saying we have met the mark, they are seeing that we are trying to work hard on a bipartisan basis to meet their needs, and I think this bill represents that kind of progress.

Mr. President, I yield the floor.

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

VA ACCOUNTABILITY

Mr. ISAKSON. Mr. President, as chairman of the Veterans' Affairs Committee of the U.S. Senate, I am proud to be joined by other members of the committee for a colloquy and a report to the American people on the progress we are making to hold the VA accountable for our veterans and our taxpayers.

As all will remember, there was a terrible tragedy at the VA hospital in Phoenix last year. Because of missed appointments, erased records, consults that were removed, veterans waiting for services never got them, and in three cases they died. That was malfeasance in office and brought a great scandal to the VA.

In January, when our committee took hold, we decided to go to the Justice Department and the inspector general and say: Go into the VA, investigate these incidents that took place, and if we find criminal wrongdoing or civil wrongdoing, we should prosecute these people to make sure it doesn't happen again.

I am never happy when anybody is indicted, but I was satisfied that last Friday the first indictment came down from the Justice Department against a VA hospital employee—unfortunately, in my State of Georgia at the VA hospital in Augusta—for 50 counts of falsifying medical records, the results of which ended up benefiting the employees and hurting veterans.

I promise the American people and Members of the Senate that this is not going to be the last indictment. We are going to see to it that people are held accountable for their actions and that they do what is right morally and what is right legally. We owe nothing less and we owe nothing more to our veterans than that type of treatment.

Yesterday the VA committee met, and we approved two great bills in our effort to bring about greater accountability. One of those bills was the Rubio-Johnson bill, which allows the firing and holding of accountability of VA employees for malfeasance and misconduct in office for cause.

As many people know, the VA oftentimes in disciplining people just moved them to another job at the same pay because they can't move them out of the system. So the accountability never takes place, there is no sense of accountability, and veterans are not well served. Thanks to the Rubio-Johnson bill, people who for cause are terminated will have a brief hearing and a chance to justify their case, and if their case is not justified, they will be removed from the Veterans' Administration health services agency and they will be fired. That is the type of accountability every American who is employed at their job has, and we think that is the same accountability every employee ought to have at the VA.

After that, we then passed the Cassidy-Ayotte bill, a bill that I was very proud of because Senator CASSIDY and Senator AYOTTE said the following: It is just not right for somebody who is not doing their job to get a bonus.

As many people know, bonuses were paid in the VA last year to employees who were being reprimanded for misconduct and bad behavior. You cannot take a benefit away retroactively, and this bill does not do that, but it says to the VA prospectively that rewards and bonuses cannot be earned by those who are not conducting their job in the way they should.

These are the types of accountability measures that people in the United States expect.

As chairman of the committee, I always want to brag about the good things VA employees do, and they do a lot of good things. For every one scandal you hear about, there are hundreds of thousands of benefits veterans are receiving because of good, loyal employees. But the best employees in the world are brought down a notch when

those who are not good are allowed to continue to stay on the job even if they are not performing or get bonuses when they are not performing.

I am so proud of the Cassidy-Ayotte bill and Johnson-Rubio bill, which say to the American people that we are going to have accountability; we are going to pay bonuses for good behavior, not bad behavior; and if somebody doesn't do their job, they will lose that job if that cause is justified. That is what the American people expect of the Senate, that is what they expect of our committee, and I am proud to report to the Senate today that started.

I am also proud to yield to the Senator from Louisiana, Mr. CASSIDY, a physician, a doctor who understands health services and who brought one of these accountability issues to the committee yesterday.

Senator CASSIDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I thank the chairman.

This week, the VA committee passed out of committee S. 627, which establishes guidelines for the Secretary to deny bonuses to employees who have violated VA policy or law. It also ensures information on reprimands will be kept in the employee's permanent record. Our veterans deserve this bill.

When the VA scandal erupted in Phoenix last year, then-VA Secretary Eric Shinseki rescinded the performance award given in 2013 to the career senior executive who ran this Phoenix VA health care hospital—a bonus that the Department said was awarded because of an administrative error. The employee appealed and a Federal judge directed the VA to repay the bonus despite the fact that the employee had improperly accepted more than $13,000 in gifts from a lobbyist and failed to report them and manipulated data to conceal excessive wait times for veterans seeking health care.

The judge determined, however, that the VA did not have the authority to rescind her bonus. This is why many veterans do not trust the VA. Here is an administrator who, again, took $13,000 in gifts from a lobbyist, did not report them, manipulated data and, nonetheless, gets a bonus. This is, by the way, while veterans were allegedly dying prematurely because of the care not given at this facility.

If we want to improve the VA system, we need to focus on the quality of the workforce. Workforce morale was seriously affected by those who abused their authority and nonetheless received bonuses or those who do not have information on reprimands retained in their permanent record, meaning it is that much harder to dismiss those employees who are not good.

How does this incentivize honest workers to do a better job if we reward those who do not do good jobs? This is a commonsense solution that the American people will view as a signal that Congress is serious about improving veterans health care. In addition, S. 1082, the Department of Veterans Affairs Accountability Act, a bill introduced by Senators RUBIO and JOHNSON, would give the VA Secretary more flexibility to remove corrupt or poor-performing employees, not just top officials. The bill would expand the authority of the 2014 Veterans Access, Choice, and Accountability Act to the entire workforce of the VA, which has made it easier to remove senior executives for wrongdoing.

This bill would also extend the probationary period for new VA employees. A veteran once told me that his perception was that the VA system was run for the benefit of employees, not for the benefit of the veteran who is the patient. This is incredibly unfair to the dedicated VA employees. But on the other hand, giving bonuses to those such as this Phoenix VA supervisor makes it understandable why he has this perception.

The legislation I have spoken of today helps restore accountability to the VA system so that all will know that the VA is run first, foremost, and always for the veterans seen there as patients.

I yield the floor to my colleague Senator ROUNDS.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I rise today also to speak with regard to the work of the Veterans' Affairs Committee. The Senate Veterans' Affairs Committee yesterday passed some very critical legislation. It is great to see the chairman and the ranking member and how they worked together side by side—Republican and Democratic colleagues working together to improve the lives of our veterans and truly to begin the process of reforming a broken VA system.

More than a year ago, the VA wait list scandal was made public. One of the biggest reasons the problem grew so large was the lack of accountability within the VA. Yesterday, with bipartisan support, we reported out five bills. Among those were two bills focused on bringing accountability to the VA. I would like to talk about that process and about what I learned as a freshman Senator, stepping in and watching—after listening to all of the stories about how the Senate was dysfunctional and things were not working right; Republicans would not work with Democrats, and Democrats would not work with Republicans—how Chairman ISAKSON and Ranking Member BLUMENTHAL worked their way through these bills and unanimously passed them out of committee.

I also watched as some members offered amendments. The chairman suggested, strongly, that perhaps they should withdraw them because we did not have what we call pay-fors with them, where there might have been an expense, or we did not have a report saying whether it would add cost to a VA system that was also already short on funding in those particular areas.

Rather than simply having votes and having acrimony, what those Members said was this: Would you work with us to see that our goals would be accomplished? I watched as our chairman, along with Ranking Member BLUMENTHAL, work to get the job done to make things better for veterans. It was not acrimonious. It was a matter of members of this committee working side by side committing to help each other make the VA perform better than what they have in the past.

That is the type of work that we need in the Senate. It is what our people want us to do. It is what veterans want to have happen. So I am here to say this can be done and it can be done correctly. I will also tell you that in talking with members of that committee afterwards, there was real interest. Republicans and Democrats side by side were saying: Look, there were some good ideas offered in that committee, and they would make good amendments to the bill, but we had to know what the costs were. The commitment on both sides of the aisle was to find a way to work together. I commend the chairman, and I commend the ranking member for their work and the way that they worked through some very serious issues.

The first one of those bills that I wanted to talk about was S. 1082, the Department of Veterans Affairs Accountability Act. It was introduced by Senators MARCO RUBIO and RON JOHNSON. Senator JOHNSON I am sure will be here to speak because he understands exactly from his constituents what the need is to reform the system.

This bill would allow for the removal or the demotion of employees of the VA based on performance or misconduct. It also gives the employee ample time to appeal the removal or demotion. Finally, it extended the probationary period for Senior Executive Service employees to make sure the high-ups are doing their jobs correctly.

The second one is S. 627, the Ayotte-Cassidy accountability bill. You have heard a little bit about it already. This bill would force VA employees who purposefully manipulated wait lists for veterans' health care to repay their bonus. It seems like only common sense—the kind of common sense we have in South Dakota and that we like to have. I know the Presiding Officer's home State in Nebraska has that kind of common sense. It says: If you are doing something wrong, you should not get paid a bonus and be allowed to continue on.

This behavior of any VA employee should not be tolerated—let alone rewarded. I am happy to see that this passed the committee, and it sends a message to the other hard-working employees of the VA administration that their hard work is not going to be tainted by individuals who are not doing their job correctly. Let me just share this. I just have to share this

story. Some things you think you would not see, and yet, in South Dakota, I have a good friend who is 83 years old. He is a veteran.

All he wanted to do was to get a new set of glasses. He has diabetes. He wanted to get it through the VA. He had gone to his own optometrist because in our part we don't have contracts yet in the central part of South Dakota through the VA for optometrists. So he had gone in and had separately paid for the work of the optometrist. The optometrist had written a prescription.

This veteran only wanted the VA to take care of the cost of the glasses. They expected him to travel over 150 miles to get to a VA facility to go get glasses. We sure don't want him driving. Yet that was the expectation—to come up.

Look, this is the kind of stuff that makes people irritated with the system that should be helping veterans. Our office got involved with it. In fact, I offered to go on out and meet with the VA in Sturgis, SD, to find out what the problem was and why they would not deliver this. My staff suggested that I should simply stop by if they could not take care of the problem.

The VA indicated at that point they would get it taken care of. But later they came back and suggested: Well, you know, we don't know why this guy should get new glasses more than every 2 years. That is because their contract would not allow for it. That is not the type of attitude we want among VA officials. That is not the way we should be treating our veterans.

This is the reason that we want accountability within the VA system. We found Republicans and Democrat side by side saying: We are going to fix it. Now, we have a long way to go. We have a man at the head of the VA right now that truly wants to fix it. He walked into the middle of a swamp, and he is up to his butt in alligators. But he is there to fix a problem. We want to do everything we can to give him the tools to get the job done right.

Hopefully, next week we will start with fixing a budget problem they have by simply allowing them the flexibility to take the resources that are already there within the Department and move them into locations where they are more appropriate. That is what this is all about—using a little bit of common sense in Washington, DC, to fix a problem for veterans that has gone on way too long.

Today I wish to say thank you to our veterans, to those men and women that wear the uniform of the United States of America. We cannot say enough about what they have done for the rest of us here. But we can continue to tell them thank you time and again and to send a message that we are not going to allow them to go without the services that they are entitled to, the services that we want to render to them in an appropriate fashion, and that we will work until we get it done and get it done correctly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise also to join my colleagues in support of a couple of bills that are supporting the finest among us. I certainly want to underscore the thanks that the Senator from South Dakota expressed to the men and women of our military, people to whom we owe a huge debt of gratitude for defending this Nation and fighting for our freedoms.

I also really want to thank the good Senator from Georgia, the chairman of the Veterans' Affairs Committee, for in a very expeditious fashion taking up some very good pieces of legislation that will hold accountable those individuals who are caring for the finest among us in our veterans health care centers.

But before I address those bills, let me make a couple of points about the vast majority of men and women who are working in those VA health care centers. They are dedicated individuals, and they are doing a great job providing health care to the men and women of our Armed Forces. Upon becoming a Senator for Wisconsin, I started visiting the VA medical facilities within our State and also in Minneapolis, a center that also serves veterans from Wisconsin.

What I found did not surprise me at all. I found those dedicated individuals, and they are providing excellent health care. The veterans I spoke to in the halls and throughout the State were very satisfied with the health care they were getting. They were more than satisfied. They heaped praise upon their care providers.

The wait times were pretty long. The parking lots were pretty full. But again, they underscored certainly what I saw—that the vast majority of those men and women—the nurses, the doctors, the administrators—in our VA health care facilities are really dedicated to the task, and they are doing a great job for our veterans. But the fact of the matter is that they are not all doing a good job. It is not a perfect system—not by a long shot. I give the press corps a great deal of credit for breaking stories, first in Arizona, where we saw those long wait times actually resulting in the deaths of some veterans.

Then, in early January, I first became aware, because of a news report, of a real problem in the Tomah, WI, VA health care facility. I think maybe the best way to approach this is to provide a timeline that I provided in a field hearing that we held. It was a joint field hearing between my committee, the Senate Committee on Homeland Security and Governmental Affairs, and the Veterans' Affairs Committee in the House raising the issue in the community.

It was an excellent hearing. It afforded the surviving family members of some of the veterans who had died in the care of the Tomah VA center the ability to tell their stories, to make an impression, and to get the attention of the administrators of the VA to start correcting the problems. But in my opening statement, I laid out a timeline that I would like to repeat here.

In April of 2003, Dr. David Houlihan was disciplined by the Iowa Board of Medicine for having an inappropriate relationship with a psychiatric patient. According to the executive director of the Iowa Board of Medicine, the sanctions should have been a serious concern for future employers.

That was April of 2003. In 2004, Dr. Houlihan was hired as a psychiatrist by the Tomah VA Medical Center. In August of 2005, Dr. Houlihan became chief of staff of the Tomah Medical Center. In November 2007, Kraig Ferrington, a veteran who sought treatment for medication management, died from a lethal mixture of drugs. Autopsy results showed Mr. Ferrington had seven drugs in his system. In April 2009, it was known and documented by employees of Tomah VA that many patients had called him the Candy Man and that veterans were ''prescribed large quantities of narcotics.'' Again, that was April of 2009.

In June of 2009, Dr. Noelle Johnson was fired from Tomah for refusing to fill prescriptions she believed to be unsafe. Dr. Johnson had raised concerns to her superiors, had sought guidance from the Iowa medical licensing board, and later spoke with the Drug Enforcement Administration about Dr. Houlihan.

In July of 2009, Dr. Chris Kirkpatrick was fired from Tomah. Dr. Kirkpatrick had raised concerns to his union about overmedication at Tomah. Tragically, later that day, on the day of his termination, Dr. Kirkpatrick committed suicide.

In August of 2011, the VA Office of Inspector General received an anonymous complaint about overprescription and retaliation by Dr. Houlihan at Tomah.

In March of 2012, a second anonymous complaint was filed with the IG against Dr. Houlihan. The OIG examined 32 separate examinations during his 2½-year-long inspection.

In March of last year, 2014, the Office of Inspector General finished its inspection of Tomah and administratively closed the case without making it public.

On August 30 of 2014, Jason Simcakoski died in the Tomah mental health wing as a result of a mixed drug toxicity. Simcakoski was a patient of Dr. Houlihan. His autopsy revealed he had over a dozen different medications in his system.

In September 2014, Ryan Honl began lodging whistleblower complaints about patient safety and quality of care at Tomah.

On January 8, 2015, the Center for Investigative Reporting published an article detailing overprescription and retaliation at Tomah. The article revealed that veterans and employees referred to the Tomah VA Medical Center as ''Candy Land.''

On January 12, 2015, Candace Delis brought her father, Thomas Baer, to the Tomah VA Medical Center with stroke-like symptoms. Mr. Baer waited over 2 hours for attention. That day the facility's CT scanner was down for ''routine preventive maintenance.'' Mr. Baer passed away 2 days later.

On February 26, 2015, the Office of Inspector General finally posted its Tomah health care inspection report on its Web site.

I called Candace Delis, the daughter of Thomas Baer, shortly after I heard of the tragic death of her father. I will never forget what she told me. She said: Ron, had I known the problems at the Tomah VA Medical Center, I never would have taken my father to the facility, and my father would be alive today.

I believe that to be a true statement. Accountability is something that is crucial in any organization. I ran a manufacturing plant for 31 years. I can't tell you how corrosive it is to an organization if individuals within that organization are not doing their job, not pulling their full weight, undermining the shared goals of the organization. It is corrosive.

I was surprised when I offered a piece of legislation and the chairman of the VA committee allowed me to present that piece of legislation to the committee, the Ensuring Veterans Safety Through Accountability Act, and the VA representatives at that hearing were opposed to holding medical professionals accountable.

Fortunately, the chairman, the Senator from Georgia, agreed with me that the only way we are going to reform this system, the only way we can make sure we honor promises through our VA health centers to the finest among us—the men and women of the military—is by holding individuals accountable, which is exactly how the bill was reported out, sponsored by the Senator from Florida.

I truly thank him for his leadership on this issue, and I am pleased to join him as the lead sponsor of that bill. The Department of Veterans Affairs Accountability Act of 2015 will hold every employee within the VA accountable. That is crucial.

Again, I thank our veterans, I thank the Senator from Florida, the Senator from Georgia, and I urge my colleagues to support this piece of legislation. Let's get it passed. Let's start holding those few bad apples—and I truly believe that. I think it is just a few people who need to be held accountable.

A little postscript to my timeline, and I think one of the reasons this piece of legislation is so important is even with that record dating back to 2004—and by the way, our own committee's investigation shows there are employees of the Tomah VA who were referring to the Tomah VA back then as ''Candy Land.'' It is crucial we hold those people accountable. But to date, nobody—after multiple deaths caused by the overprescription of opiates, after the death of Thomas Baer, a veteran who basically died of neglect—has been held accountable by being fired, by being terminated.

Again, there is not, from my perspective, any joy in terminating an employee, but for the good of the organization or to honor the promise of the finest among us, that type of accountability is absolutely necessary.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I rise to speak about the west coast port slowdown and comments that were made by the administration as they relate to that slowdown, along with legislation I have introduced called the PORTS Act, legislation I hope to pursue during the transportation debate we are going to commence with over the next several days and also as it relates to that west coast port slowdown, the economic impact that slowdown had on our economy.

On June 30 of last year, the labor contract that covered nearly 20,000 workers at 29 west coast ports expired. Port management and the ILWU began negotiations a year before, but in September of 2014 those talks ground to a standstill. Instead of remaining at the table and trying to find a solution and negotiating in good faith, both parties decided to begin jockeying for leverage.

The longshoremen purposefully slowed down their work and drastically decreased productivity while still taking home a full day's pay. In the real world, employees can't show up at work and not do their work or slow it down dramatically, not have the productivity they are expected to, and still get everything they want, but in the back worlds of labor union politics at the ports, that is business as usual. And business has been good at the ports.

According to employer data, a full-time longshoreman earns about $130,000 a year, full-time employment $130,000 a year, while foremen earn about $210,000. That is a pretty good paycheck, and the contract raises these wages even higher.

Workers pay nothing for health coverage that includes no premiums and $1 prescriptions. Providing this health care costs employers about $35,000 per employee per year. They are also eligible for a maximum pension of over $80,000 per year upon retirement, so $130,000 salary for a longshoreman, $210,000 if you are a foreman, $35,000 for health benefits, and $80,000 per year worth of pension upon retirement.

But what happened for the rest of us this past year when the slowdown occurred on the 29 west coast ports, the effect of the slowdowns weren't just limited to the port owners. When the longshoremen decided to slow down their work, the goods flowing through these ports backed up and international trade ground to a halt.

This has had devastating economic impacts in States far beyond the west coast and around the Nation as a whole. Nine excruciating months after the labor contract expired, the parties finally reached a deal but not before costing U.S. businesses and consumers billions upon billions of dollars and ruining the credibility of our exporters abroad.

When it comes to the administration, though, the response was pretty alarming as well. Labor Secretary Perez was just asked about this economic disaster of the west coast ports slowdown when visiting the ports of Los Angeles and Long Beach. His response: ''The collective bargaining process worked.''

As a result of the west coast port slowdown, the administration's response was: ''The collective bargaining process worked.''

The Labor Secretary made these comments while visiting Los Angeles, Long Beach, the two busiest ports of the country. So let's take a look at what the collective bargaining process did at those ports. This is a ship finder map of Los Angeles and Long Beach showing ships anchored offshore this week. This is recent data. These are ships that are anchored off the shore of Los Angeles and Long Beach just this past week. This is what it looks like when the ports are operating and functioning normally.

You will notice there is a lot of blue ocean and not many ships anchored offshore. Ships can quickly unload imported products and load American-made exports for distribution around the world. There is no backup, no congestion, and no disruption to our country's economy.

But this is what Los Angeles and Long Beach—the ports of Los Angeles and Long Beach—looked like during the slowdown during the crisis. Dozens upon dozens of ships anchored and idled waiting for ships in port to be unloaded.

You can see all the ships that are backed up compared to the previous chart. The Journal of Commerce reported that there were 32 ships anchored off the ports of Los Angeles and Long Beach at one point during the slowdown. There has been a lot of discussion recently about the need for a long-term surface transportation bill that invests in 21st century infrastructure, but just take a look at the kind of dysfunction antiquated labor laws can cause.

This is an aerial shot. You can see this is off the wing of an airplane where you can see all of the ships that are backed up waiting at these ports to be unloaded, ships that carry the goods for our economy, the goods that make our economy run. Congestion like this is a nightmare for American farmers, businesses, and consumers.

Farm exporters were charged exorbitant fees for warehouse space to store their agricultural goods as they rotted and spoiled. Meat and poultry companies alone faced port charges in excess of $30 million per week. So if people were earning $130,000 a year and not doing their work unloading ships, American farmers, poultry, and meat producers were charged $30 million per week. Businesses further up the supply chain were also affected.

One large U.S. base manufacturer has calculated the cost of lost sales, warehouse space, additional inventory, and transportation at $100 million in total as a result of the delays at the west coast ports. Those are just the direct costs.

American businesses also lost credibility and future customers as the foreign buyers turned to other nations for more stable supplies.

The Wall Street Journal recently reported that the west coast port delays forced layoffs and downsizing in the U.S. leather industry. Chinese tanners are now turning to European and Brazilian producers to fill their orders. This is a $3 billion industry that had to lay off workers because of the dispute of the west coast ports.

Apparently, the administration again thinks the process worked just as it was supposed to work. Efficient trade through U.S. ports is critical to maintaining and growing economic opportunity in States across this country. According to the American Association of Port Authorities, U.S. ports support 23 million jobs, and the value of related economic activity accounts for 26 percent of our national GDP. Twenty-six percent of our national GDP comes from our ports system. Contract negotiations related to labor disputes at our ports clog up these vital arteries and cause problems throughout our national supply chain.

If you need further proof of whether this impacted our economy—that picture we just saw of all the ships stacked up at L.A. and the ports in California—according to Federal Reserve economists, the disruptions on the west coast were great enough to affect the entire economic output of the country.

This chart shows the quarterly change in national GDP. Once negotiations stalled, you will notice GDP growth started to decline. So here we are in the third quarter of 2014. Remember, we started talking about September of 2014, when the slowdowns really started. By the time we get to the last quarter of 2014 and the first quarter of 2015, you can see the labor dispute contributing to the decline of our national GDP. Our economy shrank as a result of port slowdown.

In the first quarter of this year, when the slowdowns were in full swing, the economy actually shrank by 0.2 percent. You can see it, in the third quarter—this is the last quarter—to the first quarter of this year. Twenty-six percent of our GDP depends on these ports.

The Fed economists also found that disruptions disproportionately affected exporters sending American-made goods abroad for sale overseas. Exporters didn't have access to imported raw materials and parts they needed to build their products. This caused supply chains to back up and eventually reduced output and employment.

So the Fed is telling us that the collective bargaining process at the ports measurably reduced economic growth and American jobs across the country by crippling American businesses, but only in the backward worlds of labor union politics could this economic disaster be considered everything is working just fine. Only in a union-dominated industry could this catastrophe be considered a success.

That is why I have introduced the PORTS Act. Our legislation would discourage disruptions at U.S. ports and incentivize speedy resolution of disputes by strengthening and expanding the well-known Taft-Hartley process.

Over 100 national agricultural, manufacturing, and retail organizations support the PORTS Act because they are fed up with the status quo. They disagree with the administration, which thinks shrinking our economy is everything working just fine.

There are some who oppose the PORTS Act, and those are the labor unions. In fact, earlier this month, the AFL–CIO put out a statement saying legislation like the PORTS Act was not needed. You can see what has happened without the PORTS Act is economic decline, people being laid off, farmers losing millions of dollars, products rotting in warehouses because of the backups.

In just 5 years—5 years from now—the labor contracts on both the east coast and the west coast will expire. Imagine what would happen if we had labor disputes occurring on the west coast and the east coast at the same time, people who were willing to threaten that 26 percent of our national GDP over a dispute, while the administration says everything is working just fine. It is critical we have the necessary tools in place to prevent another debilitating crisis.

If we learned anything from this past dispute, it is that Labor Secretary Perez is wrong—the current process does not work. And the AFL–CIO is wrong—legislation like the PORTS Act is desperately needed.

I urge my colleagues in the Senate to join me in supporting this important legislation. Let us not pinch our economy in an economic vice from the east and the west. Let's find economic opportunity to grow our Nation together.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. MCCONNELL. Mr. President, for the information of all Senators, regular order would have produced a vote on the motion to proceed at 2 a.m. tonight. For the information of all Senators, that vote will actually occur at 9 a.m. tomorrow. So there will be no further votes tonight.

The PRESIDING OFFICER. The Senator from Washington.

STRATEGIC PETROLEUM RESERVE

Ms. CANTWELL. Mr. President, Senator MURKOWSKI and I released a bipartisan energy bill. We hope to mark up that bill next week, but critical to that Energy bill is the modernization of the Strategic Petroleum Reserve.

Forty years ago, we created the Strategic Petroleum Reserve to prevent economic distress caused by oil disruption. People remember exactly what happened with the Arab oil embargo in 1973. The law that created the SPRO—the Energy Policy Conservation Act—was enacted in 1975 specifically to help protect the U.S. economy from energy disruptions.

The core policy reason for having the reserve really hasn't changed, nor should it. The Strategic Petroleum Reserve is an important asset to our energy security. We need it as much today as we did then. Perhaps even more so now that we have so much volatility.

Clearly, we have seen dramatic changes in our energy policy landscape. Instead of importing a lot of oil, we have become a bigger producer in the United States, and our oil infrastructure and refining capacity has reduced our ability to make sure SPR is available in case of an emergency.

In fact, the Department of Energy did a test sale in 2014 and identified a series of challenges associated with the way the SPR distribution works today. That is why I think it is so important. These very supplies that make us more secure in one respect are also stressing our national infrastructure and may actually lessen our ability to respond in an emergency. That is why it is so important to modernize the SPRO, to use the resources we have there, to make sure we make investments.

Some may have seen the Quadrennial Energy Review recently produced and released. Its key findings—I am now reading from the report—show that multiple factors affect U.S. energy security. These include U.S. oil demand, the level of oil imports, the adequacy of emergency response systems, fuel inventory levels, fuel substitution capacity, energy system resilience, and the flexibility, transparency, and competitiveness of the global energy marketplace.

The report goes on to say the United States is the world's largest producer of petroleum and natural gas. Combined with new clean energy technologies and improved fuel efficiency, U.S. energy security is stronger than it has been in over half a century.

But the report goes on to say: Nonetheless, challenges remain in maximizing that energy security benefits of our resources in a way that enhances our competitiveness and minimizes our environmental impacts of their use. The network of the oil distribution has changed significantly.

So the Strategic Petroleum Reserve's ability to offset future energy supply disruption has been adversely affected by global domestic and global market development, and so there is a need for an upgrade.

I think people can all agree it needs an upgrade. So that is why we raise a question about a transportation bill on the floor that takes money out of the Strategic Petroleum Reserve not to upgrade that energy security need but to put it into highways, which will do nothing to secure us if there is an energy supply disruption.

The report goes on to say the capacity of the Strategic Petroleum Reserve to protect the U.S. economy from severe economic harm in the event of a supply emergency associated with spikes has been diminished. It has been diminished.

Changes in U.S. energy production are stressing and transforming the way energy commodities are transported in the United States. Some of these commodities, the report goes on to say, such as coal and ethanol have traditionally relied on rail and barge transport to move these products. These transportation modes, such as rail, barge, and truck transport, are also shared by agriculture and other major commodities and are being joined by significant growth in the use of transport of oil and refined petroleum products.

So it creates a limited infrastructure capacity among these commodities. The report goes on to say that those costs are being increased in shipping and then being passed on to the consumer. So literally, by taking money out of the SPR and not investing it in the modernization of our energy infrastructure and security—we are taking money and building highways—we are making it more expensive for consumers to get products and to secure our economy.

The Department of Agriculture has indicated that disruptions to agricultural shipments—that is, agricultural products that can't get on the rails because we have so much oil, natural gas, coal, and all these other things or just sand for drilling—are basically causing a disruption so big that it is bigger than the disruption to agriculture caused by Katrina.

So we have supply. But the economic challenge of having other products displaced or having the cost to consumers go up is what is threatening us. Even the ability to maintain adequate coal stockpiles at some electric powerplants has been affected by rail congestion. That comes directly from the report. Why is that so important? Because all these energy commodities are important to us. These agricultural commodities are important for us.

The quadrennial review calls for an update to the Strategic Petroleum Reserve. The Department of Energy should make infrastructure investments to the Strategic Petroleum Reserve and its distribution systems to optimize the SPR's ability to protect the U.S. economy in an energy emergency. That is right from the report. The report calls for creating a multimodal freight program to make sure we improve investment in freight and to make sure there is Federal action on shared transportation infrastructure that makes sure we can move our energy products.

It says we have to work on our waterways as well because the waterways are critical to moving our energy products around.

The report goes on to say that the Federal facility that consists of a network of 62 salt caverns at four geographically dispersed storage sites need upgrading. A lot of this is happening in the south of our country, in Louisiana and Texas. We need to make sure our economy does not see another disruption or price spike without our ability to update the SPR and actually get the product out.

The report called on DOE to make a $2 billion investment to increase the incremental distribution of SPR by adding a dedicated marine loading-dock capacity at a gulf coast terminus—my guess, again, is probably in Texas or Louisiana—and that Congress should update the SPR to be more effective in preventing serious economic hardships to the U.S. energy supply and making sure we optimize our capacity for infrastructure distribution. The report also calls for an additional $2.5 billion over 10 years to make sure we are making these connectors.

So not only are we required to do this as a country—to make sure that our country is safe and secure and that we take advantage of the product we have—but we are also a member of the International Energy Program. As to members, they make sure every country is doing what they should to make sure there is an increase in supply and that we can withstand anything—a world event, a natural disaster, a hurricane or critical infrastructure destruction by some cyber event or by an actual attack. So the SPR is like a rainy day fund, an account that makes that infrastructure work.

There are two things in particular we should consider when we are thinking about the drawdown of this product that is not specifically tied to an emergency.

First, we should make sure this investment is an upgrade to the SPR's infrastructure and for its emergency capabilities. That is, if we are going to take money out, it should go to infrastructure in responding to emergencies and not just to the highway bill for highways. We need to make sure the SPR's critical systems and equipment, which are nearing their life-end operational capacity—that in fact there is the $2 billion that is needed to repair that. I am not even sure you can sell money out of the SPR now onto the marketplace because all of the apparatuses and the functioning capabilities for it don't work correctly now. I know we want to mark up a transportation bill that has this money in here, but we may not even be able to collect on it. Let's make sure we do our repairs.

Secondly, let's make sure the receipts from the SPR sale should be used to improve the critical urgency and energy infrastructure investments that we need.

Now, some of my colleagues talk about how expensive this oil was when we bought it and now what we are selling it for. I could say taxpayers are definitely not getting their fair share. But one way to make sure they get their fair share on this investment is to make sure it is invested in the energy security infrastructure that our Nation needs. Now would not be the time to damage our Nation's emergency preparedness by giving this money away in a transportation deal that is only about highways.

I hope, my colleagues, if we are really serious about this effort, if we are going to sell SPR at any price and affect the American taxpayers, that we will follow the recommendations of the Department of Energy's Quadrennial Energy Review that found that many different areas of our energy infrastructure need investing. We could make investments in resiliency, reliability, and security, and focusing on hardening our infrastructure, particularly our transportation systems, which are going to be critical for how we move this product around in the future, and, also so that we have port connectors, which are challenged by the movement of critical freight in critical freight corridors.

We want our country to continue to be self-reliant and to have the great products we are exporting through our ports, but they too need the infrastructure investment. Multiple commodities are competing, and they can't even get on the tracks or through our port corridors without making further investment.

I believe the Secretary of Energy needs the flexibility to manage the SPR and the SPR assets. I believe, if the Secretary of Energy or the President of the United States thought it was such a great idea to sell money out of the SPR for highways only, we would hear them saying so. We don't.

I think we need to provide the Secretary with the dependability to make these decisions about our energy security and make the right investments for our future. I hope we can get this right before this bill is done here in the Senate. Otherwise, we will not be doing ourselves any favor when it comes to energy or energy security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 1856 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

AMERICANS WITH DISABILITIES ACT 25TH ANNIVERSARY

Mr. SANDERS. Mr. President, July 26, 2015, marks the 25th anniversary of the enactment of the Americans with Disabilities Act. I would like to take a moment to discuss the importance of this landmark legislation and to highlight the strides we have made in making our communities more inclusive.

It is estimated that nearly one in five Americans have a disability. Upon its passage, the ADA was hailed as the world's first comprehensive declaration of equality for people with disabilities. It established a clear national mandate that we as a nation have a moral responsibility to ensure that all Americans have access to the programs and the support needed to contribute to society, live with dignity, and achieve a high quality of life. Over the past 25 years, the ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions and increasing full participation in all areas of public life, including the workforce, education, and transportation. Because of this legislation, we have made tremendous progress in eliminating barriers to everyday life for Americans living with disabilities.

Unfortunately, even after 25 years, we still live in a world where people with disabilities have fewer work opportunities and higher rates of unemployment than people without disabilities. We still have more work to do to ensure that the basic civil rights of persons with disabilities are fully protected and respected, but the ADA was an important step forward in achieving these goals.

Through passage of the ADA, we have made more progress on this issue than anyone ever dreamed of 25 years ago. We should be proud of these efforts to make our communities more inclusive, and we should honor this important anniversary by continuing our efforts to ensure that no person with a disability experiences prejudice, discrimination, or barriers to living full and productive lives.

REMEMBERING TROY ELAM

Mr. PORTMAN. Mr. President, I wish to honor the life of Troy B. Elam, of Middletown, OH, and to recognize his legacy and service to our Nation.

Troy was born in Knox County, KY, on May 31, 1926. He was the son of John Nathan Elam and Alice (Clouse) Elam and passed away on July 17, 2015.

Part of our ''greatest generation,'' Troy Elam served his country valiantly in WWII. A decorated WWII combat veteran, Troy Elam was awarded two Bronze Stars for service on the front lines as part of a U.S. Army machine gun squad in the Battle of the Bulge and the Battle of Remagen. His unit liberated a Nazi concentration camp and Troy was proud to be part of the honor guard 21-gun salute for a Dutch soldier who died after being liberated.

In addition to being a WWII veteran, he was a longtime and dedicated mechanic at the Portman Equipment Company. Troy raised his family in Middletown, OH, and is survived by his wife of 71 years, Dorothy Mae (Helton) Elam, his children Diane McCowan, Troy D. Elam, Don Elam, and Jerry Elam, 9 grandchildren, and 14 great-grandchildren.

Troy Elam was an American hero. He will be missed, but his legacy will not be forgotten.

ADDITIONAL STATEMENTS

SAMUEL SHAPIRO & COMPANY 100TH ANNIVERSARY

• Mr. CARDIN. Mr. President, I wish to pay tribute to Samuel Shapiro & Company, a Baltimore-based customs broker and freight forwarder, on the occasion of the firm's 100th anniversary. Founded by Samuel Shapiro in 1915, Shapiro & Co. has since become one of our country's leaders in domestic and international shipping, with locations across the eastern seaboard.

From navigating the intricacies of international cargo management to providing client consultation on import and export compliance, Shapiro & Co. has distinguished itself as a center of innovation, extensive business acumen, and creativity. Strong family and community ties lie at the real heart of the company, which has been family-owned since its founding.

Samuel Shapiro, a son of Russian immigrants, founded Samuel Shapiro & Company at age 20 just as our Nation was beginning to emerge onto the global stage, economically, politically, and socially. Our European allies were in the midst of war, driving the need for American-made goods ever higher. Designated by the U.S. Government as the Port of Baltimore's distribution broker for grain exports, Shapiro & Co., though small, began to build a reputation for effectiveness and reliability among European businesses during the postwar reconstruction period. Throughout the 1920s, 1930s, and 1940s, Shapiro & Co. continued to expand, helping to cement the city of Baltimore as one of the Nation's premier commercial ports.

In the 1950s, Shapiro & Co., driven by the strong leadership of Samuel and his son Sigmund, emerged as an influential force in lobbying for the establishment of the Maryland Port Authority in 1956 and in advocating for the growth of the port, supporting the construction of the Dundalk Marine Terminal in the late 1950s and early 1960s. Shapiro & Co. continued to serve as an economic force through some of Baltimore's most difficult times, throughout the eras of upheaval and relocation in the 1960s and 1970s.

After a lifetime of devotion to the city of Baltimore, Samuel Shapiro passed away at the age of 92 in the mid-1980s. Today, the company is headed by president and CEO Marjorie Shapiro, Samuel's granddaughter. Shapiro, as the company is known today, has evolved from a one-room office with a $5 roll-top desk to a well-respected and highly regarded industry leader and Baltimore institution. The Port of Baltimore is more vibrant than ever, due in part to the stewardship of Shapiro & Co. In 2014, the Port brought in 29.5 million tons of foreign exports at a value of $52.5 billion. I ask my colleagues to join me in celebrating the legacy of this outstanding company, which embodies the values that we honor most as Americans: hard work, a commitment to family, and tireless dedication.•

TRIBUTE TO LESLEY ROBINSON

• Mr. DAINES. Mr. President, I wish to recognize Lesley Robinson, the newly elected member of the Executive Committee of the National Association of Counties, NACo, as Montanan of the Week. Mrs. Robinson was recognized during NACo's 80th Annual Conference and will now act as the regional representative for the western region of the United States. Mrs. Robinson will also serve as vice chair of NACo's Public Lands Steering Committee, which oversees all matters pertaining to federally-owned public lands.

As a rancher from Dodson, MT, Mrs. Robinson understands the western lifestyle and hopes to protect the interests of Montana and other western counties while working on the executive committee. Mrs. Robinson wants to highlight issues regarding resource management, endangered species protection, and wildfire prevention.

Beyond her work at NACo, Mrs. Robinson is also an active member of her community. She works with local organizations like the Bear Paw Development Corporation, Phillco Economic

Council, Phillips Transit Authority and the Joint Powers Trust, and the Montana Stockgrowers Association. I am proud to see Montana being represented by women like Mrs. Robinson, who have dedicated their lives to improving the betterment of Montana and the west for all.●

TRIBUTE TO CARA BECK

● Mr. ROUNDS. Mr. President, today I recognize Cara Beck, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Cara is a graduate of Mitchell High School in Mitchell, SD. Currently, she is attending Augustana College, where she is majoring in history and political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Cara for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO LEAH GOSCH

● Mr. ROUNDS. Mr. President, today I recognize Leah Gosch, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Leah is a graduate of Great Plains Lutheran High School and is from Rapid City, SD. Currently, she is attending South Dakota State University, where she is majoring in electrical engineering. She is smart, hardworking, and has been an incredible asset to our office.

I extend my sincere thanks and appreciation to Leah for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO DUSTIN SANTJER

● Mr. ROUNDS. Mr. President, today I recognize Dustin Santjer, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Dustin is a graduate of Central High School in Aberdeen, SD. Currently, he is attending the University of South Dakota, where he is majoring in finance and political science. He is intelligent, hardworking, and has truly made the most of his internship here.

I extend my sincere thanks and appreciation to Dustin for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRANDON VANBEEK

● Mr. ROUNDS. Mr. President, today I recognize Brandon VanBeek, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Brandon is from Beresford, SD and is a graduate of the Netherlands Reformed Christian School. Currently, he is attending the University of South Dakota, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Brandon for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JULIA ALVAREZ HIERRO

● Mr. RUBIO. Mr. President, today I recognize Julia Alvarez Hierro, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Julia is a student at the Universidad Pontificia de Comillas, where she is double majoring in international relations and translating and interpreting. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Julia for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO GABRIELLE GERECHT

● Mr. RUBIO. Mr. President, today I recognize Gabrielle Gerecht, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Gabrielle is a student at McGill University where she is majoring in international development. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Gabrielle for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO RYAN HOGAN

● Mr. RUBIO. Mr. President, today I recognize Ryan Hogan, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Ryan is a student at Ohio State University where he is majoring in psychology. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Ryan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO CALEB ORR

● Mr. RUBIO. Mr. President, today I recognize Caleb Orr, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Caleb is a rising senior at Abilene Christian University, where he is majoring in political science and sociology. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Caleb for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO WILL PIERESON

● Mr. RUBIO. Mr. President, today I recognize Will Piereson, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Will is a student at Harvard Law School where he is studying national security and cyber law. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Will for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DANIELA RAMIREZ

● Mr. RUBIO. Mr. President, today I recognize Daniela Ramirez, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Daniela is a student at the University of Tampa, where she is majoring in both criminology and government and world affairs. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Daniela for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ANDREW RIDDAUGH

● Mr. RUBIO. Mr. President, today I recognize Andrew Riddaugh, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Andrew is a student at Florida State University, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Andrew for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KEVIN RUBIO

● Mr. RUBIO. Mr. President, today I recognize Kevin Rubio, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Kevin is a student at the University of South Carolina, where he is majoring in both history and political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Kevin for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JARED BLACKBURN

● Mr. RUBIO. Mr. President, today I recognize Jared Blackburn, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jared is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Jared for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO STEPHANIE BONTELL

● Mr. RUBIO. Mr. President, today I recognize Stephanie Bontell, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Stephanie is a student at Southeastern University, where she is majoring in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Stephanie for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SERGIO DE LA TORRE

● Mr. RUBIO. Mr. President, today I recognize Sergio De La Torre, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Sergio is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Sergio for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO RICHARD EL-RASSY

● Mr. RUBIO. Mr. President, today I recognize Richard El-Rassy, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Richard is a student at the University of Florida, where he is majoring in business administration. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Richard for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DEIDRE FRAGAPANE

● Mr. RUBIO. Mr. President, today I recognize Deidre Fragapane, a 2015 Summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Deidre is a student at the University of Central Florida, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Deidre for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SABRINA JEROME

● Mr. RUBIO. Mr. President, today I recognize Sabrina Jerome, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Sabrina is a student at the University of Central Florida, where she is majoring in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Sabrina for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ROBERT MILLER

● Mr. RUBIO. Mr. President, today I recognize Robert Miller, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Robert is a student at the University of Central Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Robert for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ARTEM POLOVIKOV

● Mr. RUBIO. Mr. President, today I recognize Artem Polovikov, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Artem is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Artem for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRITTANY SHAUL

● Mr. RUBIO. Mr. President, today I recognize Brittany Shaul, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Brittany is a student at the University of Central Florida, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Brittany for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO STEPHEN SOTO

● Mr. RUBIO. Mr. President, today I recognize Stephen Soto, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Stephen is a student at Florida State University, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Stephen for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MARC SZNAPSTAJLER

● Mr. RUBIO. Mr. President, today I recognize Marc Sznapstajler, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Marc is a student at the University of Central Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Marc for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO GRACE WILLOUGHBY

● Mr. RUBIO. Mr. President, today I recognize Grace Willoughby, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Grace is a student at the University of Florida, where she is majoring in political science. She is a dedicated and

diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Grace for all the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING SIX C FABRICATION

● Mr. VITTER. Mr. President, small businesses are often able to provide specialized customer service in their industries, with the ability to attract talented employees who are motivated to work hard and focus on innovation. This week, I am proud to recognize Six C Fabrication of Winnfield, LA, as Small Business of the Week.

Robin Cummings founded Six C Fabrication in 1990 as a small shop in Winnfield, LA, with the name originating from the ''C'' of the family name and ''six'' counting for the members of the Cummings family, including Robin, his wife, and their four children. Robin's intent with Six C Fabrication was to provide Louisiana with the best available and most efficient service for fabrication. The Louisiana-based business was originally focused on lumber, but later expanded to other divisions—leading to exponential growth in revenue and employees. Today, Six C has 425 employees between its headquarters in North Louisiana and two facilities in Ohio. Cummings and his team now specialize in fabrication of compressor stations, power piping, process piping, petrochemical operations, pressure valves, and pulp and paper industries, in addition to their original lumber services. Additionally, Six C Fabrication offers a full range of welding services using state of the art equipment—all aimed at meeting the spectrum of their customers' needs.

In recent years, the company has made tremendous strides toward success, from once having a gross income of $300,000 to now averaging a gross income of $46 million. Six C's central location provides optimal transportation options, resulting in timely turnaround and an additional extension of their unrivaled customer service. Six C has received numerous awards and recognitions, including the 2008 Business of the Year for Winnfield, LA, Louisiana Workers' Compensation Corporation 70 Safest Companies of 2010 award, and 2011 Kisatchie-Delta Entrepreneur of the Year, among others.

Congratulations again to Six C Fabrication for being selected as Small Business of the Week. We appreciate and recognize your success and contribution to Louisiana's manufacturing industry and local economy.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

At 11:56 a.m., a message from the House of Representatives, delivered by Mr. Novotny, 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. 1734. An act to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–2352. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2353. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Kenneth J. Glueck, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2354. A communication from the Senior Vice President/Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2014 Annual Report, 2014 Management Report, Statement on the System of Internal Controls, and Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2355. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2356. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the former Liberian regime of Charles Taylor that was established in Executive Order 13348 on July 22, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–2357. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Mid-Session Review of the Budget of the U.S. Government for Fiscal Year 2016''; to the Committees on Appropriations; and the Budget.

EC–2358. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Exhibit Submission Requirements for Commission Hearings'' (Docket No. RM15–5–000) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Energy and Natural Resources.

EC–2359. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards and Test Procedures for Commercial Heating, Air-Conditioning, and Water-Heating Equipment'' ((RIN1904–AD23) (Docket No. EERE–2014–BT–STD–0015)) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Energy and Natural Resources.

EC–2360. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Control of Volatile Organic Compounds from Adhesives and Sealants'' (FRL No. 9930–94–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Environment and Public Works.

EC–2361. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2015–50) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Finance.

EC–2362. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Notice 2015–4'' (Notice 2015–51) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Finance.

EC–2363. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2364. A communication from the Deputy Director, Office of the National Coordinator for Health Information Technology, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Health Resources Priority and Allocations Systems (HRPAS)'' (RIN0991–AB94) received in the Office of the President of the Senate on July 16, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2365. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Compliance Date''

((RIN0910–AG57) (Docket No. FDA–2011–N–0172)) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2366. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Hearing Before the Food and Drug Administration; Technical Amendment'' (Docket No. FDA–2015–N–0011) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2367. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's Balance Sheet as of December 31, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–2368. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–99, ''Fiscal Year 2016 Budget Request Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2369. A communication from the Human Resources Specialist (Executive Resources), Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Small Business Administration, received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Small Business and Entrepreneurship.

EC–2370. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2013 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC–2371. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to accomplishments made under the Airport Improvement Program for fiscal year 2011; to the Committee on Commerce, Science, and Transportation.

EC–2372. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''2015 Annual Report: The U.S. Department of Transportation's (DOT) Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List''; to the Committee on Commerce, Science, and Transportation.

EC–2373. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Numbering Policies for Modern Communications, IP–Enabled Services . . . Connect America Fund, and Numbering Resource Optimization'' ((RIN3060–AK36) (FCC 15–70)) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2374. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Canned Pacific Salmon; Technical Amendment'' (Docket No. FDA–2015–N–0011) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2375. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Khapra Beetle; New Regulated Countries and Regulated Articles'' (Docket No. APHIS–2013–0079) received in the Office of the President of the Senate on July 21, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2376. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to previously closed positions in the Army; to the Committee on Armed Services.

EC–2377. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps'' ((RIN1904–AC82) (Docket No. EERE–2012–BT–STD–0029)) received in the Office of the President of the Senate on July 21, 2015; to the Committee on Energy and Natural Resources.

EC–2378. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2014''; to the Committee on Finance.

EC–2379. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–135); to the Committee on Foreign Relations.

EC–2380. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2381. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Annual Report for 2014 on Disability-Related Air Travel Complaints''; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–52. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 102

Whereas, a land-grant college or university is a postsecondary education institution that has been designated to receive the benefits of the federal Morrill Acts of 1862 or 1890; and

Whereas, there is at least one land-grant institution in every state and territory of the United States, as well as the District of Columbia, and over the years, land-grant status has been associated with several types of federal support; and

Whereas, two universities in this state, Louisiana State University (LSU) and Southern University (SU), are designated as land-grant institutions; LSU received this designation in 1862, and in 1890, what is known as the Second Morrill Act conferred land-grant status to several historically black colleges and universities, commonly referred to as ''1890 land-grant institutions'', and SU is among this group; and

Whereas, Grambling State University, located in Grambling, Louisiana, is seeking designation as an 1890 land-grant institution under the banner of the Second Morrill Act; and

Whereas, Grambling State University was founded in 1901 by the North Louisiana Colored Agriculture Relief Association; in 1905, it moved to its present location and was renamed the North Louisiana Agricultural and Industrial School; in 1946, it became Grambling College; and in 1949, it earned its first accreditation by the Southern Association of Colleges and Schools; and

Whereas, in 1974, the school began to offer graduate programs in early childhood and elementary education and acquired the name Grambling State University; over the years, several new academic programs have been incorporated and new facilities added to the 384-acre campus; and

Whereas, Grambling now offers more than eight hundred courses and forty-seven degree programs in five colleges, including an honors college, two professional schools, a graduate school, and a Division of Continuing Education; and

Whereas, Grambling combines the academic strengths of a major university with the benefits of a small college, and its students grow and learn in a serene and positive environment; and

Whereas, in addition to being one of the country's top producers of African American graduates, Grambling is home to the internationally renowned Tiger Marching Band and remains proud of the legacy of the late Eddie Robinson, Sr., a truly legendary football coach; and

Whereas, Grambling places an emphasis on the value and importance of each student, which is exemplified by its motto, ''Where Everybody is Somebody''; and

Whereas, after more than a decade since its founding, Grambling remains an important influence in the quality of lives and communities of generations of North Louisiana residents; and

Whereas, the designation of Ohio's Central State University as an 1890 land-grant institution in the 2014 Farm Bill set a very recent precedent for the addition of a university to the land-grant system; and

Whereas, the nation's system of land-grant institutions would be strengthened by the inclusion of Grambling State University; and

Whereas, as a historically black university with a strong record of academics, research, and service, Grambling, with its rich history and traditions, would bring a unique perspective to the land-grant system; and

Whereas, for one hundred twenty-five years, the 1890 land-grant institutions have played a vital role in ensuring access to higher education and opportunity for underserved communities, and as such an institution, Grambling would have access to increased resources that it could direct to serving such communities and to providing research, extension, and public services in North Louisiana, an area where these services are not currently being provided sufficiently; and

Whereas, such designation would be consistent with Grambling's agricultural origins and its mission and history of service to African American students and the people of Louisiana and would strengthen Grambling's

research and teaching in science, technology, engineering, and mathematics (STEM) programs and enhance existing programs and facilitate the development of new programs in agricultural business, biotechnology, economics, environment and natural resources, family and consumer science, and engineering technology; and

Whereas, Grambling State University has made the same extraordinary contributions to the education of African Americans in the state of Louisiana as other 1890 land-grant universities have made in their respective states; and

Whereas, as the only Historically Black College or University (HBCU) in the University of Louisiana System, the role that Grambling plays in the state is critical; and

Whereas, a land-grant designation would enhance greatly Grambling's service to the people of Louisiana, and it is appropriate that Congress take all necessary measures to grant such designation to Grambling State University: Now, therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–53. A joint resolution adopted by the Legislature of the State of California memorializing the President of the United States and the United States Congress to recognize the unique military value of California's defense installations and the disproportionate sacrifices California has endured in previous base realignment and closure (BRAC) rounds; to the Committee on Armed Services.

ASSEMBLY JOINT RESOLUTION NO. 11

Whereas, The federal Department of Defense conducted base realignment and closure (BRAC) rounds in 1988, 1991, 1993, 1995, and 2005. The previous BRAC rounds resulted in the closure of 25 major bases in California and the realignment of eight other facilities; and

Whereas, A sixth BRAC round for 2017 has been proposed in the fiscal year 2016 federal budget; and

Whereas, California has been the state hardest hit by the Department of Defense's previous BRAC rounds. In the first four BRAC rounds, for example, the state absorbed 25 percent of the total base closures nationally and 11 percent of the base realignments; and

Whereas, California absorbed 54 percent of personnel cuts in the first four BRAC rounds, losing more federal military jobs from the closure of its military bases than the combined losses in all other states. Additionally, 300,000 private sector defense industry jobs in California were eliminated as a result of those base closures; and

Whereas, These base closures had a severe impact on local governments and communities, some of which continue to struggle with the transition and reuse of these closed bases; and

Whereas, There are currently more than 30 major federal military installations and commands remaining in California that could be closed or realigned as a result of another BRAC process; and

Whereas, The Department of Defense and the defense industry represent a major industry in California today, totaling more than $71 billion in direct spending and employing more than 350,000 Californians. Total effects on the economy far exceed these numbers; and

Whereas, For over half of a century, California's workers, businesses, industries, and universities have contributed to our national security, utilizing their talents, capital, and skills to develop and manufacture new technologies, aircraft, satellites, missiles, and advanced weapons systems; and

Whereas, Military installations provide the foundation for United States defense efforts. Maintaining these installations is, therefore, critical to supporting America's national security. California is vital to the mission and might of our United States military. Our seaports and airports, bases and equipment, research labs and testing grounds support the finest fighting force in the world; and

Whereas, As our nation faces new security threats in the 21st century, California remains ready to confront these dangers. In space, cyberspace, over land, at sea, and in the air, California is helping the military meet the challenges of today and tomorrow. From troop deployment to systems development and cybersecurity, training to logistics, the future of our military is here in California; and

Whereas, Having been the leader in the nation's defense effort, California state government must lead by articulating the national security imperative of maintaining military installations within its borders; and

Whereas, In an effort to be proactive in retaining military facilities within California that are essential to national security, and to provide for a single, focused strategy to defend these installations, in March 2013 Governor Edmund G. Brown Jr. established the Governor's Military Council, in an effort to protect and expand the military's vital role in national security and California's economy. The council has met regularly throughout the state since its creation, and is continuing to work to protect California's military installations and operations and to assist in recruiting new defense missions and operations to the state: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That California's military installations possess critical military value and that California is ready to help the Department of Defense meet its goals now and in the future; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, to not only recognize the unique military value of California's defense installations, but also continue to take into consideration all of the following:

(a) California's unparalleled land, air, and sea ranges that provide the ability to train all types of forces, year round, in every type of warfare effectively, efficiently, and economically.

(b) California's strategic location in the Pacific Theater is a critical factor in executing the National Defense Strategy strategic shift to the Pacific region by allowing for rapid deployment to trouble spots in Asia.

(c) California's ability to recruit and train highly skilled and educated personnel.

(d) The existing synergies between military installations and the private sector.

(e) The economic impact on existing communities in the vicinity of military installations.

(f) Our incomparable quality of life, which enhances personnel retention.

(g) The vast intellectual capital that has been developed in California since World War II.

(h) The disproportionate sacrifices California has endured in previous BRAC rounds; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–54. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 6

Whereas, Over the last 30 years, California has experienced 1,451 earthquakes of magnitude 4.0 or greater, ranging from 16 to 168 per year; and

Whereas, Most Californians live within 20 miles of a major earthquake fault capable of producing damaging earthquakes; and

Whereas, On the morning of August 24, 2014, many residents of Napa discovered they lived closer to such a fault than they believed. A magnitude 6.0 earthquake struck American Canyon, south of Napa, at 3:20 a.m., leading to one death and many injuries. The earthquake seriously damaged nearly 100 homes, as well as many historic downtown buildings. It cost local wineries millions of dollars in spilled wine and damaged equipment, and numerous people were injured. The overall damage and effects of the earthquake demonstrated how even a moderate-sized earthquake can have a large impact on a community; and

Whereas, In June 2014, the Los Angeles Times reported that the first five months of the year were marked by five earthquakes larger than magnitude 4.0, after what had been a relatively quiet period of seismic activity for the Los Angeles area. That number of earthquakes at that magnitude had not occurred in a year since 1994, the year of the Northridge earthquake; and

Whereas, Faced with the certainty of its peril from earthquakes, over the last three decades California has repeatedly shown that smart public policy choices can help Californians prepare for a catastrophic earthquake. Milestone innovations across this era include the following:

(a) In the year following the 1983 Coalinga earthquake, California passed the Earthquake Insurance Act, requiring residential property insurers to offer homeowners earthquake coverage, to ensure homeowners considered the possibility of protecting their home from earthquake damage.

(b) In the year after the 1989 Loma Prieta earthquake, California began examining how a state-based financial pool might be constructed to improve protection for homeowners. This effort, the California Residential Earthquake Recovery Fund (CRERF), was intended to cover the cost of earthquake insurance deductibles. While this plan was repealed in 1992 as potentially actuarially unsound, it pointed the way to further innovations.

(c) Since 1996, the multipart funding mechanism of the California Earthquake Authority (CEA), a public instrumentality of the State of California, has succeeded as the primary source of earthquake insurance for California homeowners seeking to protect their homes from earthquakes; and

Whereas, Despite the growing successes of the CEA since its 1996 formation, how it can

be improved has become clear. Almost every news story about California earthquake insurance and the CEA notes that residential earthquake insurance is costly for homeowners and the deductibles are high. The high cost and high deductibles are seen as a key factor behind why only 12 percent of Californians who buy homeowners' insurance also buy earthquake insurance; and

Whereas, There is no better way to prepare California for the inevitability of disastrous earthquakes than to make earthquake insurance work better for its residents. The limitations of the existing system are well-known. Now is the time for the next key step in policy innovation to make the state's earthquake insurance system work better for renters and homeowners; and

Whereas, As the CEA approaches two decades of operation, it has become clear that the CEA has pushed the envelope on how a single state-based pool can materially assist in catastrophe readiness. But by law, the CEA's rates must be actuarially sound and based on the best available scientific information for assessing earthquake frequency, severity, and loss; these sensible conditions also temper the CEA's ability to cut the cost of earthquake insurance; and

Whereas, As a public instrumentality of the state, the CEA must cover all its risks, including the possibility that at any time, a truly catastrophic earthquake might hit the state; and

Whereas, The CEA's need, as a stand-alone, risk-bearing public instrumentality of the state, to always have a plan to cover the chance of a catastrophic earthquake is what, under the current system, keeps the price of earthquake insurance high. For the level of total exposure the policies represent, the rates yield sufficient premiums to pay for a backstop of reinsurance sufficient to offset expected CEA losses in all but the most catastrophic earthquake; and

Whereas, A federal policy of certain access to federal debt guarantees for postevent financing would strengthen the risk-bearing capacity of actuarially sound state-based disaster programs like the CEA and reduce the preevent expense of providing that insurance. In recent sessions of the United States Congress, a proposed federal partnership limited to prequalified, actuarially sound state earthquake insurance programs has been estimated to expose the federal government to a 10-year cost of only $25 million; and

Whereas, A state and federal partnership to enhance the ability of prequalified, actuarially sound state earthquake funds to access postdisaster borrowing would enable California and other states using actuarially sound programs to manage risk with a dramatically better tool; and

Whereas, The CEA's certain access to a federal guarantee of its postearthquake borrowing would ensure access to the private capital markets at reasonable rates, enhancing the claims-paying capacity for a catastrophic earthquake. That lower-cost capacity, in turn, would permit the CEA to adjust its annual purchase of earthquake reinsurance and lower expenses, thus speeding long-term capital accumulation to help CEA modulate its cost of providing basic earthquake insurance across the state: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the President and the Congress of the United States to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from the State of California in the Congress of the United States.

POM–55. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to support legislation reauthorizing the Export-Import Bank of the United States; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 14

Whereas, The Export-Import Bank of the United States (Ex-Im Bank) is the official export credit agency of the United States and exists for the purposes of financing and insuring foreign purchases of United States goods; and

Whereas, The mission of the Ex-Im Bank is to create and sustain United States jobs by financing sales of United States exports to international buyers; and

Whereas, The Ex-Im Bank is the principal government agency responsible for aiding the export of American goods and services, and thereby creating and sustaining United States jobs, through a variety of loan, guarantee, and insurance programs for small and large businesses; and

Whereas, The Ex-Im Bank has supported more than $400 billion in United States exports in the past 70 years and helps to cover critical trade finance gaps by providing loan guaranties, export credit insurance, and direct loans for United States exports in developing markets where commercial bank financing is unavailable or insufficient. For fiscal year 2014, the Ex-Im Bank provided $20.5 billion in loan guarantees which leveraged $27.5 billion in exports while supporting 164,000 United States jobs. Since fiscal year 2009, the bank has supported more than 1.3 million American jobs in all 50 states; and

Whereas, The Ex-Im Bank is a self-sustaining agency, which operates at no cost to the taxpayer and over the last three fiscal years has generated more than $3 billion in fees from its foreign customers which were deposited in the United States Treasury to reduce the United States deficit and indebtedness; and

Whereas, The Ex-Im Bank enables United States companies large and small to turn export opportunities into sales that help to create and maintain jobs in the United States that contribute to a stronger national economy. On average nearly 90 percent of the Ex-Im Bank's transactions support United States small businesses; and

Whereas, Exports are particularly important to the California economy as California is currently ranked second in exports among all states. If California's manufacturing base is to grow, we must continue to expand our ability to export goods from California facilities. Given the key role the Ex-Im Bank plays in facilitating export sales, failure to reauthorize it would be devastating to existing industry and to those that we hope to create in the future; and

Whereas, Over the past five years, the Ex-Im Bank has assisted more than 67 California companies to export their products. Nearly 200 of those companies are owned by women or minorities and over 700 are small businesses. These companies export their products and services around the globe totaling more than $21 billion in sales. Fifty-two of the 53 congressional districts in California had companies benefit from the Ex-Im Bank loans; and

Whereas, A reauthorization of the Ex-Im Bank is critical to the ability of many United States exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries' export credit agencies; and

Whereas, A failure to reauthorize the Ex-Im Bank would amount to unilateral disarmament in the face of other nations' aggressive trade finance programs that favor their domestic companies over American companies; and

Whereas, Economic growth depends on increasing exports from both small and large manufacturers and service providers in California and reauthorization means support for California exports and California jobs; and

Whereas, in the 114th United States Congress, 1st Session, legislation is pending that would continue the Ex-Im Bank's capacity for creating jobs while also making its practices more accountable and transparent, as well as making the bank more solvent and self-sufficient: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges Congress to support Export-Import Bank of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–56. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Government to immediately dispose of the public lands within Arizona's borders directly to the State of Arizona; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT MEMORIAL 2005

Whereas, at the time of Arizona's Enabling Act, the course and practice of the United States Congress with all prior states admitted to the Union had been to fully dispose, within a reasonable time, of all lands within the boundaries of such states, except for those Indian lands, or lands otherwise expressly reserved to the exclusive jurisdiction of the United States; and

Whereas, the State of Arizona did not contemplate, and could not have contemplated, the United States failing or refusing to dispose of all lands within its defined boundaries within a reasonable time such that the State of Arizona and its permanent fund for its public schools could never realize the anticipated benefit of the deployment, taxation and economic benefit of all the lands within its defined boundaries; and

Whereas, Arizona's Enabling Act contemplates that Arizona's temporary suspension of its sovereign right to tax the public lands within its borders for the benefit of its public schools and the common good of the state ends the very moment that the national government discharges of its trust obligation to immediately dispose of Arizona's public lands within its borders; and

Whereas, under Article I, section 8, clause 17 of the United States Constitution, the national government is constitutionally authorized to exercise right, title and jurisdiction only over lands that are ''purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings''; and

Whereas, the United States Congress never purchased land designated as national parks nor did it ever seek or obtain the consent of the Arizona Legislature as required under Article I, section 8, clause 17 of the United States Constitution; and

Whereas, because of the failure of the national government to immediately dispose of

land within the borders of Arizona, this state bears the burden of the inestimable entanglements and expectations over the multiple use of these public lands that were required to be disposed of that have accumulated for more than one hundred years; and

Whereas, Arizona should have had total control over its public lands from 1912, plus a reasonable time for disposition of the lands; and

Whereas, Arizona has been substantially damaged in its ability to provide funding for education because the national government has unduly retained control of much of the land lying within Arizona's borders; and

Whereas, had the national government sold the land in or about 1912, much of the net proceeds should have been applied to paying down the national public debt, and some should have gone to the state of Arizona's permanent fund for the support of the public schools; and

Whereas, Arizona consistently ranks high among all states in class size and low in per pupil funding for education; and

Whereas, had the national government disposed of the land in or about 1912, Arizona would have generated, from that point forward, substantial tax revenues to the benefit of its public schools and to the common good of the state; and

Whereas, the national government gives Arizona less than half of the proceeds of mineral lease revenues and severance taxes generated from the lands within this state's borders; and

Whereas, Arizona has been substantially damaged in mineral lease revenues and severance taxes in that, had the national government disposed of land in or about 1912, Arizona would realize 100% of the mineral lease revenues and severance taxes from the lands; and

Whereas, Arizona has been damaged by the inordinate cost and substantial uncertainty regarding the national government's infringement on Arizona's sovereign control of public lands within its borders; and

Whereas, County of Shoshone v. United States (unpublished), which confirmed that state law controls in determining what constitutes sufficient public use, Shelby County v. Holder, which clarified that ''the fundamental principle of equal sovereignty remains highly pertinent in assessing [post-admission] disparate treatment of states'' and People for the Ethical Treatment of Property Owners v. United States Fish and Wildlife Service, which confirmed the federal government's abuse of the Commerce Clause authority, all lend support to the notion that the public lands within Arizona's borders should be transferred to Arizona: and

Whereas, because of the breach of Arizona's Enabling Act, and the damages resulting from it, the United States Congress should immediately dispose of the public lands lying within the State of Arizona directly to the State of Arizona; and

Whereas, the national government has an obligation to present and future generations to pay the public debt, yet it has demonstrated a reckless disregard for the growing national debt even as it continues to worsen at an exponential rate.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States government immediately and not later than December 31, 2019 dispose of the public lands within Arizona's borders directly to the State of Arizona.

2. That the United States Congress engage in good faith communication, cooperation, coordination and consultation with the State of Arizona regarding the immediate disposal of the public lands directly to this state.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, the Chief of the United States Forest Service, the Chairperson of the United States House Committee on Natural Resources, the Chairperson of the United States Senate Committee on Energy and Natural Resources and each Member of Congress from the State of Arizona.

POM–57. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to vote to approve the Keystone XL oil pipeline; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1006

Whereas, the United States relies, and will continue to rely for many years, on gasoline, diesel and jet fuel for sources of energy; and

Whereas. in order to fuel our economy, the United States will need more oil and natural gas in addition to alternative energy sources; and

Whereas, the United States currently depends on foreign imports for more than half of its petroleum usage and is the largest consumer of petroleum in the world; and

Whereas, United States dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

Whereas, oil deposits in the Bakken Reserves of Montana, North Dakota and South Dakota are an increasingly important crude oil resource; and

Whereas, there is not enough pipeline capacity to deliver crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma and Texas to American refineries; and

Whereas, Canadian oil reserves total 174 billion barrels, of which 169 billion barrels can be recovered from the oil sands using today's technology; and

Whereas, Canada is the single largest supplier of crude oil to the United States at 3.05 million barrels per day and has the capacity to significantly increase that rate; and

Whereas, the southern leg of the Keystone XL pipeline ties into the existing Keystone pipeline that already runs to Canada, bringing up to 700,000 barrels of oil a day to refineries in Texas. At peak capacity, the pipeline will deliver 830,000 barrels of oil per day; and

Whereas, according to the United States State Department's fifth Final Supplemental Environmental Impact Statement (Final SEIS), which was issued on January 31, 2014, the Keystone XL pipeline will be the safest pipeline ever constructed on American soil, will have minimal impact on the environment, will create thousands of much-needed jobs and bolster the United States' energy security; and

Whereas, according to the Final SEIS, the Keystone XL pipeline will support approximately 42,100 direct, indirect and induced jobs and result in approximately $2 billion in earnings throughout the United States; and

Whereas, the Final SEIS predicts that the Keystone XL pipeline will contribute approximately $3.4 billion to the United States gross domestic product and provide a substantial increase in tax revenues for local counties along the pipeline route, with 17 to 27 counties expected to see tax revenues increase by 10% or more; and

Whereas, the Oklahoma-Texas leg of the Keystone pipeline system, also referred to as the Gulf Coast segment, went into service in late January 2014; and

Whereas, according to a recent economic analysis report conducted by noted economist Bud Weinstein at Southern Methodist University Cox School of Business, the Gulf Coast segment injected $2.14 billion into the Oklahoma economy and more than $3.6 billion into the Texas economy; and

Whereas, a recent study by the United States Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota and Alberta, as well as Texas and Oklahoma, to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America: and

Whereas, Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries: and

Whereas, oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands, and the expansion and upgrade projects will create many new construction jobs over the next five years; and

Whereas, 90% of the money used to buy Canadian oil will likely later be spent directly on United States goods and services; and

Whereas, since 2011, nearly 30 public opinion polls have repeatedly confirmed that building the Keystone XL pipeline is in the best interest of the vast majority of Americans: and

Whereas, supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Arizona.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress vote to approve the Keystone XL oil pipeline.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–58. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to oppose the designation of the Grand Canyon Watershed National Monument in northern Arizona; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1001

Whereas, Arizonans value the Grand Canyon as a national and world treasure and as an economic engine; and

Whereas, there is no threat to the Grand Canyon National Park and its surrounding lands; and

Whereas, existing laws and regulations, including the National Environmental Policy Act, the Federal Land Policy and Management Act, the Archaeological Resources Protection Act and many others, ensure the protection and responsible use of the Grand Canyon National Park and its surrounding lands; and

Whereas, as of 2012, Arizona had the third highest total designated wilderness acreage in the United States with 4.5 million acres. Additionally, another 5.8 million acres were affected by special land use designations, including national monuments; and

Whereas, only three members of the eleven-member Arizona congressional delegation and others have requested that the President of the United States use his authority under the Antiquities Act to designate an estimated 1.7 million acres in northern Arizona as the Grand Canyon Watershed National Monument; and

Whereas, this proposed designation would almost double the amount of acreage designated as national monuments in Arizona

and would be the nation's second largest national monument after the neighboring Grand Staircase-Escalante National Monument in southern Utah, which is over 1.8 million acres; and

Whereas, the federal government granted lands at statehood to the State of Arizona to be held in trust to provide a source of income for schools and other beneficiaries; and

Whereas, the proposed monument designation would severely impact thousands of acres of state trust lands locked up within its boundaries and deny their beneficial use to the trust; and

Whereas, this taking of state trust lands within the proposed national monument without just compensation would be a breach of the sacred trust between the State of Arizona and the federal government that was agreed on in this state's enabling act and harms Arizona's school children; and

Whereas, withdrawal of this vast amount of lands from multiple-use management eliminates or restricts reasonable and thoughtful use of these natural resources for multiple purposes, such as recreation, grazing, mining, energy development and forestry; and

Whereas, multiple-use management of these lands by the United States Bureau of Land Management and the United States Forest Service is based on resource management plans that were developed with public input and have framed the use of these lands since the passage of the Federal Land Policy and Management Act in 1976; and

Whereas, responsible use of natural resources provides a substantial economic benefit to northern Arizona and there is no reason to eliminate this benefit for a nonexistent threat; and

Whereas, the conservation of wildlife resources across Arizona is the trust responsibility of the Arizona Game and Fish Commission; and

Whereas, the Arizona Game and Fish Commission voted to oppose the proposed Grand Canyon Watershed National Monument on May 11, 2012 and its analysis found that monument designation can lead to restrictions on proactive wildlife management, including hunting and fishing access; and

Whereas, national monument designation requires a very narrow management regime and could severely restrict forest management activities, such as scientifically established fire management, erosion control and invasive species treatments; and

Whereas, in addition, Arizona's proper management of state forest lands, which includes selective logging, has made for a healthy and prolific environment for naturally occurring habitat and has proven effective in preventing habitat loss, as has occurred on federally managed forest lands, through wildfire; and

Whereas, consideration of the effects on the customs, cultures and economic well-being of our local communities as well as important historic and cultural aspects of our local heritage; and

Whereas, the cost benefit of this proposal must be considered; and

Whereas, while a minority caucus of three of the eleven-member Arizona congressional delegation and a small, yet vocal, group of others advocate to transfer state resources to the federal government, the State of Arizona desires to uphold the congressional designation of the multiple-use policy as per the Federal Land Management Policy Act as being best for our citizens and Arizona's economy.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the President of the United States does not designate the Grand Canyon Watershed National Monument in northern Arizona.

2. That the United States Congress oppose the designation of the Grand Canyon Watershed National Monument in northern Arizona.

3. That any new monuments, including the proposed Grand Canyon Watershed National Monument, have express state and congressional approval before they are so designated by the President.

4. That the Governor and the Attorney General of the State of Arizona take appropriate actions to implement this Memorial.

5. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Secretary of the Interior, the Governor of the State of Arizona and the Attorney General of the State of Arizona.

POM–59. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to pass H.R. 594; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1004

Whereas, on April 21, 2014, the United States Environmental Protection Agency and the United States Army Corps of Engineers published a proposed rule in the Federal Register that defines ''Waters of the United States'' under the Clean Water Act; and

Whereas, the final rule is projected to be published in the Federal Register by August 31, 2015; and

Whereas, the rule purports to clarify issues raised in two United States Supreme Court decisions, Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers and Rapanos v. United States, that created uncertainty over the Clean Water Act's scope and application; and

Whereas, the rule will expand the scope of the Clean Water Act, resulting in greater impacts to this state, as well as on local governments, their citizens and their businesses; and

Whereas, the rule will subject almost all physical areas with a connection, or a ''significant nexus,'' to downstream navigable waters, including features such as ditches, natural or manmade ponds and floodplains, to the jurisdiction of the Clean Water Act; and

Whereas, the rule will apply to all programs under the Clean Water Act; and

Whereas, the rule change will cause significant harm to local farmers, stall the development of businesses and strip local providers of their control of land use for sustainable food production; and

Whereas, the cost to our municipalities and taxpayers will be enormous; and

Whereas, the rule is contrary to the ruling of the United States Supreme Court in Rapanos as it appears to rely heavily on the minority opinion's concept of ''significant nexus,'' which was rejected by the Court's prevailing opinion; and

Whereas, the term ''significant nexus'' does not appear in the Clean Water Act: and

Whereas, under the rule, groundwater may be used in making determinations of a ''significant nexus,'' which is an overreach of the federal agencies as groundwater systems are under the jurisdiction of the states and should not be broadly used in justifying a determination of jurisdictional water of the United States; and

Whereas, in Solid Waste Agency of Northern Cook County, the United States Supreme Court stated that the use of ''case by case'' determinations should be the exception, not the rule, and the rule allows for broad use of case by case determinations, which inserts needless uncertainty into the development process; and

Whereas, the rule grants the United States Environmental Protection Agency and the United States Army Corps of Engineers authorities not specifically granted to them by the Clean Water Act; and

Whereas, the proposed rule, should it become effective, will hamper beneficial development, increase costs of infrastructure construction and maintenance and result in an unacceptable level of uncertainty in the permitting process; and

Whereas, the Constitution of the United States was meant to reserve to the states exclusive jurisdiction over their respective nonnavigable, intrastate waters and waterways within their boundaries except as expressly delegated to the federal government by the Constitution or prohibited by it to the states. and the federal government's power to regulate navigable waters cannot constitutionally reach nonnavigable, intrastate waters and waterways that have no significant connection to navigable waters; and

Whereas, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection, miles away, to a body of water that is currently defined as ''navigable.''

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress pass H.R. 594, which prohibits the United States Environmental Protection Agency and the United States Army Corps of Engineers from developing, finalizing, adopting, implementing, applying, administering or enforcing the proposed federal rule that defines ''Waters of the United States'' under the Clean Water Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Administrator of the United States Environmental Protection Agency and the Commanding General and Chief of Engineers of the United States Army Corps of Engineers.

POM–60. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Environmental Protection Agency to refrain from reducing the ozone concentration standard; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1014

Whereas, the United States Environmental Protection Agency (EPA) is proposing to reduce the national ambient air quality standard for ozone from 75 parts per billion to 65 to 70 parts per billion, while taking comment on a level as low as 60 parts per billion; and

Whereas, the Clean Air Act requires the EPA to review the ozone concentration standard every five years, and the EPA last updated this standard in 2008, setting it at 75 parts per billion; and

Whereas, if the EPA reduced the standard to 70 parts per billion, nine out of 11 counties monitored for ozone levels in Arizona would be out of compliance; and

Whereas, if the EPA reduced the standard to 65 parts per billion, all 11 counties monitored for ozone levels in Arizona would be out of compliance, and the four rural counties that are not currently monitored might also be out of compliance; and

Whereas, a revised ozone standard of 65 to 70 parts per billion would result in widespread nonattainment designations in areas of the nation that already meet the current ozone standards; and

Whereas, based on 2011 through 2013 monitoring data, the EPA reports that 358 counties in the nation would violate a standard of 70 parts per billion and that an additional 200 counties would violate a standard of 65 parts per billion; and

Whereas, nonattainment area designations would limit economic and job growth by restricting new and expanded industrial and manufacturing facilities, imposing emission ''offset'' requirements on new sources of nitrogen oxides and volatile organic compounds emissions, constraining oil and gas extraction and raising electricity prices for industries and consumers; and

Whereas, low-income and fixed-income citizens would bear the brunt of higher energy costs and utility bills; and

Whereas, according to the National Association of manufacturers, the EPA's proposal could be the most expensive regulation ever issued on the American public, costing the nation $270 billion to $360 billion annually; and

Whereas, according to the National Association of Manufacturers, the proposed ozone regulations could cost Arizona $28 billion in gross state product loss from 2017 to 2040, 19,982 lost jobs or job equivalents per year, $639 million in total compliance costs and a $520 drop in average household consumption per year; and

Whereas, the National Association of Manufacturers predicts that the EPA's proposed standards could result in a 15% increase in residential electricity prices, a 32% increase in residential natural gas prices and an 8% reduction in Arizona's coal-fired generating capacity; and

Whereas, the EPA has identified only 46% of the controls needed to meet the proposed standards, and the remaining 54% would have to be met with unknown controls that the EPA has not yet identified but that would likely have to include early shutdowns and scrappage of existing facilities, equipment and vehicles; and

Whereas, early retirement and scrappage of power plants, industrial facilities, heavy-duty trucks and equipment and automobiles would be much more costly ways to remove each additional ton of emissions than the controls the EPA has identified; and

Whereas, air quality continues to improve, and nitrogen oxide emissions are already down to 60% nationwide since 1980, which, after adjusting for economic growth, implies a 90% reduction in emission rates from the relatively uncontrolled 1990 rates for nitrogen oxide-emitting sources; and

Whereas, average ozone concentrations have decreased significantly in both urban and rural areas over the past two decades in response to state and federal emission control programs; and

Whereas, states are on track to be fully in attainment with the current standards, but some have not yet reached full attainment; and

Whereas, instead of giving states enough time to meet the current standards through ongoing emission reduction programs, the EPA now wants to move the goalpost by imposing a lower standard; and

Whereas, retaining the current ozone standards would provide for continued air quality improvement throughout the nation as emission reduction programs under existing EPA regulations are implemented.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the EPA refrain from reducing the ozone concentration standard from 75 parts per billion to 65 to 70 parts per billion.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Administrator of the United States Environmental Protection Agency, the President of the United States, the President of the United States Senate. the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–61. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Fish and Wildlife Service to focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range, to halt additional introductions of Mexican wolves in Arizona, and to shift the responsibility for the Mexican wolf introduction to the Arizona Game and Fish Department; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1003

Whereas, on January 16, 2015, United States Fish and Wildlife Service (USFWS) issued a revised experimental population rule under section 10(j) of the Endangered Species Act (ESA) that provides for a population objective of 300 to 325 wolves in Arizona and New Mexico and expands the areas within which Mexican wolves can occupy and disperse with the goal of phasing the releases westward over a period of twelve years; and

Whereas, the revised experimental population rule raises concerns regarding the creation of an unmanageable Mexican wolf population, fails to consider state and local interests and remains silent on Mexican wolf recovery; and

Whereas, Congress enacted section 10(j) of the ESA to mitigate fears that reestablishing populations of endangered species would negatively impact landowners and other private parties, recognizing that flexible rules, developed in consultation with local governments and private citizens, could encourage recovery partners to actively assist in the establishment and hosting of endangered populations on their lands; and

Whereas, to the maximum extent practicable, section 10(j) rules are intended to represent an agreement between the USFWS, affected state and federal agencies and persons holding any interest in land that may be affected by the establishment of an experimental population; and

Whereas, the objective of 1982 Mexican Wolf Recovery Plan is the establishment of a viable, self-sustaining population of at least 100 Mexican wolves in the wild; and

Whereas, at the end of 2014, there were a minimum of 109 wolves in the wild in Arizona and New Mexico, all of which were conceived and born in the wild as a direct result of previous wolf introduction efforts; and

Whereas, the costs to date of this program have exceeded $7.3 million; and

Whereas, the implementation of the revised experimental population rule will allow additional wolves to be introduced within Arizona and New Mexico; and

Whereas, the introduction of wolves into Arizona and New Mexico has resulted in significant adverse impacts on private landowners and resource users, as well as hunting and other recreational activities, which are vital to our local and regional economy; and

Whereas, under its regulations, the USFWS must consult with appropriate state fish and wildlife agencies, local governmental entities, affected federal agencies and affected private landowners in developing and implementing experimental population rules; and

Whereas, in developing its experimental population rules for the Mexican wolf, the USFWS has failed to meaningfully consult with local governmental entities, whose citizens will be adversely affected by the introduction of wolves, and with private land and resource users who will be adversely impacted by the introduction of wolves; and

Whereas, the adopted experimental population rule for the Mexican wolf will create even greater conflicts with private landowners and resource users; and

Whereas, the Arizona Game and Fish Department provided the USFWS and the United States Department of the Interior with a notice of intent to bring a civil action pursuant to section 11(g)(1)(C) of the ESA for the Secretary of the Interior's failure to develop a recovery plan for the Mexican gray wolf that meets the legal requirements in section 4(f) of the ESA; and

Whereas, the federal government has failed to take into consideration the customs, cultures, historic heritage and local and state economic well-being of areas that have been identified as habitats for this species; and

Whereas, the Secretary of the Interior has a nondiscretionary duty under section 4(f) to develop a recovery plan that incorporates ''objective. measurable criteria which when met, would result in a determination, in accordance with the provisions of this section, that the species be removed from the list.''

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the USFWS focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range, which contains substantial habitat suitable for Mexican wolves and, in many places, is largely uninhabited.

2. That the USFWS halt additional introductions of Mexican wolves in Arizona.

3. That the USFWS shift the primary responsibility for the administration of the Mexican wolf introduction program in Arizona to the Arizona Game and Fish Department.

4. That the Secretary of the Interior comply with the Secretary of the Interior's duty under section 4(f) of the ESA to develop a recovery plan that incorporates ''objective, measureable criteria which when met, would result in a determination, in accordance with the provisions of this section, that the species be removed from the list.''

5. That the Governor and the Attorney General of the State of Arizona take appropriate actions to uphold this state's responsibilities with respect to the recovery plan and defend this state against overreaching federal regulations.

6. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Director of the United States Fish and Wildlife Service, the Secretary of the United States Department of the Interior, the Attorney General of the State of Arizona, the Governor of the State of Arizona, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–62. A concurrent resolution adopted by the Legislature of the State of Arizona commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the State of Arizona; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION 1019

Whereas, Israel has been granted her land under and through the oldest recorded deed, as recorded in the Old Testament, scripture that is held sacred and revered by Jews and Christians alike, the acts and words of God; and

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years of history; and

Whereas, the legal basis for the establishment of the modern State of Israel was a binding act of international law established in the San Remo Resolution, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress; and

Whereas, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the Land of Israel, including the areas of Judea, Samaria and Jerusalem; and

Whereas, Article 80 of the United Nations Charter recognized the continued validity of the rights granted to states or peoples that already existed under international instruments, and, therefore, the 1922 League of Nations resolution remains valid and the 650,000 Jews currently residing in the areas of Judea, Samaria and eastern Jerusalem reside there legitimately; and

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized land as a homeland for the Jewish people; and

Whereas, the United States, as the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people; and

Whereas, Israel is the greatest friend and ally of the United States in the Middle East, and the values of our two nations are so intertwined that it is impossible to separate one from the other; and

Whereas, there are those in the Middle East who have continually sought to destroy Israel from the time of its inception as a state, and those same enemies of Israel also hate and seek to destroy the United States; and

Whereas, the State of Arizona and Israel have enjoyed cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year; and

Whereas, Israeli Prime Minister Benjamin Netanyahu spoke before a joint session of Congress on March 3, 2015 and urged the United States to stand with Israel to ''stop Iran's march of conquest, subjugation and terror'' and warned the United States that an emerging nuclear agreement with Iran ''paves Iran's path to the bomb'': Now, therefore, be it

Resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. That the Members of the Legislature commend Israel for its cordial and mutually beneficial relationship with the United States and with the State of Arizona and support Israel as a Jewish state in its legal, historical, moral and God-given right of self-governance and self-defense on the entirety of its own lands, recognizing that Israel is not an occupier of the lands of others and that peace can be afforded in the region only through a whole and united Israel.

2. That the Secretary of State transmit copies of this Resolution to the President of the United States, each member of Congress from the State of Arizona and the Governor of the State of Arizona.

POM–63. A resolution adopted by the Senate of the State of Georgia encouraging the representation of diverse populations of different racial and ethnic backgrounds in clinical research and the dedication of additional community resources to increase awareness on the importance of participating in clinical trials, to provide support for patient participation, and to promote effective partnerships with the community to achieve solutions; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION 590

Whereas, developing new medicines and other treatment options is a complex process that involves clinical trials to explore whether a medical strategy, treatment, or device is safe and effective for humans; and

Whereas, volunteer participation is necessary to evaluate potential therapies for safety and effectiveness in clinical studies; and

Whereas, often the enrolled patient population is not representative of United States demographics or subpopulations impacted by the particular disease; and

Whereas, groups such as African Americans and Hispanics are significantly underrepresented in clinical trials; according to the Food and Drug Administration, African Americans represent 12 percent of the United States population but only 5 percent of clinical trial participants, and Hispanics comprise 16 percent of the population but only 1 percent of clinical trial participants; and

Whereas, despite a congressional mandate that research financed by the National Institutes of Health (NIH) include minorities, non-whites comprise fewer than 5 percent of participants in NIH-supported studies; and

Whereas, certain medical conditions have been known to affect particular demographic groups more than others, including Type 2 diabetes for which African Americans and Hispanics are twice as likely to be diagnosed on average; and

Whereas, according to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about one in 12, and sickle cell disease occurs in about one out of every 500 African American births, compared to about one out of every 36,000 Hispanic American births; and

Whereas, race and ethnicity have also been demonstrated to affect the efficacy of and response to certain drugs, such as antihypertensive therapies in the treatment of hypertension in African Americans and antidepressants in Hispanics; and

Whereas, many barriers exist that account for the low rate of participation among diverse communities, including patient fear of experimentation and lack of understanding or education with regard to the importance of clinical trials in creating new treatments and cures: Now, therefore, be it

Resolved by the Senate, That the members of this body encourage the representation of diverse populations of different racial and ethnic backgrounds in clinical research and the dedication of additional community resources to increase awareness on the importance of participating in clinical trials, to provide support for patient participation, and to promote effective partnerships with the community to achieve solutions; and be it further

Resolved, That the Secretary of the Senate is authorized and directed to make appropriate copies of this resolution available for distribution to the President of the United States, the Vice President of the United States, the Georgia delegation to the United States Congress, and other federal and state government officials as appropriate.

POM–64. A concurrent resolution adopted by the Legislature of the State of Iowa urging the United states Congress to repeal the Act of June 30, 1948, Public Law Number 846, 62 Statute 1161, which conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement and to take whatever steps are necessary to achieve such a repeal; to the Committee on Indian Affairs.

SENATE CONCURRENT RESOLUTION 5

Whereas, the Sac and Fox Tribe of the Mississippi in Iowa (the Meskwaki) is a federally recognized tribe organized in accordance with Section 16 of the federal Indian Reorganization Act of June 18, 1934, 48 Stat. 984, as amended by the federal Act of June 15, 1935, 49 Stat. 378, under a Constitution and Bylaws approved by the Secretary of the Interior on December 20, 1937; and

Whereas, in 1857, the Meskwaki purchased 80 acres in Tama County which was held in trust by the State of Iowa as permitted by then Governor James Grimes and for the next 30 years the Meskwaki governed themselves virtually free from interference from both the federal and state governments; and

Whereas, the jurisdictional status of the Meskwaki during this period of time was unclear as the tribe was recognized by the federal government but also had a continuing relationship with the State of Iowa due to the Meskwaki's private ownership of land which was held in trust by the Governor of the State of Iowa; and

Whereas, in 1895, in order to clear up any ambiguities, the State of Iowa ceded to the federal government all jurisdiction over the Meskwaki with the stipulation that nothing in the transfer of the tribal lands would prevent the State of Iowa from exercising jurisdiction over crimes against the laws of Iowa committed either by Indians or others on the Meskwaki Settlement; and

Whereas, during what is now known as the Indian Termination Era, the United States government tried to end its trusteeship over Indian reservations throughout the country and in part passed the federal Act of June 30, 1948, which conferred jurisdiction over criminal offenses committed on the Meskwaki Settlement to the State of Iowa; and

Whereas, the federal Act of June 30, 1948, was passed at a time when there was a perception that there was lawlessness on the Meskwaki Settlement and an absence of adequate tribal institutions for law enforcement; and

Whereas the passage of the federal Act of June 30, 1948, provided no federal funding to the State of Iowa to assume this responsibility which has amounted to an unfunded federal mandate and the resulting cost over the years has been unfairly borne by the taxpayers of Tama County; and

Whereas, in the past 67 years much has changed at the federal, state, and tribal levels in the area of criminal law enforcement and in the development of laws in general on the Meskwaki Settlement; and

Whereas, the federal Tribal Law and Order Act of 2010, Pub. L. No. 111–211, authorized Indian tribes to expand the prosecution and punishment of criminal offenders if certain due process requirements were followed; and

Whereas, Indian tribes have recently achieved more authority to prosecute criminal offenses committed on tribal lands as evidenced by the enactment of the federal Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113–4, which for the first time allowed tribal enforcement over non-natives who commit domestic violence on tribal lands; and

Whereas, the State of Iowa was the first in the nation to pass Native American grave protection legislation, commonly known as the Iowa Graves Protection Act, 1976 Iowa Acts, ch. 1158, §7, that came into law before the federal version and before the more recent passage of Iowa's Recognition and Enforcement of Tribal Civil Judgments Act, 2007 Iowa Acts, ch. 192, which followed the development of the Meskwaki Tribal Court System in 2005, with its first case being tried

in 2006, and 2003 state legislation, 2003 Iowa Acts, ch. 87, recognizing the Meskwaki Tribal Police and allowing them to participate in the Iowa Law Enforcement Academy and to become state certified; and

Whereas, the Meskwaki has greatly enhanced at its own expense the tribe's criminal justice system and now provides a fully functioning court system through the establishment of a state certified police force, legally trained and licensed public defenders, prosecutors and judges, and a full-time probation officer, and provides for the publication of its tribal laws; and

Whereas, the Iowa Coalition Against Sexual Assault and the Iowa Coalition against Domestic Violence have noted that the victims of domestic violence on the Meskwaki Settlement prefer that prosecution and other court services be handled by the tribal court of the Meskwaki Settlement: Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Iowa General Assembly urges the members of the United States Senate and the United States House of Representatives to repeal the Act of June 30, 1948, Pub. L. No. 846, 62 Stat. 1161, which conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement and to take whatever steps are necessary to achieve such a repeal; and be it further

Resolved, That upon passage of this resolution, the Secretary of the Senate shall transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Iowa's congressional delegation.

POM–65. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact legislation similar to the Mohave County Radiation Compensation Act of 2013; to the Committee on the Judiciary.

HOUSE CONCURRENT MEMORIAL 2004

Whereas, the United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962; and

Whereas, essential to the nation's nuclear weapons development was uranium mining and processing, which was carried out by tens of thousands of workers; and

Whereas, following cessation of the tests in 1962, many of these workers filed class action lawsuits alleging exposure to known radiation hazards; and

Whereas, these suits were dismissed by the appellate courts, but the United States Congress responded with the Radiation Exposure Compensation Act (RECA), which devised a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry; and

Whereas, RECA presents an apology and monetary compensation to individuals who contracted certain cancers and other serious diseases following exposure to radiation released during the atmospheric nuclear weapons tests or following occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup; and

Whereas, RECA was designed to serve as an expeditious, low-cost alternative to litigation; and

Whereas, Mohave County was not included as an affected area for purposes of making claims under RECA based on exposure to atmospheric nuclear testing; and

Whereas, in 2013, United States Representative Paul Gosar introduced H.R. 424, known as the Mohave County Radiation Compensation Act of 2013, which sought to include Mohave County as an affected area for purposes of making claims under RECA; and

Whereas, H.R. 424 was not enacted.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Members of the United States Congress enact legislation similar to United States Representative Paul Gosar's Mohave County Radiation Compensation Act of 2013 that adds Mohave County as an affected area for purposes of making claims under RECA.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–66. A concurrent memorial adopted by the Legislature of the State of Arizona urging the Congress of the United States and Department of Veterans Affairs to review the disability rating process; to the Committee on Veterans' Affairs.

SENATE CONCURRENT MEMORIAL 1008

Whereas, military veterans with similar disabilities are receiving disparate disability ratings because of different standards, policies and procedures used by the physical evaluation boards operated by the military departments; and

Whereas, achieving consistent disability ratings regardless of service is an important objective that will ensure service members are treated equitably; and

Whereas, disability significantly increases the veteran poverty rate; the rate of increase is nearly twice that of the nonveteran disabled population; and

Whereas, even those veterans who receive Social Security Disability or Supplemental Security Income benefits have incomes under $9,000 per year; and

Whereas, 60% of hiring organizations polled in a June 2010 Society for Human Resource Management survey said that translating military skills to a civilian job experience could pose a challenge in hiring veterans and 46% said the same about hiring those who suffer from posttraumatic stress disorder and other mental health issues; and

Whereas, while service members are often promised saleable skills and job opportunities they would not have access to otherwise, the reality is that veterans often feel discriminated against and overlooked in the workplace; and

Whereas, veterans who are granted a Total Disability Rating Based on Individual Unemployability are subject to earning restrictions.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Department of Veterans Affairs review the disability rating process to ensure that similar disabilities are rated similarly.

2. That the United States Department of Veterans Affairs review the limitations on employment of veterans with disabilities and the ways in which veteran benefits are impacted if a veteran with a disability becomes employed to ensure that veterans with disabilities are not hindered from joining the workforce.

3. That the United States Department of Veterans Affairs remove the earning restriction associated with the Total Disability Rating Based on Individual Unemployability.

4. That the United States Department of Veterans Affairs develop programs and incentives to encourage employers to hire veterans with disabilities.

5. That the United States Congress enact legislation that codifies into the United States Code the text of 38 Code of Federal Regulations section 4.16, which provides that employment in a protected environment is not considered substantially gainful employment for the purposes of a Total Disability Rating Based on Individual Unemployability.

6. That the United States Congress define ''protected environment'' to include businesses that make special accommodations for veterans with disabilities.

7. That the United States Congress enact legislation that prevents the United States Department of Veterans Affairs from decreasing a Total Disability Rating Based on Individual Unemployability if the veteran is marginally employed in a protected environment.

8. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the Secretary of the United States Department of Veterans Affairs, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–67. A joint resolution adopted by the Legislature of the State of Maine memorializing the Congress of the United States to pass necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; to the Committee on Veterans' Affairs.

JOINT RESOLUTION S.P. 474

We your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

Whereas, military personnel from the State of Maine have answered the call to serve our Nation many times and Maine is estimated to be 3rd in the Nation per capita for military service. According to Veterans Administration records, Maine has had 11,531 military members serve since the tragic events of 9/11; and

Whereas, members of the Maine National Guard and Reservists have been deployed many times over and many have returned from the wars in Iraq and Afghanistan needing assistance and medical care; and

Whereas, 55 of Maine's services members have been killed in action in Iraq and Afghanistan; and

Whereas, more than 320 have received the Purple Heart for wounds received in combat; and

Whereas, many have returned home with post-traumatic stress disorder, traumatic brain injury, hearing problems and other physical and mental disabilities; and

Whereas, many communities in Maine need someone who can meet with veterans and survivors to explain benefits and to get the word out to veterans and theirfamilies concerning frequently changing Veterans Administration benefits and eligibility; and

Whereas, major issues for returning veterans concerning increasing suicide rates, homelessness, unemployment and education were brought before the 113th Congress with little or no substantive results; and

Whereas, as the 114th Congress begins, veterans and their families in Maine and across the Nation hope that the new Congress will be responsive and helpful and aggressively address the many issues facing the veterans of the wars in Iraq and Afghanistan; and

Whereas, the men and women who serve our State and Nation so faithfully deserve to have access to care, housing, medical treatment and mental and physical therapy: Now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people we represent, take this opportunity to urge the United States Congress to take the lead in passing necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–68. A resolution adopted by the California State Lands Commission supporting S.414, the California Desert Conservation and Recreation Act of 2015; to the Committee on Energy and Natural Resources.

POM–69. A concurrent resolution adopted by the Legislature of the Commonwealth of Puerto Rico expressing firm support to the decision of the President of the United States to restore diplomatic relations between the government of the United States and the government of the Republic of Cuba; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 242. A bill to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes (Rept. No. 114–89).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 764. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes (Rept. No. 114–90).

S. 834. A bill to amend the law relating to sport fish restoration and recreational boating safety, and for other purposes (Rept. No. 114–91).

H.R. 720. A bill to improve intergovernmental planning for and communication during security incidents at domestic airports, and for other purposes (Rept. No. 114–92).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. McCAIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. John N. T. Shanahan, to be Lieutenant General.

Army nomination of Maj. Gen. Michael X. Garrett, to be Lieutenant General.

Navy nomination of Capt. Darse E. Crandall, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. Joseph E. Tofalo, to be Vice Admiral.

Air Force nomination of Gen. Paul J. Selva, to be General.

Marine Corps nomination of Gen. Joseph F. Dunford, Jr., to be General.

Air Force nomination of Gen. Darren W. McDew, to be General.

Air Force nomination of Maj. Gen. David J. Buck, to be Lieutenant General.

Air Force nomination of Lt. Gen. Tod D. Wolters, to be Lieutenant General.

Air Force nomination of Lt. Gen. Russell J. Handy, to be Lieutenant General.

Air Force nomination of Col. Frank H. Stokes, to be Brigadier General.

Air Force nomination of Lt. Gen. John W. Raymond, to be Lieutenant General.

Army nomination of Col. James E. Porter, Jr., to be Brigadier General.

Army nomination of Maj. Gen. Robert P. Ashley, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. Daniel R. Hokanson, to be Lieutenant General.

Navy nomination of Rear Adm. Kevin D. Scott, to be Vice Admiral.

Navy nomination of Rear Adm. Kevin M. Donegan, to be Vice Admiral.

Army nomination of Maj. Gen. Michael H. Shields, to be Lieutenant General.

Army nomination of Brig. Gen. Victor J. Braden, to be Major General .

Navy nomination of Rear Adm. Richard P. Breckenridge, to be Vice Admiral.

Air Force nominations beginning with Colonel David W. Ashley and ending with Colonel Richard W. Wedan, which nominations were received by the Senate and appeared in the Congressional Record on July 9, 2015. (minus 1 nominee: Colonel Robert A. Meyer, Jr.)

Air Force nomination of Col. Steven A. Schaick, to be Brigadier General.

Army nomination of Col. Jeffrey A. Doll, to be Brigadier General.

Air Force nomination of Lt. Gen. Carlton D. Everhart II, to be General.

Air Force nomination of Col. Dondi E. Costin, to be Major General.

Army nomination of Maj. Gen. Stephen R. Lyons, to be Lieutenant General.

Navy nomination of Rear Adm. John C. Aquilino, to be Vice Admiral.

Navy nomination of Vice Adm. Robert L. Thomas, Jr., to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Lawrence D. Nicholson, to be Lieutenant General.

Mr. McCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Robert B. A. MacGregor, to be Major.

Air Force nominations beginning with Jane E. Boomer and ending with Matthew D. Van Dalen, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Afsana Ahmed and ending with Reggie D. Yager, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with John C. Rockwell and ending with Stephen J. Torres, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Ana M. Apoltan and ending with Aldo Ttinoco, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Brian H. Adams and ending with Mary Jean Wood, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Allen Kipp Albright and ending with Bradley Duncan White, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2015.

Army nomination of David G. Jones, to be Colonel.

Army nomination of Raymond L. Phua, to be Colonel.

Army nomination of John M. Bradford, to be Major.

Army nominations beginning with Steve J. Chun and ending with Benjamin R. Siebert, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nomination of Steven L. Isenhour, to be Colonel.

Army nomination of Joseph D. Gramling, to be Colonel.

Army nomination of Mark S. Snyder, to be Colonel.

Army nomination of Keith J. McVeigh, to be Colonel.

Army nomination of Lisa M. Stremel, to be Major.

Army nominations beginning with Michael N. Cleveland and ending with Michael W. Summers, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Matthew H. Brooks and ending with Jay D. Hanson, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Gil A. Diazcruz and ending with Soliman G. Valdez, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Nicholas R. Cabano and ending with James W. Pratt, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with Kimberly D. Brenda and ending with Carrie A. Storer, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with Eric J. Ansorge and ending with D011713, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with John L. Ament and ending with Wendy G. Woodall, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nomination of Laura M. Hudson, to be Major.

Army nomination of Mark R. Read, to be Colonel.

Marine Corps nomination of John R. Barclay, to be Lieutenant Colonel.

Navy nomination of Thomas F. Murphy III, to be Captain.

Navy nominations beginning with Arslan S. Chaudhry and ending with Andrew D. Silvestri, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Navy nomination of Benjamin M. Boche, to be Lieutenant Commander.

Navy nomination of Michael J. Elliott, to be Captain.

Navy nominations beginning with Christopher N. Andrews and ending with Nicholas J. Vandyke, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

By Mr. GRASSLEY for the Committee on the Judiciary.

Michael C. McGowan, of Delaware, to be United States Marshal for the District of Delaware, for the term of four years.

(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. HOEVEN (for himself, Ms. STABENOW, Ms. HEITKAMP, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. THUNE, Mr. BROWN, Mr. ENZI, and Mr. ROUNDS):

S. 1844. A bill to amend the Agricultural Marketing Act of 1946 to provide for voluntary country of origin labeling for beef, pork, and chicken; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HATCH:

S. 1845. A bill to amend the Wild Free-Roaming Horses and Burros Act to provide for State and tribal management and protection of wild free-roaming horses and burros, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1846. A bill to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Ms. WARREN, Mr. BLUMENTHAL, Mr. SANDERS, Mr. MERKLEY, and Mrs. MCCASKILL):

S. 1847. A bill to enhance the accuracy of credit reporting and provide greater rights to consumers who dispute errors in their credit reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself and Mr. CORNYN):

S. 1848. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself, Mr. INHOFE, Mr. PAUL, Mr. CASSIDY, and Mr. BARRASSO):

S. 1849. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. PAUL):

S. 1850. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. CORNYN):

S. 1851. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require States to eliminate the use of restraints on pregnant juveniles in State correction facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

S. 1852. A bill to amend title XIX of the Social Security Act to ensure health insurance coverage continuity for former foster youth; to the Committee on Finance.

By Mr. CRUZ:

S. 1853. A bill to limit the availability of funding for contributions to the United Nations if the arms embargo on Iran pursuant to United Nations Security Council Resolutions 1747 and 1929 is lifted; to the Committee on Foreign Relations.

By Mr. BOOKER:

S. 1854. A bill to amend title 39, United States Code, to improve the United States Postal Service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO (for herself, Mr. RUBIO, Mr. MENENDEZ, and Mr. JOHNSON):

S. 1855. A bill to provide special foreign military sales status to the Philippines; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, and Ms. HIRONO):

S. 1856. A bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FISCHER (for herself, Ms. AYOTTE, and Mr. SCOTT):

S. 1857. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MERKLEY (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1858. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL:

S. 1859. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. DURBIN (for himself and Mr. LEAHY):

S. 1860. A bill to protect and promote international religious freedom; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. AYOTTE (for herself, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MORAN, Mr. PETERS, Mr. RUBIO, Mr. SCHUMER, and Mr. MENENDEZ):

S. Res. 228. A resolution designating September 2015 as ''National Ovarian Cancer Awareness Month''; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mrs. FEINSTEIN, Mr. BLUNT, Mr. RISCH, Mr. DURBIN, Mr. KAINE, Mr. KING, Mr. RUBIO, Mr. WHITEHOUSE, Mr. LANKFORD, Mr. HEINRICH, Mr. COTTON, and Ms. HIRONO):

S. Res. 229. A resolution designating July 26, 2015, as ''United States Intelligence Professionals Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 174

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 174, a bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes.

S. 284

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 284, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 512

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 804

At the request of Ms. COLLINS, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 812

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 862

At the request of Ms. MIKULSKI, the names of the Senator from New York

(Mr. SCHUMER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 864

At the request of Mrs. BOXER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 864, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 993

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

S. 1143

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1143, a bill to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1345

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1345, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1387

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1387, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 1608

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1608, a bill to protect the safety of the national airspace system from the hazardous operation of consumer drones, and for other purposes.

S. 1640

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1640, a bill to amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1688

At the request of Mr. CARPER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1688, a bill to provide for the admission of the State of New Columbia into the Union.

S. 1704

At the request of Mr. BARRASSO, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1704, a bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 1746

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1746, a bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies.

S. 1785

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1785, a bill to repeal the wage rate requirements of the Davis-Bacon Act.

S. 1812

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1812, a bill to protect public safety by incentivizing State and local law enforcement to cooperate with Federal immigration law enforcement to prevent the release of criminal aliens into communities.

S. 1814

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1814, a bill to withhold certain Federal funding from sanctuary cities.

S. 1832

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1832, a bill to provide for increases in the Federal minimum wage.

S. 1836

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1836, a bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

S. RES. 226

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 226, a resolution expressing the sense of the Senate that the street between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, should be designated as ''Oswaldo Paya Way'' .

AMENDMENT NO. 2268

At the request of Mr. PAUL, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 2268 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2272

At the request of Mr. TESTER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2272 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt

employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2276

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 2276 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2281

At the request of Mr. LEE, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 2281 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOEVEN (for himself, Ms. STABENOW, Ms. HEITKAMP, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. THUNE, Mr. BROWN, Mr. ENZI, and Mr. ROUNDS):

S. 1844. A bill to amend the Agricultural Marketing Act of 1946 to provide for voluntary country of origin labeling for beef, pork, and chicken; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HOEVEN. Mr. President, today I filed, along with a bipartisan group of cosponsors, the Voluntary Country of Origin Labeling and Trade Enhancement Act of 2015. I wish to thank the cosponsors on the legislation. The lead cosponsor on the Democratic side is Senator DEBBIE STABENOW, ranking member on the Senate Agriculture Committee. Also joining us in this bipartisan group are Senator JOHN THUNE from South Dakota, another member of the agriculture committee, Senator AMY KLOBUCHAR, Senator CHUCK GRASSLEY, Senator HEIDI HEITKAMP, Senator MIKE ENZI, and Senator SHERROD BROWN. With the exception of Senator ENZI, all of the cosponsors are members of our agriculture committee.

What we are trying to do is come up with a solution to the country-of-origin labeling issue. This is an issue that has been in a WTO court for some time and involves the United States, Canada, and Mexico, our very good trading partners. Essentially what we are working to do is to find a solution that addresses the WTO issues as far as country-of-origin labeling in a way that makes sure that we are WTO compliant so that there are no duties or tariffs that can be levied against any of our agricultural exports or any other exports. At the same time, for those who want to use country-of-origin labeling on a voluntary basis, they are able to do so. That would preserve what is known as the ''Grade A'' label, which simply means born, raised, and slaughtered or processed in the United States. So for beef, pork, and chicken, if it is born and raised and processed in the United States, one can still use that ''Grade A'' label, but it is a voluntary program, it is not a mandatory program. We do that purposely so that we meet the WTO requirements. I have spoken with the U.S. Trade Representative's office about that issue, which I will go into in just a minute.

What we have done is we have simply taken the House legislation—sponsored by the Agriculture Committee chairman in the House, Representative MIKE CONAWAY, which passed in the House—essentially, we take the same bill, the same language as far as repealing mandatory COOL. So we repeal mandatory COOL, which puts us in compliance with what the WTO is asking for, then we simply add some language that allows for a voluntary program, so that for processors, marketers, and producers that want to participate in a voluntary program, they can. If they believe consumers want to know, then they have that opportunity to provide their product with the ''Grade A'' label on a voluntary basis. That is reasonable because that is what Canada does. Canada has a voluntary program. It is called their ''Product of Canada'' label. So all we are doing is what Canada does. We repeal the mandatory program and we put in place a voluntary program just as our good friends and neighbors do in Canada.

When I spoke with the U.S. Trade Representative about this issue, essentially what they said is whether we repeal mandatory COOL by itself or repeal mandatory COOL and have a voluntary program, essentially we are in the same position vis-a-vis meeting the WTO requirements.

So this is really an effort to build bipartisan support for a solution to the COOL issue, which has been a challenging issue. This is an issue we worked on on the farm bill. I was one of the conferees on the conference committee, and COOL and some of the other issues were some of the last—dairy, for example—issues we were able to resolve in finally getting an agreement on a farm bill.

Again, this is an effort in a practical way to bring people together on both sides of the issue to solve the problem. We make sure we are WTO compliant. Then, on a voluntary basis, there is the option for people to label as they want to. We work to create enough bipartisan support in this body so we can deal with the issue now, so we can resolve the issue now and pass this legislation and then get it to conference with the House and have a resolution before the end of this month and before the August recess so that this issue is taken care of.

I look forward to working with everybody involved on both sides of the aisle, including our esteemed chairman of the Agriculture Committee, Senator ROBERTS. I appreciate all the time we have spent working together on this issue. I look forward to working with Members on both sides of the aisle, both on the Agriculture Committee and everyone else, to craft a solution, advance it through this body, and get it to conference with the House.

As I said, I have spoken with Chairman CONAWAY, the Agriculture Committee chairman in the House. We have a good relationship, and we had a good dialogue about the sooner we get to work together to resolve this, the better, and we look forward to that.

Again, I ask my colleagues to join with us, our bipartisan group, in a bipartisan way. Let's get this done and make sure we not only have addressed the issue with the World Trade Organization court so there are no duties but also make sure we have put forward a solution that works for the American consumer and for the American agriculture industry, that on a voluntary basis gives them the opportunity to provide country-of-origin labeling as well as solving the WTO challenge.

By Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, and Ms. HIRONO):

S. 1856. A bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BLUMENTHAL. Mr. President, going back to my colleagues who have appeared to talk about issues of accountability for the Department of Veterans Affairs, I want to say how grateful I am for the spirit of collaboration that prevailed yesterday in our meeting.

Very generously and responsibly, the chairman of that committee, Senator ISAKSON—my good friend and distinguished colleague from Georgia—offered and committed to continue the effort to improve the measures we approved yesterday in our committee to hold accountable the Department of Veterans Affairs and all of its employees—just as we do any other agency of government—to make sure we keep faith with our veterans and leave no veteran behind.

Our Nation needs to make sure we provide the robust resources and the prompt delivery of health care services

and other measures to our veterans with the honest and efficient management our veterans deserve.

So many of us were repulsed and outraged by the revelation just a little more than 1 year ago about delays in health care, irresponsible and reprehensible and, indeed, criminal obstruction of justice in cooking the books that prevailed at health care facilities of the Department of Veterans Affairs around the country, and the ramifications were sweeping. There were indeed changes in management, beginning at the very top, with a new Secretary. There were also measures approved by this Congress in the last session, the Veterans Access, Choice and Accountability Act, to make sure no veteran suffering 30 days or more in delays in health care be denied a private provider if he or she chooses one or is living more than 40 miles from any facility.

We are working on additional measures, constructive and positive measures, to make sure this Nation fulfills its promise of prompt, world-class, first-class health care to every veteran who needs it, regardless of what that need is, the specialty or the illness, and to make sure we also cure the other deficiencies, such as the delays in disability claims, homelessness, joblessness, the need for job training and skills among our veterans.

Part of our task is accountability to make sure members of the Department of Veterans Affairs are held accountable. That is one reason why I insisted and urged from the very beginning of those revelations of wrongdoing and criminality in the Department of Veterans Affairs that there be a Department of Justice investigation. I called on the Attorney General of the United States to investigate, not the inspector general of the Department of Veterans Affairs, the Attorney General of the United States because only the Department of Justice has the resources and expertise, direction, and leadership to successfully pursue the wide-ranging criminality and wrongdoing that I thought was revealed.

For all of us who hope there is honesty and fair dealing in our government, regrettably there has now been a criminal indictment. The indications are that more should follow, that there was and is reason for a Department of Justice investigation, that there are and need to be continued reports and results of the IG investigation. I have called in hearing after hearing that we be given those reports and results of the ongoing inspector general investigation, and we still are lacking in the full work product from that office. There is clearly more work to be done on the wrongdoing that has been committed in the past, and there is clearly more work to be done to prevent it in the future.

Part of what needs to be done is to protect the whistleblowers. Indeed, those revelations of wrongdoing came in part from whistleblowers who had the courage and fortitude to step forward and who were intimidated and ostracized and sometimes persecuted within the VA. They need protection. One part of what we need to do is to make sure they are protected.

There ought to be accountability going forward in disciplining employees within the VA when there is malfeasance or waste or fraud. That involves eliminating some of the redtape and rigaramole that in the past have hampered the VA Secretary or other managers in making sure that there is accountability. That is why I welcome the focus of our committee on assuring accountability and transparency.

Those changes in the law are necessary to enable the VA Secretary and his team to make sure that there is not only accurate and effective prompt discipline but also the appearance of it so that employees at the VA will know that there is a standard of conduct and it will be enforced and it will be upheld in the courts when it is challenged. That is true not only in the VA but of every department of the U.S. Government. There needs to be that perception and reality of the enforcement of codes of conduct and ethics.

There needs to be a recognition that it is in the interest not only of the American taxpayer but the employees of the U.S. Government themselves. The majority of them are honest and hard-working. Those nurses, counselors, therapists, doctors, and administrators at the VA who are doing their job—in fact, working overtime often without additional pay—who are serving valiantly and responsibly, their clients deserve that wrongdoers be rooted out and held accountable. They are the vast majority of those honest and hard-working employees, and we owe them thanks for what they do to serve our veterans, but the wrongdoers need to be disciplined.

The idea that they should receive bonuses is absolutely abhorrent. I welcome legislation that stops bonuses for employees who fail the most basic notions of effective and honest service. They deserve that those bonuses be stopped.

My colleague Senator ISAKSON has spoken about S. 627, the bill that has been sponsored by Senator AYOTTE and was approved yesterday. I want to make sure in the improvements I am going to offer to it and that my colleague Senator BROWN offered yesterday—that we actually make it more effective. That is the nature of this deliberative process, that we try to improve on what we are doing to make enforcement more effective.

I know as an enforcer, as a former U.S. attorney and a Federal and State official, enforcement is key to making the law work. The same is true of S. 1082, sponsored by our colleague Senator RUBIO, which also was approved yesterday by our committee. I have offered a bill that will improve the measure we approved yesterday in a number of different respects.

First of all, there are serious questions about the constitutionality of the provision approved yesterday. I think in fairness to all of the American taxpayers as well as this body, we should face whatever deficiencies there are constitutionally in the law before that law becomes unenforceable.

The importance of making sure a law is constitutional goes to enforcement. A law that is unconstitutional, that fails to provide sufficient notice, a statement of causes, a right to be heard, an opportunity to achieve basic constitutional protection that the U.S. Security Court has repeatedly said is necessary, those deficiencies can make law unenforceable.

As I said yesterday in our committee meeting, as a former attorney general, and there are others in this body, we know how difficult the task is to defend a law or defend State action that is based on a constitutional and firm statute.

A law that is unenforceable is worse than no law at all because it creates a false sense of security, an expectation that never can be fulfilled because a law that is unenforceable will never be effective in preventing the wrong that it is designed to do.

I want to improve S. 1082—in fact, to make it more effective—but to make sure it is done in a way that can be upheld, also to protect those whistleblowers, and to make sure that if there are firings and disciplines, it is done on the merits, that it is done on the basis of real cause and evidence, not as part of a political witch hunt.

We have been through the spoils system. This Nation has lived through a time when, in effect, offices were bought and sold. That certainly is nobody's intention here, and I am sure my colleagues and I can work together to move toward a measure that fulfills our common shared objective in making sure that merit and effective action is rewarded with bonuses and through other means and that wrongdoing is punished and deterred.

There can be no enforcement unless the law is framed as well as possible, and there can be no deterrence unless there is enforcement. That is what we want to do: prevent this kind of wrongdoing going forward, not just looking backward and pursuing and prosecuting the wrongdoers, which I hope will be done. There is more than ample evidence to support it but also to prevent it going forward.

I am tremendously heartened by our committee chairman's commitment to work with me and others on that committee. He said to me very explicitly, and it is on the record, that he will, in fact, work with us. We will engage in collaboration.

I think we are going to improve these measures. They may not be huge or sweeping changes in what we approved yesterday, but we all know that words can sometimes lead to courts concluding that there are defects in the law that were never intended by the

Framers. That is a consequence, an unintended result that we should avoid if possible. It may seem like lawyer talk, but it has ramifications in the courts. That is the reason we heard from the DAV at our June 24 hearing that it is ''vitally important to VA's long-term future to create an environment in which the best and brightest professionals choose VA over other Federal or private employers.''

We need those best of the best in the VA, not working in the private sector alone. Fairness and due process in our workplace will encourage talented doctors, lawyers, nurses, and other professionals to come to the VA, which is where we need them, for the strength of that system.

As the independent U.S. Merit Systems Protection Board stated in its statement for the record in the committee's June 24th hearing, there is a need to follow and respect constitutional due process. The Partnership for Public Service said much of the same thing in this letter of July 21, 2015.

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

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

PARTNERSHIP FOR PUBLIC SERVICE,
Washington DC, July 21, 2015.

SENATE COMMITTEE ON VETERANS AFFAIRS,
U.S. Senate, Washington, DC.

DEAR MEMBERS OF THE SENATE VETERANS AFFAIRS COMMITTEE: On behalf of the Partnership for Public Service, a nonpartisan, nonprofit organization dedicated to improving the effectiveness of our federal government, I am writing to express my views on S. 1082, the Department of Veterans Affairs Accountability Act of 2015, and a substitute amendment to be offered by Senator Blumenthal, which would address employee accountability and broader management challenges at the Department of Veterans Affairs (VA).

As members of the Senate Veterans Affairs Committee, you have a unique opportunity to fix serious problems at the Department and improve the ability of the Department to deliver on its mission to provide high-quality services to veterans. Unfortunately, the reforms promoted in S. 1082 will not accomplish these objectives. As drafted, the bill eliminates due process protections for employees—which will silence the very whistleblowers we rely on to sound the alarm—and could lead to removals for partisan or discriminatory reasons. The bill will also have an adverse impact on the ability of VA to recruit and retain top talent, as seasoned reformers may be less inclined to pursue VA leadership positions without due process protections. In addition, the bill expedites the appeals process without providing additional resources, which, according to a statement for the record from the Merit Systems Protection Board (MSPB), could overwhelm MSPB's capacity to manage its workload.

The Partnership strongly agrees that poor performance is a real problem at VA and that federal employees at all agencies must be held accountable for their performance and conduct. We have recommended dozens of reforms to the current civil service system that, we believe, will lead to a better managed government and a higher performing workforce. However, moving to at-will employment will have many unintended consequences and will not solve the critical management challenges that are hobbling VA and jeopardizing the care of our veterans. We believe a better solution lies in Sen. Blumenthal's substitute amendment that would give the Secretary an additional tool to remove individuals who are a threat to public health or safety, and improve the management of the Department.

Among other things, the substitute amendment would do the following:

Hold senior political leaders accountable in performance plans for recruiting and selecting the right people for employment at the agency, engaging and motivating employees, training and developing employees and holding managers accountable for making difficult performance decisions. Accountability for management in government starts at the very top and this provision will ensure all leaders, career and political, are held accountable.

Ensure managers are fully using the probationary period to develop high-potential employees and to remove someone if they are not the right fit for the position. The amendment would require managers to make an affirmative decision as to whether an individual who serves in a probationary period has demonstrated successful performance and should continue past the probationary period. It also requires new supervisors to demonstrate management competencies, in addition to technical skills, in order to remain in a management position.

Require periodic training for managers on the rights of whistleblowers and how to address an employee allegation of a hostile work environment, reprisal or harassment; how to effectively motivate, manage and reward employees; and how to effectively manage employees who are performing at an unacceptable level.

Hold VA managers accountable in performance plans for taking action to address poor performance and misconduct and for taking steps to improve or sustain high levels of employee engagement.

Create a separate promotion track for technical experts so they can advance in their careers without having to go into management positions for which they are ill-suited. Too often we hear that supervisors promote their employees to management positions because they want to pay them more, even when the employees are technical experts who may be uninterested or unskilled in managing people.

Require GAO to study the implementation of Section 707 of the Veterans Access, Choice, and Accountability Act of 2014, which was enacted last year, to understand its impact on performance, accountability, recruitment and retention at VA, particularly at the executive level. The provision would also require GAO to review VA's internal policies for dealing with performance issues and make recommendations for how the Department could expedite the process for addressing performance and misconduct administratively.

The challenges at VA are critical and must be addressed. We encourage the Committee to adopt the substitute amendment and ensure these critical management provisions are included as the bill moves to the floor. Our veterans deserve the very best care and this is the time for real reform, not simple expediency.

Very best wishes,

MAX STIER,
President and CEO.

Mr. BLUMENTHAL. I ask that my colleagues join in this collaboration because I know how deeply you and I feel, how we share that common goal, not just in our committee. I ask that we work to incorporate the measure I have introduced today, S. 1856, with the cosponsorship Senators MURRAY, SANDERS, BROWN, TESTER, and HIRONO, my colleagues on the Veterans' Affairs Committee, the Department of Veterans Affairs Equitable Employee Accountability Act. This measure is introduced today, and it will help us improve and enhance S. 1082 and the supremely important objectives that motivate it.

I thank my colleagues for our work together, and I look forward to pursuing it.

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

By Mr. MERKLEY (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1858. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

Mr. MERKLEY. Mr. President, I rise today to introduce the Equality Act of 2015—comprehensive civil rights legislation for our LGBT community.

There are few concepts as fundamentally American as equality. We were founded on this principle with these simple words:

> We hold these truths to be self-evident, that all men are created equal, they are endowed by their Creator with unalienable Rights, that among these are life, liberty, and the pursuit of happiness.

For more than two centuries, we have been working to fulfill that vision of equality. We have taken direct action as a nation so that our laws align more closely with these founding ideals. We have challenged unjust rules and destructive prejudices and chosen to advance basic civil rights.

Martin Luther King put forth the vision that the arc of the moral universe is long but it bends towards justice. He knew that in the 1950s and 1960s Americans were hard at work making that moral arc of the universe bend towards justice. That is the work we continue here in the Senate, here on Capitol Hill, here in the House of Representatives just 100 yards away.

Step by step, stride by stride, the barriers that once prevented people from enjoying the full measure of liberty, the full measure of opportunity, the full measure of equality have broken down.

At the same time, we recognize there is much more to be done to secure that reality for each and every American. In cities and towns across our Nation, many of our citizens do not receive equal treatment, not because of anything they have done but because of who they are—lesbian, gay, bisexual, transgender, whom they love, and who they are.

Yes, we have made progress in advancing rights for the LGBT community. We passed the Matthew Shepard Hate Crimes Prevention Act after I came to the Senate in 2009. We repealed don't ask, don't tell, which prevented all Americans from serving openly in the U.S. military. We reauthorized the Violence Against Women Act, or VAWA, with protections for services for the LGBT community. We passed the Affordable Care Act so that no one could be denied health care because of their sexual orientation or gender identity. And we have seen landmark victories in the Supreme Court, first in the Edith Windsor case when the Court ruled it was unconstitutional for the Federal Government to discriminate and just last month when the Court reaffirmed that ''love is love'' and ensured that marriage equality would come to all 50 States.

That is a significant number of steps, a significant number of strides on the path toward full equality, and it happened in a relatively short period of time. But we are far from where we need to be—full equality for every American. As long as people are afraid to put their spouse's photo on their desk at work, as long as they are worried about being evicted from their apartment if they do not pretend to be just roommates, we have a lot of work to do.

The harsh reality remains that in far too many States there are still no laws specifically prohibiting discrimination against LGBT Americans. Nearly two-thirds of the LGBT community reports they have faced discrimination in their lives. In Pennsylvania, a transgender woman can be denied service and kicked out of a restaurant just for being who she is and it would be perfectly legal. In Michigan, a newly married couple can be denied the chance to buy their first house just because they are both women and that would be perfectly legal. In North Carolina, a gay man can be fired from his job today just for being gay and that would be perfectly legal.

Only 22 States and the District of Columbia have passed legislation that prevents workers from being fired because they are gay. Only 19 of those States and the District of Columbia include language protecting against gender identity bias.

The time has come to right this wrong. The time has come for us as a nation to be bolder and better at ensuring full rights and full equality for the LGBT community. Not only is it within our power, it is something America must work to lead. And the most powerful form of leadership is the example we set.

In 1962, Bobby Kennedy said:

> Nations around the world look to us for leadership not merely by strength of arms, but by the strength of our convictions. We not only want, but we need, the free exercise of rights by every American.

Our commitment to the vision of equality and fairness is a significant part of America's soul. It makes us strong. It makes us who we are as a people. And we should settle for nothing less. These fundamental principles served as the guiding force behind the comprehensive legislation—the Equality Act of 2015—we are introducing today here in the Senate and the House of Representatives.

I thank my lead cosponsors in the Senate, CORY BOOKER and TAMMY BALDWIN, who have done enormous good work in setting the stage for today's introduction.

I thank four staff members who worked very hard on this on my team, including my chief of staff, Michael Zamore; my legislative director, Jeremiah Baumann; my legislative assistant, Adrian Snead; and my legislative correspondent, Elizabeth Eickelberg. There are many other members of the team who pitched in, but they have worked day and night to help make this moment arrive.

We have had support, such critical support and involvement from numerous outside groups.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of dozens of groups endorsing this legislation.

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

NATIONAL ORGANIZATIONS THAT ENDORSE THE LEGISLATION:

9to5, National Association of Working Women, Advocates for Youth, Aids United, American Civil Liberties Union, American Federation of Teachers, American Federation of Teachers, Anti-Defamation League, Athlete Ally, Bend the Arc Jewish Action, CenterLink: The Community of LGBT Centers, Central Conference of American Rabbis, Family Equality Council, Family Equality Council, Freedom to Work, Generation Progress, GLSEN, Hindu American Foundation, Human Rights Campaign, Interfaith Alliance, JWI.

Lambda Legal, NARAL Pro-Choice America, National Black Justice Coalition, National Center for Lesbian Rights, National Center for Transgender Equality, National Council of La Raza (NCLR), National Education Association, National Education Association, National Employment Law Project, National Gay & Lesbian Chamber of Commerce, National LGBTQ Task Force Action Fund, National Organization for Women, National Partnership for Women & Families, National Women's Law Center, People For the American Way, PFLAG National, PFLAG National, Planned Parenthood Federation of America, Secular Coalition for America, Sexuality Information and Education Council of the U.S. (SIECUS), The Trevor Project, Union for Reform Judaism.

STATE ORGANIZATIONS THAT ENDORSE THE LEGISLATION:

9to5 California, CA; 9to5 Colorado, CO; 9to5 Georgia, GA; 9to5 Wisconsin, WI; Equality Michigan, MI; Equality Michigan, MI; Gender Justice, MN and Upper Midwest; Gender Rights Maryland, MD; PROMO (Missouri), MO; Southwest Women's Law Center, NM.

Mr. MERKLEY. Mr. President, I particularly want to draw attention to several organizations that played a leading role, and I apologize to others that were also very involved. The Human Rights Campaign played a central role in organizing today's introduction. I also thank the American Civil Liberties Union, the National Council of La Raza, the National LGBTQ Task Force Action Fund, the National Women's Law Center, and so many others.

The Equality Act will create uniform Federal standards to protect all LGBT Americans from discrimination in housing, in workplaces, in schools, in public accommodations, and in financial transactions. It is a vision of equality deeply rooted in the 1964 Civil Rights Act. It is setting the same foundation to end discrimination for the LGBT community that was set for ethnicity and set for gender and set for race. That is the foundation for the vision of eliminating discrimination in area after area, and it is time we place LGBT nondiscrimination on that same foundation. That is what we are doing today—comprehensively taking on discrimination.

The bill also addresses gaps in legal protections against sex discrimination—ensuring women are treated equally in all aspects of their lives. The Equal Employment Opportunity Commission and a steadily increasing number of courts have recognized that sexual orientation and gender identity discrimination are properly understood as forms of sex discrimination in light of multiple controlling sex discrimination cases. The EEOC has done this through several decisions, most notably Macy v. Holder in 2012, which held that transgender discrimination is sex discrimination, and Baldwin v. Foxx very recently, which held that sexual orientation discrimination is sex discrimination.

The bill we are introducing today, the Equality Act, codifies this understanding, making it clear that sexual orientation and gender identity are correctly understood as sex discrimination.

In addition, the bill adds the terms ''sexual orientation'' and ''gender identity'' to the list of protected characteristics throughout the code. This change should not be read to mean that sexual orientation and gender identity are not correctly understood as sex discrimination. These additions were made so covered entities as well as LGBT people can clearly see that these protections exist. Employers, businesses, and institutions are often not aware of the decisions by the EEOC and the courts holding that sexual orientation or gender identity are protected.

This bill represents a paradigm shift in two ways. First, our civil rights community has worked incredibly hard

to defend the principles established in the 1964 Civil Rights Act, and today we are asking for their engagement to not simply defend this act but to expand this act. Second, we have worked very hard to take on pieces of discrimination, whether it be don't ask, don't tell, whether it be Federal benefits for same-sex partners. But today we are saying we need a vision of comprehensive nondiscrimination. That is the expression of full opportunity. You cannot access full opportunity if the door is closed in financial transactions or jury selection or public accommodations if you can still be turned away from a restaurant because of whom you love or whom you are. Every American deserves equality in every basic function of our society. Discrimination has no place in our Nation's laws.

If it is wrong in marriage, as the Court has held, as numerous States have established, it is wrong also in employment. If it is wrong in employment, it is wrong in housing. If it is wrong in housing, it is wrong, too, in education.

Overwhelmingly, Americans believe discrimination is wrong. Overwhelmingly, they believe it is already illegal, and they believe it has no place in our society and no place being condoned by our laws.

Even though the Equality Act addresses multiple dimensions of discrimination, it is quite simple. It says that people deserve to live free from fear, free from violence, and free from discrimination, regardless of who they are or whom they love.

Writing these protections into law will bring us another stride forward in our Nation's long march toward inclusion and equality. It will extend the full promise of America to every American. I will keep fighting until this bill is on the President's desk. I will not be satisfied until everyone in the lesbian, gay, bisexual, transgender community is guaranteed the dignity and the freedom they deserve, the whole sense of opportunity provided through participation in American society. A full measure of equality: equal citizen.

I urge all of my colleagues to join me in this fight. I thank the 40 Senators who stood up today to be original cosponsors of the Equality Act of 2015. Let's make our democracy more inclusive and our freedom more perfect by bringing our laws and our actions in line with the founding principle that all are created equal.

Mr. LEAHY. Mr. President, last month, the Supreme Court took a significant step towards a more perfect union when it ruled that every American has the right to marry the person they love and have that lawful marriage recognized. It was a victory for love and justice over bigotry and intolerance. This historic milestone should be celebrated, but we must remember that the journey is not complete. The Fourteenth Amendment's principles of liberty and equality safeguard all couples' right to marry, and also serves as a bulwark against discriminatory treatment in the other aspects of everyday life, including where we live, where we work, and our interactions with the government.

While LGBT Americans are now able to marry the person they love, they continue to experience discrimination in many other aspects of their lives. Achieving full equality means that LGBT individuals should be able to provide security for their families without fear that they will be fired from their jobs or denied housing. It means that a restaurant cannot refuse to serve an LGBT couple because the owner disapproves of that couple's relationship.

These are not abstract concepts. In our country today, LGBT Americans continue to experience discrimination, and it must end. In a June 27 article in the New York Times, entitled ''Next Fight for Gay Rights: Bias in Jobs and Housing,'' the author Erik Eckholm provides clear documentation of such discrimination. A landlord in East Nashville, TN, refused to rent his apartment to two women in a loving relationship after he learned of their partnership because it made him ''uncomfortable.'' He refused their rental application even after they offered to raise the rent by $150. A transgender individual was fired from her job as an industrial electrician because, according to her boss, her identity was becoming ''too much of a distraction,'' in spite of the fact that she was doing ''great work.''

If such discrimination were based on race, religion, sex, or national origin, these individuals would be protected under Federal law. But because Federal civil rights law, as well as many state and local laws, do not provide explicit protections based on sexual orientation and gender identity, these individuals continue to experience discrimination without any legal protection. Their stories show us that LGBT Americans continue to be treated as second class citizens in their daily lives.

That is why I am an original cosponsor of the Equality Act. The bill would amend existing Federal law to provide explicit civil rights protections for LGBT individuals. This non-discrimination bill would ensure that sexual orientation and gender identity are protected under Federal law in the same way that race, sex, religion, national origin, and disability are also protected classes. The result would be to protect LGBT individuals against discrimination in public accommodations, federally-funded programs, employment, housing, education, credit, and other aspects of daily life. This is the kind of equality and security that all American families should enjoy.

I am proud that Vermont was one of the first States to pass a comprehensive law prohibiting discrimination on the basis of sexual orientation in 1992, and also passed a law explicitly prohibiting discrimination on the basis of gender identity in 2007. All Vermonters are protected from discrimination in employment, places of public accommodation, housing, credit, and other services. This is what we need on the Federal level as well.

Mr. President, I ask unanimous consent that the New York Times article referenced above be printed in the RECORD.

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

[From the New York Times, June 27, 2015]

NEXT FIGHT FOR GAY RIGHTS: BIAS IN JOBS AND HOUSING

(By Erik Eckholm)

Exhilarated by the Supreme Court's endorsement of same-sex marriage, gay rights leaders have turned their sights to what they see as the next big battle: obtaining federal, state and local legal protections in employment, housing, commerce and other arenas, just like those barring discrimination based on race, religion, sex and national origin.

The proposals pit advocates against many of the same religious conservatives who opposed legalizing same-sex marriage, and who now see the protection of what they call religious liberty as their most urgent task. These opponents argue that antidiscrimination laws will inevitably be used to force religious people and institutions to violate their beliefs, whether by providing services for same-sex weddings or by employing gay men and lesbians in church-related jobs.

Nationally, antidiscrimination laws for gay people are a patchwork with major geographic inequities, said Brad Sears, executive director of the Williams Institute at the School of Law of the University of California, Los Angeles. ''Those who don't live on the two coasts or in the Northeast have been left behind in terms of legal protection,'' he said.

At least 22 states bar discrimination based on sexual orientation, and most of them also offer protections to transgender people.

Tennessee is one of the majority of states that do not bar such discrimination. There, in East Nashville, Tiffany Cannon and Lauren Horbal thought they had found the perfect house to share with a friend, and the landlord seemed ready to rent when they applied in April.

Then he called them to ask what their relationship with each other was, Ms. Horbal, 26, recalled.

She said that when the landlord learned that she and Ms. Cannon, 25, were partners, he said, ''I'm not comfortable with that.'' He refused to process their application, even after they offered to raise their rent by $150, to $700 a month, Ms. Horbal said.

The women, both restaurant workers, are still looking for a place to live.

In many states, some local governments have antidiscrimination laws, but they are often weak or poorly enforced, said Ruth Colker, an expert on discrimination law at Moritz College of Law at Ohio State University.

''Typically, the penalty for violating a city ordinance is more akin to a traffic violation,'' she said. ''State-level penalties can be much more significant.''

As they push for more state and local safeguards, rights advocates are also starting a long-term campaign for a broad federal shield that would give sexual orientation and gender identity protected status under the Civil Rights Act of 1964.

The goal is to achieve overlapping local, state and federal laws, an approach that has proved effective in curbing other kinds of discrimination, said Sarah Warbelow, legal

director at the Human Rights Campaign, a gay rights advocacy group. Visible laws can not only permit lawsuits, she said, but also deter employers and others from biased behavior.

Although a majority of states lack such protections, federal orders and court decisions, especially in employment, are gradually offering more safeguards.

With executive orders last year, President Obama barred discrimination based on sexual orientation and gender identity by federal agencies and federal contractors, including companies employing about one in five American workers, Mr. Sears said.

At the same time, the Equal Employment Opportunity Commission, charged with enforcing federal law in the workplace, has determined that discrimination against gay men, lesbians and transgender people amounts to illegal sex discrimination under Title VII of the Civil Rights Act, and it is bringing or endorsing lawsuits under that provision.

That application of existing law is still being tested in court and is more established for transgender workers than for gay and lesbian workers. In the past two years, the agency has successfully pursued 223 cases involving gay or transgender people who faced workplace harassment or other discrimination, gaining settlements or court orders, said Chai R. Feldblum, one of the agency's five commissioners.

Patricia Dawson of Pangburn, Ark., 46, hopes to join that list. Ms. Dawson, who grew up as Steven, had more than 15 years' experience as an industrial electrician and had been a rising employee at H & H Electric, an industrial contractor, for four years when she informed her boss in 2012 that she was transitioning to female and had changed her name.

The boss, she said in a Title VII-based lawsuit brought by the American Civil Liberties Union, told her to keep her plans secret and not to ''rock the boat'' with clients.

When her identity became obvious and gossip raged at the work site, she said, the boss said to her, ''I'm sorry, Steve, you do great work, but you are too much of a distraction, and I am going to have to let you go.''

Ms. Dawson said she was devastated by her treatment. ''I love what I do; I get the greatest joy out of fixing things,'' she said in an interview. ''Treating us as second-class citizens, it's hurtful.''

Civil rights groups worked for years for an employment antidiscrimination act, an effort that was blocked by House Republicans and collapsed this year over discord about religious exemptions. Buoyed by the rapid advance of same-sex marriage, these groups are now determined to seek a far wider law.

''I think there's a very strong consensus now among advocacy groups that we need a broader bill that puts discrimination based on sexual orientation and gender identity on the same footing as race, religion and gender,'' said Shannon P. Minter, legal director at the National Center for Lesbian Rights.

''No court decision could accomplish all of that,'' Mr. Minter said.

Senator Jeff Merkley, Democrat of Oregon, said he planned to introduce a bill within the next few months to add protections for gays and transgender people to the Civil Rights Act.

''People are going to realize that you can get married in the morning and be fired from your job or refused entry to a restaurant in the afternoon,'' Mr. Merkley said. ''That is unacceptable.''

But the effort will take years, he said, because it appears unlikely that Republican committee heads in Congress will advance such a bill.

In the emerging state-by-state battles for antidiscrimination laws, the strongest opposition has come from conservative religious groups that have been alarmed by a few well-publicized cases, like that of a florist in Washington State who was fined for refusing to provide flowers for a same-sex wedding.

''We've got good reason to be concerned about these laws, because they've been found to be coercive where they've been enacted,'' said Greg Scott, vice president of communications at Alliance Defending Freedom, a Christian legal group.

Russell Moore, president of the Ethics and Religious Liberty Commission of the Southern Baptist Convention, said that it was wrong to equate religious objections to homosexual behavior with racism, and that proposed antidiscrimination laws could ''do more harm than good.''

''Some have suggested that we work out a compromise, addressing housing and employment discrimination and protecting religious freedom for those who dissent from the ideas of the sexual revolution,'' he said. ''But I have yet to see any proposal that would do both of those things well.''

There is some common ground. For example, under the Civil Rights Act, religious organizations have the right to give preference in hiring to those of their faith, Ms. Warbelow of the Human Rights Campaign noted. In housing, federal rules exempt owner-occupied rentals with four or fewer units from discrimination provisions.

''We wouldn't expect these things to change,'' Ms. Warbelow said. ''We really want L.G.B.T. people to be protected the same as those in other protected categories.''

But some disagreements, especially involving private businesses, may be unbridgeable. The major gay and civil rights groups are united in their opposition to ''religious liberty'' bills, a priority of conservative Christian advocates, which would allow religious vendors to refuse to serve gay couples or wedding celebrations.

''Religious liberty does not authorize discrimination,'' said James D. Esseks, the director of gay rights issues at the American Civil Liberties Union.

''It's profoundly harmful to walk into a business open to the public and be told, 'No, we don't actually serve your kind here,' '' he said. ''That's not how America works.''

Mr. REID. Mr. President, I am proud to join in sponsoring the Equality Act.

Last month, the Supreme Court ruled on the right side of history by deciding that loving and committed same-sex couples have the right to be married. While same-sex couples now can be legally wed, Federal law still does not protect them from being fired or evicted from their homes on the basis of their sexual identity or gender identity. The Equality Act addresses this issue and represents a major step forward in protecting the civil rights of all Americans.

At the same time we celebrate this historic bill, we must ensure that religious institutions have the right to their own views of marriage. As the Supreme Court noted in its decision, ''it must be emphasized that religions, and those who adhere to religious doctrines, may continue to advocate with utmost, sincere conviction that, by divine precepts, same-sex marriage should not be condoned.'' I look forward to working with colleagues to address these issues as the bill advances through the legislative process.

By Mr. DURBIN (for himself and Mr. LEAHY):

S. 1860. A bill to protect and promote international religious freedom; to the Committee on the Judiciary.

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. 1860

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 ''Further Independence of Religion for Security and Tolerance Freedom Act of 2015'' or the ''FIRST Freedom Act''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Many of our Nation's founders fled religious persecution and placed great importance on religious freedom. President George Washington summed up the prevailing view of our founders when he wrote, in 1793, ''in this Land of equal liberty it is our boast, that a man's religious tenets will not forfeit the protection of the Laws''.

(2) In 1791, the First Amendment to the Constitution was ratified, enshrining freedom of religion as the ''First Freedom'' of all Americans and becoming an inspiration to people all over the world who struggle to throw off the yoke of religious persecution.

(3) Throughout our Nation's history, the United States has sought to protect and promote fundamental human rights, including religious freedom, in the United States and throughout the world.

(4) After World War II, under Eleanor Roosevelt's leadership, the United States spearheaded the ratification of the Universal Declaration of Human Rights, adopted at Paris December 10, 1948, which recognized freedom of religion as a fundamental right of all people. Article 18 of that treaty states ''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.''.

(5) The International Covenant on Civil and Political Rights, adopted at New York December 16, 1966, and which was ratified by the United States in 1992, states, ''Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.''.

(6) Since the enactment of the International Religious Freedom Act of 1998 (Public Law 105–292), referred to in this section as ''IRFA'', which established the Department of State's Office on International Religious Freedom, the Ambassador at Large for International Religious Freedom, and the United States Commission on International Religious Freedom (referred to in this section as ''USCIRF''), the state of religious freedom throughout the world has significantly worsened.

(7) In section 2(a)(4) of IRFA (2 U.S.C. 6401(a)(4)), Congress stated, ''More than one-half of the world's population lives under regimes that severely restrict of prohibit the freedom of their citizens to study, believe, observe, and freely practice the religious faith of their choice.''.

(8) According to ''Rising Tide of Restrictions on Religion,'' the most recent report of

the Pew Research Center's Forum on Religion & Public Life, three-quarters of the world's population lives in countries in which restrictions on religion were high or very high.

(9) According to the 2014 USCIRF Annual Report, ''The past 10 years have seen a worsening of the already-poor religious freedom environment in Pakistan, a continued dearth of religious freedom in Turkmenistan, backsliding in Vietnam, rising violations in Egypt before and after the Arab Spring, and Syria's decent [sic] into sectarian civil war with all sides perpetrating egregious religious freedom violations.''.

(10) Under section 402 of IRFA (22 U.S.C. 6442), the President is required to designate a country as a country of particular concern (referred to in this section as ''CPC'') if the government of the country has engaged in or tolerated systematic, ongoing and egregious violations of religious freedom.

(11) According to the 2015 USCIRF Annual Report, since October 1999, when the first countries were designated as CPCs, ''the list has been largely unchanged. Of the nine countries designated as CPCs in July 2014, most had been named as CPCs for over a decade . . . Since IRFA's inception, only one country has been removed from the State Department's CPC list due to diplomatic activity.'' This track record calls into serious question the utility of the CPC mechanism and the utility of IRFA to improve the state of religious freedom throughout the world.

(12) The United States has a long tradition of providing safe haven to refugees, including members of religious minority groups and those fleeing religious persecution. Following the international community's tragic failure to shelter Jewish refugees fleeing the Nazi genocide, the United States played a leadership role in establishing the international legal regime for the protection of refugees. Since that time, the American people have generously welcomed millions of refugees fleeing war and totalitarian regimes, and the United States traditionally accepts at least 50 percent of resettlement cases handled by the Office of the United Nations High Commissioner for Refugees (referred to in this section as ''UNHCR'').

(13) According to the 2014 UNHCR Global Trends Report, more than 59,500,000 people were forcibly displaced in 2014—

(A) which is equal to 1 displacement for every 122 people worldwide;

(B) which is the most displacements in a year in recorded history;

(C) including—

(i) 38,200,000 individuals who were internally displaced within their own country;

(ii) 19,500,000 refugees; and

(iii) 1,800,000 asylum-seekers;

(D) many of whom were victims of serious human rights violations, including religious persecution; and

(E) many are whom are members of vulnerable populations, including religious minorities.

(14) The ongoing conflict in Syria has led to the world's worst ongoing humanitarian crisis and worst refugee crisis since World War II. More than 50 percent of Syria's 23,000,000 people have been forcibly displaced from their homes and, as of 2015, 20 percent of the world's refugees are Syrians. UNHCR is seeking to resettle 130,000 Syrian refugees during 2015 and 2016, with a particular focus on vulnerable individuals such as religious minorities. Although the United States traditionally accepts at least 50 percent of UNHCR resettlement cases, the United States has only accepted approximately 800 Syrian refugees since the beginning of the Syrian conflict, which is an unacceptably low number.

(15) There are several steps that would facilitate the efforts of the United States Government to protect and provide safe haven to refugees from religious persecution. The 2015 USCIRF Annual Report recommends that Congress ''work to provide the President with permanent authority to designate as refugees specifically-defined groups based on shared characteristics identifying them as targets for persecution on account of race, religion, nationality, membership in a particular social group, or political opinion''.

(16) The United States Government has limited tools to hold accountable the perpetrators of religious freedom violations. Section 604 of IRFA added section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)), which made foreign government officials who commit particularly severe violations of religious freedom inadmissible to the United States, but it has only been applied once, to deny entry to Narendra Modi, who was Chief Minister of Gujarat, India. In its 2015 Annual Report, USCIRF recommends that the State Department: ''Make greater efforts to ensure foreign government officials are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad.'' The effectiveness of this law is also limited because it does not apply to non-state actors, such as international terrorists, and it can only be used to deny entry to a perpetrator who has not yet arrived in the United States, not to deport a perpetrator who has already entered the country.

(17) In the 2015 USCIRF Annual Report, USCIRF recommended that the United States Government ''should call for or support a referral by the UN Security Council to the International Criminal Court to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities, following the models used in Sudan and Libya, or encourage the Iraqi government to accept ICC jurisdiction to investigate ISIL violations in Iraq after June 2014''. Given the weakness of the international criminal justice system, particularly that an ICC referral is subject to a UN Security Council veto, the United States Government should have the ability to prosecute members of ISIL in United States courts for crimes against humanity, including religious persecution.

(18) Under United States law, it is a crime for a non-United States national to commit genocide, torture, terrorism, or several other violations of the law of nations, but it is not a crime under United States law to commit crimes against humanity, including religious persecution. Since the United States Government is unable to prosecute perpetrators of these crimes, many foreign war criminals have found safe haven in this country.

(19) In 2006, the United States Government learned that Marko Boskic, a man who participated in the Srebrenica massacre in the Bosnian conflict, was living in Massachusetts. Rather than charging him with crimes against humanity, or religious persecution, Mr. Boskic was charged with visa fraud and sentenced to only 5 years in prison.

(20) There is bipartisan agreement about the need for the United States Government to promote and protect international human rights, including religious freedom. USCIRF is, by design, a bipartisan organization, with Commissioners appointed by the President and Congressional leaders. USCIRF can most effectively promote religious freedom on a bipartisan basis.

(21) In its 2014 Annual Report entitled ''Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits'', which identifies unnecessary duplication in the Federal government, the Government Accountability Office (referred to in this section as ''GAO'')—

(A) highlighted the lack of coordination and overlapping missions of USCIRF and the Office of International Religious Freedom in the Department of State;

(B) found that ''the lack of a definition regarding how State and the Commission are to interact has sometimes created foreign policy tensions that State has had to mitigate.''; and

(C) concluded that the lack of coordination between the USCIRF and the Department of State may undermine the efforts of the United States Government to promote international religious freedom by sending mixed messages to foreign governments and human-rights activists who are fighting to defend religious freedom in their countries.

(22) Congress, which is responsible for overseeing the work of USCIRF and ensuring that it is effectively pursuing its mission, should provide greater oversight of USCIRF's practices, including addressing concerns regarding financial irregularities and the work environment for religious minorities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the protection and promotion of international human rights, including religious freedom, should be an important priority for the United States Government; and

(2) the United States Government should pursue new strategies for protecting and promoting religious freedom throughout the world, including—

(A) the creation of new tools—

(i) to deter and punish the perpetrators of particularly severe violations of religious freedom, including non-state actors; and

(ii) to protect the victims of such violations; and

(B) increased diplomatic engagement that does not focus primarily on CPC designations.

SEC. 3. ENHANCED PROTECTIONS FOR REFUGEES AND ASYLEES FLEEING RELIGIOUS PERSECUTION.

(a) AUTHORITY TO DESIGNATE CERTAIN GROUPS OF REFUGEES FOR CONSIDERATION.—Section 207(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting ''(A)'' before ''Subject to the numerical limitations''; and

(2) by adding at the end the following:

''(B)(i) The Secretary of State, in consultation with the Secretary of Homeland Security, may designate specifically defined groups of aliens—

''(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

''(II) who—

''(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or

''(bb) having been identified as targets under item (aa), share a common need for resettlement due to a specific vulnerability.

''(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary of Homeland Security determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

''(iii) A designation under clause (i) is for purposes of adjudicatory efficiency and may be revoked by the Secretary of State at any time after notification to Congress.

''(iv) Categories of aliens established under section 599D(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 8 U.S.C. 1157 note)—

''(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the FIRST Freedom Act; and

''(II) shall be eligible for designation thereafter at the discretion of the Secretary of State, considering, among other factors, whether a country under consideration has been designated as a country of particular concern under section 402 of International Religious Freedom Act of 1998 (22 U.S.C. 6442) for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom.

''(v) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(vi) A decision to deny admission under this section to an alien who establishes to the satisfaction of the Secretary of Homeland Security that the alien is a member of a group designated under clause (i) shall—

''(I) be in writing; and

''(II) state, to the maximum extent feasible, the reason for the denial.

''(vii) Refugees admitted pursuant to a designation under clause (i)—

''(I) shall be subject to the numerical limitations under subsection (a); and

''(II) shall be admissible under this section.''.

(b) TIME LIMITS FOR FILING FOR ASYLUM.—Section 208(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' both places such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking ''subparagraph (D)'' and inserting ''subparagraphs (C) and (D)''; and

(5) by inserting after subparagraph (B), as redesignated, the following:

''(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General or the Secretary of Homeland Security, the existence of changed circumstances that materially affect the applicant's eligibility for asylum.

''(D) MOTION TO REOPEN CERTAIN MERITORIOUS CLAIMS.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the FIRST Freedom Act if the alien—

''(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

''(ii) was granted withholding of removal pursuant to section 241(b)(3) and has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

''(iii) is not subject to the safe third country exception under subparagraph (A) or a bar to asylum under subsection (b)(2) and should not be denied asylum as a matter of discretion; and

''(iv) is physically present in the United States when the motion is filed.''.

(c) CONDITIONS FOR GRANTING ASYLUM.—Section 208(b)(1)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(B)(i)) is amended by striking ''at least one central reason for persecuting the applicant'' and inserting ''a factor in the applicant's persecution or fear of persecution''.

(d) STUDY ON THE EFFECT OF EXPEDITED REMOVAL AND PROCESSING DELAYS ON ASYLUM CLAIMS.—

(1) STUDY.—

(A) DEFINITIONS.—In this paragraph—

(i) the term ''immigration officer'' means an officer of the Department of Homeland Security performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) with respect to aliens who—

(I) are apprehended after entering the United States; and

(II) may be eligible to apply for asylum under section 208 or 235 of such Act; and

(ii) the term ''improper conduct'' means conduct whereby an immigration officer—

(I) improperly encourages an alien described in clause (i) to withdraw or retract claims for asylum;

(II) incorrectly fails to refer such an alien for an interview by an immigration officer to determine whether the alien has a credible fear of persecution (as defined in section 235(b)(1)(B)(v) of such Act (8 U.S.C. 1225(b)(1)(B)(v)));

(III) incorrectly removes such an alien to a country in which the alien may be persecuted; or

(IV) detains such an alien improperly or under inappropriate conditions.

(B) AUTHORIZATION.—The United States Commission on International Religious Freedom (referred to in this section as the ''Commission'') is authorized to conduct a study to determine—

(i) whether immigration officers are engaging in improper conduct; and

(ii) the impact of delays in interviews by immigration officers and immigration court hearings on asylum claims.

(2) REPORT.—Not later than 2 years after the date on which the Commission initiates the study under subsection (a), the Commission shall submit a report containing the results of the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on the Judiciary of the House of Representatives; and

(F) the Committee on Foreign Affairs of the House of Representatives.

(3) STAFF.—

(A) FROM OTHER AGENCIES.—

(i) IDENTIFICATION.—The Commission may identify employees of the Department of Homeland Security, the Department of Justice, and the Government Accountability Office who have significant expertise and knowledge of refugee and asylum issues.

(ii) DESIGNATION.—At the request of the Commission, the Secretary of Homeland Security, the Attorney General, and the Comptroller General of the United States shall authorize staff identified under subparagraph (A) to assist the Commission in conducting the study under paragraph (1).

(B) ADDITIONAL STAFF.—The Commission may hire additional staff and consultants to conduct the study under paragraph (1).

(C) ACCESS TO PROCEEDINGS.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary of Homeland Security and the Attorney General shall provide staff designated under subparagraph (A) or hired under subparagraph (B) with unrestricted access to all stages of all proceedings conducted under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(ii) EXCEPTIONS.—The Secretary of Homeland Security and the Attorney General may not permit unrestricted access under clause (i) if—

(I) the alien subject to a proceeding under such section 235(b) objects to such access; or

(II) the Secretary or Attorney General determines that the security of a particular proceeding would be threatened by such access.

SEC. 4. ACCOUNTABILITY FOR SEVERE VIOLATIONS OF INTERNATIONAL RELIGIOUS FREEDOM.

(a) PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—

(1) INADMISSIBILITY.—Section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)) is amended to read as follows:

''(G) ALIENS WHO HAVE COMMITTED PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—Any alien who was responsible for, or directly carried out, at any time, particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)) is inadmissible.''.

(2) REMOVABILITY.—Section 237(a)(4)(E) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(E)) is amended to read as follows:

''(E) ALIENS WHO HAVE COMMITTED PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—Any alien who was responsible for, or directly carried out, at any time, particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)) is deportable.''.

(b) RELIGIOUS PERSECUTION.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''§ 2443. Religious persecution

''(a) OFFENSE.—Any person who outside the United States commits, or attempts or conspires to commit, religious persecution—

''(1) shall be fined under this title, imprisoned for not more than 20 years, or both; and

''(2) if the death of any person results from the violation of this subsection, shall be fined under this title and imprisoned for any term of years or for life.

''(b) JURISDICTION.—There is jurisdiction over an offense under subsection (a), and any attempt or conspiracy to commit such an offense, if—

''(1) the victim is a United States person;

''(2) the offender is a United States person or an alien residing in the United States, regardless of whether the alien is lawfully admitted for permanent residence;

''(3) the offender is a stateless person whose habitual residence is in the United States; or

''(4) after the conduct required for the offense occurs, the offender is brought into or found in the United States, even if the conduct required for the offense occurs outside the United States.

''(c) DEFINITIONS.—In this section:

''(1) ADMISSION TO THE UNITED STATES; ALIEN; IMMIGRANT; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE; NONIMMIGRANT.—The terms 'admission to the United States', 'alien', 'immigrant', 'lawfully admitted for permanent residence', and 'nonimmigrant' have the meanings given such terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(2) RELIGIOUS PERSECUTION.—The term 'religious persecution' means conduct that—

''(A) is intended—

''(i) to obstruct any person in the free exercise of religious belief or practice; or

''(ii) to terrorize or coerce any person because of the actual or perceived religion of any person; and

''(B) if the conduct described in subparagraph (A) occurred in the United States or in the special maritime and territorial jurisdiction of the United States, would violate—

''(i) section 81 (relating to arson);

''(ii) section 1111 (relating to murder);

''(iii) section 1201(a) (relating to kidnapping), regardless of whether the offender is the parent of the victim;

''(iv) section 1203 (relating to hostage taking), notwithstanding any exception under subsection (b) of such section;

''(v) section 1581(a) (relating to peonage);

''(vi) section 1583(a)(1) (relating to kidnapping or carrying away individuals for involuntary servitude or slavery);

''(vii) section 1584(a) (relating to sale into involuntary servitude);

''(viii) section 1589(a) (relating to forced labor);

''(ix) section 1590(a) (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);

''(x) section 1591(a) (relating to sex trafficking of children or by force, fraud, or coercion);

''(xi) section 2241(a) (relating to aggravated sexual abuse by force or threat);

''(xii) section 2242 (relating to sexual abuse); or

''(xiii) section 2340A (relating to torture), regardless of whether the offender is acting under color of law.

''(3) UNITED STATES PERSON.—The term 'United States person' has the meaning given such term in section 3077.''.

(c) STATUTE OF LIMITATIONS.—Chapter 213 of title 18, United States Code is amended by adding at the end the following:

''§ 3302. Religious persecution

''No person may be prosecuted, tried, or punished for a violation of section 2443 unless the indictment or the information is filed not later than 10 years after the commission of the offense.''.

(d) CLERICAL AMENDMENTS.—Title 18, United States Code, is amended—

(1) in the table of sections for chapter 118, by adding at the end the following:

''2443. Religious persecution.''.

(2) in the table of sections for chapter 213, by adding at the end the following:

''3302. Religious persecution.''.

SEC. 5. REFORM AND REAUTHORIZATION OF UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) ESTABLISHMENT AND COMPOSITION.—

(1) LEADERSHIP.—Section 201(d) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(d)) is amended to read as follows:

''(d) ELECTION OF CHAIR.—At the first meeting of the Commission after May 30 of each year, a majority of the members of the Commission present and voting shall elect the Chair and Vice Chair of the Commission, subject to the following requirements:

''(1) INITIAL ELECTIONS.—At the first meeting of the Commission after May 30, 2016, the members of the Commission shall elect—

''(A) as Chair, a member of the Commission who was appointed by an elected official of the political party that is not the political party of the President; and

''(B) as Vice Chair, a member of the Commission who was appointed by an elected official of the political party of the President.

''(2) FUTURE ELECTIONS.—

''(A) NEXT ELECTION.—At the first meeting of the Commission after May 30, 2017, the members of the Commission shall elect—

''(i) as Chair, a member of the Commission who was appointed by an elected official of the political party of the President; and

''(ii) as Vice Chair, a member of the Commission who was appointed by an elected official of the political party that is not the political party of the President.

''(B) SUBSEQUENT ELECTIONS.—After the election described in subparagraph (A), the positions of Chair and Vice Chair shall continue to rotate on an annual basis between members of the Commission appointed by elected officials of each political party.

''(3) TERM LIMITS.—No member of the Commission is eligible to be elected as—

''(A) Chair of the Commission for a second term; or

''(B) Vice Chair of the Commission for a second term.''.

(2) ATTENDANCE AT MEETINGS OF AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.—Section 201(f) of such Act (22 U.S.C. 6431(f)) is amended by adding at the end the following: ''The Ambassador at Large shall be given advance notice of all Commission meetings and may attend all Commission meetings as a nonvoting member of the Commission.''.

(3) APPOINTMENTS IN CASES OF VACANCIES.—Section 201(g) of such Act (22 U.S.C. 6431(g)) is amended by striking the second sentence.

(b) POWERS OF THE COMMISSION.—Section 203(e) of the International Religious Freedom Act of 1998 (22 U.S.C. 6432a(e)) is amended to read as follows:

''(e) VIEWS OF THE COMMISSION.—

''(1) PRIVATE SPEECH.—Members of the Commission may speak in their capacity as private citizens. A member of the Commission may be identified as a member of the Commission when making oral or written statements in their private or other professional capacity if the member states clearly that the statement—

''(A) is not on behalf of the Commission; and

''(B) does not necessarily reflect the views of the Commission.

''(2) OFFICIAL STATEMENTS.—

''(A) WRITTEN STATEMENTS.—All statements on behalf of the Commission shall be issued in writing over the names of the members of the Commission.

''(B) STATUTORY AUTHORITY.—In its written statements, the Commission shall clearly describe its statutory authority, distinguishing that authority from that of appointed or elected officials of the United States Government. Oral statements of the Commission shall include a similar description, to the extent practicable.

''(C) CONSENSUS.—Members of the Commission shall make every effort to reach consensus on all oral or written statements on behalf of the Commission.

''(D) APPROVAL.—All views of the Commission on pending legislation or any other matter under the jurisdiction of the Commission shall be approved by an affirmative vote of at least 6 of the 9 members of the Commission. Each member of the Commission may include the individual or dissenting views of the member.

''(E) ACCURACY.—All oral or written statements by members or staff of the Commission on behalf of the Commission, including testimony, press releases, articles, and public or private correspondence, shall accurately reflect approved views of the Commission in accordance with subparagraph (D).''.

(c) COMMISSION PERSONNEL MATTERS.—Section 204 of the International Religious Freedom Act of 1998 (22 U.S.C.6432b) is amended—

(1) in subsection (a)—

(A) by striking ''or terminate an Executive Director'' and inserting ''an Executive Director and additional personnel''; and

(B) by adding at the end the following: ''The decision to terminate an Executive Director and additional personnel shall be made by an affirmative vote of at least 5 of the 9 members of the Commission.'';

(2) by redesignating subsections (b) through (g) as subsections (c) through (h);

(3) by inserting after subsection (a) the following:

''(b) EXECUTIVE DIRECTOR.—

''(1) APPOINTMENT.—Not later than 60 days after the date of the enactment of the FIRST Freedom Act, the Commission shall appoint an Executive Director by an affirmative vote of at least 6 of the 9 members of the Commission.

''(2) TERM OF SERVICE.—Each Executive Director—

''(A) may serve for a 4-year term; and

''(B) may serve an additional, consecutive 4-year term if reappointed by the Commission by an affirmative vote of at least 6 of the 9 members of the Commission.''.

(4) in subsection (d), as redesignated, by striking ''and the Executive Director'';

(5) in subsection (g), as redesignated, by striking ''the commission, for the executive director,'' and inserting ''the Commission, for the Executive Director,''; and

(6) in subsection (h), as redesignated—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by inserting ''(including discrimination on the bases of race, color, religion, sex, national origin, age, or disability)'' after ''employment discrimination''; and

(C) by adding at the end the following:

''(2) TREATMENT OF DISCRIMINATION ON BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY.—In applying paragraph (1) to rights and protections that pertain to employment discrimination on the basis of sex, and the remedies and procedures available to address alleged violations of such rights and protections, the laws, rules, and regulations that provide such rights and protections to employees whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives shall be deemed to recognize discrimination on the basis of sexual orientation or gender identity as forms of discrimination on the basis of sex and shall treat such discrimination in the same manner as discrimination on the basis of sex.''.

(d) REPORT OF COMMISSION.—Section 205 of the International Religious Freedom Act of 1998 (22 U.S.C. 6433) is amended—

(1) in subsection (a), by striking ''Not later than May 1 of each year,'' and inserting ''Each year, between 30 and 90 days after the publication of the Department of State's Annual Report on International Religious Freedom,''; and

(2) by amending subsection (c) to read as follows:

''(c) INDIVIDUAL OR DISSENTING VIEWS.—Members of the Commission shall make every effort to reach consensus on the report under this section. When such consensus is not possible, the report shall be approved by an affirmative vote of at least 6 of the 9 members of the Commission. Each member of the Commission may include the individual or dissenting views of the member in the report.''.

(e) APPLICABILITY OF THE FREEDOM OF INFORMATION ACT.—

(1) Section 206 of the International Religious Freedom Act of 1998 (22 U.S.C. 6434) is amended—

(A) by inserting ''(a) FEDERAL ADVISORY COMMITTEE ACT'' before ''The''; and

(B) by adding at the end the following:

''(b) FREEDOM OF INFORMATION ACT.—Notwithstanding section 551 of title 5, United

States Code, the Commission shall be considered to be an agency for purposes of section 552 of such title.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking ''2015'' and inserting ''2017''.

(g) TERMINATION.—Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 228—DESIGNATING SEPTEMBER 2015 AS ''NATIONAL OVARIAN CANCER AWARENESS MONTH''

Ms. AYOTTE (for herself, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MORAN, Mr. PETERS, Mr. RUBIO, Mr. SCHUMER, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 228

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the fifth leading cause of cancer deaths among women in the United States;

Whereas, in 2015, approximately 21,290 new cases of ovarian cancer will be diagnosed, and 14,180 women will die of ovarian cancer in the United States;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared more than 40 years ago;

Whereas 25 percent of women will die within 1 year of diagnosis with ovarian cancer and over 50 percent will die within 5 years;

Whereas while there is the mammogram to detect breast cancer and the Pap smear to detect cervical cancer, there is no reliable early detection test for ovarian cancer;

Whereas the lack of an early detection test means that approximately 80 percent of cases of ovarian cancer are detected at an advanced stage;

Whereas all women are at risk for ovarian cancer, and approximately 20 percent of women diagnosed with ovarian cancer have a hereditary predisposition to ovarian cancer, which places them at even higher risk;

Whereas scientists and physicians have uncovered changes in the BRCA genes that some women inherit from their parents, which may make them 30 times more likely to develop ovarian cancer;

Whereas the family history of a woman has been found to play an important role in accurately assessing the risk of that woman of developing ovarian cancer and medical experts believe that family history should be taken into consideration during the annual well woman visit of any woman;

Whereas many experts in health prevention now recommend genetic testing for young women with a family history of breast and ovarian cancer;

Whereas women who know they are at high risk of breast and ovarian cancer may undertake prophylactic measures to help reduce the risk of developing these diseases;

Whereas the Society of Gynecologic Oncology now recommends that all women diagnosed with ovarian cancer receive counseling and genetic testing;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas awareness of the symptoms of ovarian cancer by women and health care providers can lead to a quicker diagnosis;

Whereas, in June 2007, the first national consensus statement on ovarian cancer symptoms was developed to provide consistency in describing symptoms to make it easier for women to learn and remember the symptoms; and

Whereas each year during the month of September, the Ovarian Cancer National Alliance and partner members hold a number of events to increase public awareness of ovarian cancer: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2015 as ''National Ovarian Cancer Awareness Month''; and

(2) supports the goals and ideals of National Ovarian Cancer Awareness Month.

SENATE RESOLUTION 229—DESIGNATING JULY 26, 2015, AS ''UNITED STATES INTELLIGENCE PROFESSIONALS DAY''

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mrs. FEINSTEIN, Mr. BLUNT, Mr. RISCH, Mr. DURBIN, Mr. KAINE, Mr. KING, Mr. RUBIO, Mr. WHITEHOUSE, Mr. LANKFORD, Mr. HEINRICH, Mr. COTTON, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 229

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today's intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2015, is the 68th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638) created the position of the Director of National Intelligence to serve as the head of the intelligence community and to ensure that national intelligence be timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the decade since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to ''speak truth to power.'' by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 26, 2015, as ''United States Intelligence Professionals Day'';

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2284. Mrs. SHAHEEN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2285. Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2286. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an

amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2287. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2288. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2289. Mr. WICKER (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2290. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2291. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2292. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2293. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2294. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2295. Mr. RUBIO (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2296. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2297. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2298. Mr. CRUZ (for himself, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2299. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2300. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2301. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2302. Mr. ROBERTS (for himself, Mr. ALEXANDER, Mr. BURR, Mr. CORNYN, Mr. COTTON, Mr. GARDNER, Mr. RISCH, Mr. SASSE, Mr. TILLIS, Mr. BOOZMAN, and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2303. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2304. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2305. Mr. FLAKE (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2306. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2307. Mr. FLAKE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2308. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2309. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2310. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2311. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2312. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2313. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2314. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2315. Ms. STABENOW (for herself, Mr. BROWN, Mr. PETERS, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2316. Mr. TOOMEY (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2317. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2318. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2319. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2320. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2321. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2322. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2323. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2324. Mr. PERDUE (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2325. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2326. Mr. SULLIVAN (for Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, and Mr. PETERS)) proposed an amendment to the bill H.R. 2499, to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

TEXT OF AMENDMENTS

SA 2284. Mrs. SHAHEEN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

SEC. ____. SENSE OF THE SENATE ON SEQUESTRATION.

It is the Sense of the Senate that—

(1) the Nation's fiscal challenges are a top priority for Congress, and sequestration, non-strategic, across-the-board budget cuts, remains an unreasonable and inadequate budgeting tool to address the Nation's deficits and debt;

(2) sequestration relief must be accomplished for fiscal years 2016 and 2017;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

SA 2285. Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISBURSEMENT AUTHORITY FOR THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding section 1552 of title 31, United States Code, funds made available for the Broadband Technology Opportunities Program (including funds that have expired, but have not been cancelled) under title II of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) shall remain available for expenditure through fiscal year 2020 for the purpose of liquidating valid obligations of active grants under such program.

(b) DEFINED TERM.—In this section, the term ''active grants'' means grants for which the period of performance has expired but are not finally closed out.

SA 2286. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be

proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 582, between lines 13 and 14, insert the following:

SEC. 34216. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 34217, which shall be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with—

(1) the Director of the Office of Government Information Services of the National Archives and Records Administration; and

(2) the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION.—In promulgating regulations under subsection (a), vehicle safety defect information related to incidents involving death or injury shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of the enactment of this Act, the regulations establishing early warning reporting class determinations in appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. 34217. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents (as defined by the Secretary through regulation) except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents that—

''(aa) describe or reconstruct the incident (as defined by the Secretary through regulation);

''(bb) relate to the initial claim or notice (except for documents that are protected by attorney-client privilege or work product privileges that are not already publicly available); and

''(cc) are in the physical possession or control of the manufacturer at the time the incident report is submitted; and

''(III) any police reports or other documents that describe or reconstruct the incident that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—The information provided to the Secretary under this subsection—

''(i) shall be disclosed publicly after the Secretary redacts or confirms the redaction of any information that is withholdable under sections 552 and 552a of title 5; and

''(ii) shall be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.''; and

(3) by adding at the end the following:

''(6) PUBLIC DISCLOSURE OF INFORMATION.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed in a manner that is consistent with the requirements under sections 552 and 552a of title 5.''.

SA 2287. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 450, strike line 13 and all that follows through page 453, line 16.

SA 2288. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXXIV, add the following:

PART IV—SPY CAR ACT OF 2015

SEC. 34441. SHORT TITLE.

This part may be cited as the ''Security and Privacy in Your Car Act of 2015'' or the ''SPY Car Act of 2015''.

SEC. 34442. CYBERSECURITY STANDARDS FOR MOTOR VEHICLES.

(a) IN GENERAL.—Chapter 301 is amended—

(1) in section 30102(a)—

(A) by redesignating paragraphs (4) through (11) as paragraphs (10) through (17), respectively;

(B) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(C) by inserting before paragraph (3), as redesignated, the following:

''(1) 'Administrator' means the Administrator of the National Highway Traffic Safety Administration;

''(2) 'Commission' means the Federal Trade Commission;

''(3) 'critical software systems' means software systems that can affect the driver's control of the vehicle movement;''; and

(D) by inserting after paragraph (6), as redesignated, the following:

''(7) 'driving data' include, but are not limited to, any electronic information collected about—

''(A) a vehicle's status, including, but not limited to, its location or speed; and

''(B) any owner, lessee, driver, or passenger of a vehicle;

''(8) 'entry points' include, but are not limited to, means by which—

''(A) driving data may be accessed, directly or indirectly; or

''(B) control signals may be sent or received either wirelessly or through wired connections;

''(9) 'hacking' means the unauthorized access to electronic controls or driving data, either wirelessly or through wired connections;''; and

(2) by adding at the end the following:

''§ 30129. Cybersecurity standards

''(a) CYBERSECURITY STANDARDS.—

''(1) REQUIREMENT.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to section 2(b)(2) of the SPY Car Act of 2015 shall comply with the cybersecurity standards set forth in paragraphs (2) through (4).

''(2) PROTECTION AGAINST HACKING.—

''(A) IN GENERAL.—All entry points to the electronic systems of each motor vehicle manufactured for sale in the United States shall be equipped with reasonable measures to protect against hacking attacks.

''(B) ISOLATION MEASURES.—The measures referred to in subparagraph (A) shall incorporate isolation measures to separate critical software systems from noncritical software systems.

''(C) EVALUATION.—The measures referred to in subparagraphs (A) and (B) shall be evaluated for security vulnerabilities following best security practices, including appropriate applications of techniques such as penetration testing.

''(D) ADJUSTMENT.—The measures referred to in subparagraphs (A) and (B) shall be adjusted and updated based on the results of the evaluation described in subparagraph (C).

''(3) SECURITY OF COLLECTED INFORMATION.—All driving data collected by the electronic systems that are built into motor vehicles shall be reasonably secured to prevent unauthorized access—

''(A) while such data are stored onboard the vehicle;

''(B) while such data are in transit from the vehicle to another location; and

''(C) in any subsequent offboard storage or use.

''(4) DETECTION, REPORTING, AND RESPONDING TO HACKING.—Any motor vehicle that presents an entry point shall be equipped with capabilities to immediately detect, report, and stop attempts to intercept driving data or control the vehicle.

''(b) PENALTIES.—A person that violates this section is liable to the United States Government for a civil penalty of not more than $5,000 for each violation in accordance with section 30165.''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration, after consultation with the Federal Trade Commission, shall issue a Notice of Proposed Rulemaking to carry out section 30129 of title 49, United States Code, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Administrator, after consultation with the Commission, shall issue final regulations to carry out section 30129 of title 49, United States Code, as added by subsection (a).

(3) UPDATES.—Not later than 3 years after final regulations are issued pursuant to paragraph (2) and not less frequently than once

every 3 years thereafter, the Administrator, after consultation with the Commission, shall—

(A) review the regulations issued pursuant to paragraph (2); and

(B) update such regulations, as necessary.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 301 is amended by striking the item relating to section 30128 and inserting the following:

''30128. Vehicle rollover prevention and crash mitigation.

''30129. Cybersecurity standards.''.

(d) CONFORMING AMENDMENT.—Section 30165(a)(1) is amended by inserting ''30129,'' after ''30127,''.

SEC. 34443. CYBER DASHBOARD.

(a) IN GENERAL.—Section 32302 is amended by inserting after subsection (b) the following:

''(c) CYBER DASHBOARD.—

''(1) IN GENERAL.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to section 3(b)(2) of the SPY Car Act of 2015 shall display a 'cyber dashboard', as a component of the label required to be affixed to each motor vehicle under section 32908(b).

''(2) FEATURES.—The cyber dashboard required under paragraph (1) shall inform consumers, through an easy-to-understand, standardized graphic, about the extent to which the motor vehicle protects the cybersecurity and privacy of motor vehicle owners, lessees, drivers, and passengers beyond the minimum requirements set forth in section 30129 of this title and in section 27 of the Federal Trade Commission Act.''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration, after consultation with the Federal Trade Commission, shall prescribe regulations for the cybersecurity and privacy information required to be displayed under section 32302(c) of title 49, United States Code, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Administrator, after consultation with the Commission, shall issue final regulations to carry out section 32302 of title 49, United States Code, as added by subsection (a).

(3) UPDATES.—Not less frequently than once every 3 years, the Administrator, after consultation with the Commission, shall—

(A) review the regulations issued pursuant to paragraph (2); and

(B) update such regulations, as necessary.

SEC. 34444. PRIVACY STANDARDS FOR MOTOR VEHICLES.

(a) IN GENERAL.—The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 26 (15 U.S.C. 57c–2) the following:

''SEC. 27. PRIVACY STANDARDS FOR MOTOR VEHICLES.

''(a) IN GENERAL.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to subsection (e) shall comply with the features required under subsections (b) through (d).

''(b) TRANSPARENCY.—Each motor vehicle shall provide clear and conspicuous notice, in clear and plain language, to the owners or lessees of such vehicle of the collection, transmission, retention, and use of driving data collected from such motor vehicle.

''(c) CONSUMER CONTROL.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), owners or lessees of motor vehicles shall be given the option of terminating the collection and retention of driving data.

''(2) ACCESS TO NAVIGATION TOOLS.—If a motor vehicle owner or lessee decides to terminate the collection and retention of driving data under paragraph (1), the owner or lessee shall not lose access to navigation tools or other features or capabilities, to the extent technically possible.

''(3) EXCEPTION.—Paragraph (1) shall not apply to driving data stored as part of the electronic data recorder system or other safety systems on-board the motor vehicle that are required for post-incident investigations, emissions history checks, crash avoidance or mitigation, or other regulatory compliance programs.

''(d) LIMITATION ON USE OF PERSONAL DRIVING INFORMATION.—

''(1) IN GENERAL.—A manufacturer (including an original equipment manufacturer) may not use any information collected by a motor vehicle for advertising or marketing purposes without affirmative express consent by the owner or lessee.

''(2) REQUESTS.—Consent requests under paragraph (1)—

''(A) shall be clear and conspicuous;

''(B) shall be made in clear and plain language; and

''(C) may not be a condition for the use of any nonmarketing feature, capability, or functionality of the motor vehicle.

''(e) ENFORCEMENT.—A violation of this section shall be treated as an unfair and deceptive act or practice in violation of a rule prescribed under section 18(a)(1)(B).''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Federal Trade Commission, after consultation with the Administrator of the National Highway Traffic Safety Administration, shall prescribe regulations, in accordance with section 553 of title 5, United States Code, to carry out section 27 of the Federal Trade Commission Act, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Commission, after consultation with the Administrator, shall issue final regulations, in accordance with section 553 of title 5, United States Code, to carry out section 27 of the Federal Trade Commission Act, as added by subsection (a).

(3) UPDATES.—Not less frequently than once every 3 years, the Commission, after consultation with the Administrator, shall—

(A) review the regulations prescribed pursuant to paragraph (2); and

(B) update such regulations, as necessary.

SA 2289. Mr. WICKER (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 33, line 25, strike ''65 percent''and ''64 percent''.

On page 34, line 2, strike ''29 percent'' and insert ''30 percent''.

On page 41, line 3, strike ''55 percent'' and insert ''67 percent''.

On page 41, line 8, strike ''45 percent'' and insert ''33 percent''.

On page 41, strike lines 10 through 15 and insert the following:

(B) by striking paragraph (3) and inserting the following:

''(3) ACCESS TO FUNDS FOR AREAS OF UNDER 200,000 POPULATION.—For purposes of clauses (ii) and (iii) of paragraph (1)(A), excluding funds a State has suballocated to metropolitan areas in the areas in described in those clauses, before obligating funding for an area with a population of less than 200,000, each State, in coordination with local interested parties, shall carry out an open and transparent competitive grant process to allow local governments, metropolitan planning organizations, regional transportation authorities, transit agencies, regional transportation planning organizations, and tribal governments to submit projects for funding that achieve the objectives established by the State and the relevant metropolitan planning organization for the performance-based planning process.'';

SA 2290. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REDUCTION OF APPORTIONMENT FOR CERTAIN FEDERAL-AID HIGHWAY PROGRAMS.

Section 104 of title 23, United States Code, is amended by adding at the end the following:

''(h) REDUCTION OF APPORTIONMENT FOR CERTAIN FEDERAL-AID HIGHWAY PROGRAMS.—The amount apportioned to a State under paragraphs (1) and (2) of subsection (b) shall be reduced by an amount equal to 5 percent of those funds—

''(1) effective beginning on October 1 of the first fiscal year beginning after the date of enactment of this subsection, for each fiscal year in which the State issues a license plate that contains an image of a flag of the Confederate States of America, including the Battle Flag of the Confederate States of America; and

''(2) effective beginning on October 1 of the second fiscal year beginning after the date of enactment of this subsection, for each fiscal year in which the State allows a license plate described in paragraph (1) and issued by the State before the first fiscal year referred to in that paragraph to be displayed on a motor vehicle registered in the State.''.

SA 2291. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 34205 and insert the following:

SEC. 34205. RECALL GRANT PROGRAMS.

(a) STATE NOTIFICATION OF OPEN SAFETY RECALLS.—

(1) GRANT PROGRAM.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(2) ELIGIBILITY.—To be eligible for a grant under this subsection, a State shall—

(A) submit an application in such form and manner as the Secretary shall prescribe;

(B) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(i) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(ii) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(iii) notify the motor vehicle owner of the safety recalls described in clause (ii); and

(C) provide such other information or notification as the Secretary may require.

(b) RECALL COMPLETION PILOT GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(2) GRANTS.—To carry out the program under this subsection, the Secretary shall award a grant to a State to be used to implement the pilot program described in paragraph (1) in accordance with the requirements under paragraph (3).

(3) ELIGIBILITY.—To be eligible for a grant under this subsection, a State shall—

(A) submit an application in such form and manner as the Secretary shall prescribe;

(B) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in subsection (a);

(C) except as provided in paragraph (4), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(D) provide such other information or notification as the Secretary may require.

(4) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under paragraph (3)(C) if—

(A) the recall occurred not earlier than 75 days before the registration or renewal date;

(B) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(C) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(5) AWARD.—In selecting an applicant for a grant under this subsection, the Secretary shall consider the State's methodology for—

(A) determining safety recalls on a motor vehicle;

(B) informing the owner or lessee of a motor vehicle of the safety recalls;

(C) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(D) determining performance in increasing the safety recall completion rate.

(6) PERFORMANCE PERIOD.—A grant awarded under this subsection shall require a performance period of at least 2 years.

(7) REPORT.—Not later than 90 days after the completion of the performance period under paragraph (6) and the obligations under the pilot program, the grantee shall submit a performance report to the Secretary that contains such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(8) EVALUATION.—Not later than 1 year after the date on which the Secretary receives the report under paragraph (7), the Secretary shall evaluate the extent to which safety recalls identified under paragraph (3) have been remedied.

SA 2292. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. REQUIREMENTS FOR IANA STEWARDSHIP TRANSITION.

(a) SHORT TITLE.—This section may be cited as the ''Domain Openness Through Continued Oversight Matters Act of 2015'' or the ''DOTCOM Act of 2015''.

(b) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(2) ICANN.—The term ''ICANN'' means the Internet Corporation for Assigned Names and Numbers.

(3) JOINT RESOLUTION.—The term ''joint resolution'' means a joint resolution—

(A) that does not have a preamble;

(B) the title of which is as follows: ''Joint resolution approving the proposal relating to the transition of the stewardship of the Internet Assigned Numbers Authority functions''; and

(C) the matter after the resolving clause of which is as follows: ''That Congress approves the proposal relating to the transition of the stewardship of the Internet Assigned Numbers Authority functions as described in the report of the Assistant Secretary of Commerce for Communications and Information submitted to Congress on _____.'', with the blank space being filled with the appropriate date.

(4) LEGISLATIVE DAY.—The term ''legislative day'' does not include Saturdays, Sundays, legal public holidays, or days either House of Congress is adjourned for more than 3 days during a session of Congress.

(5) NTIA.—The term ''NTIA'' means the National Telecommunications and Information Administration.

(c) REQUIREMENTS FOR IANA STEWARDSHIP TRANSITION.—Until the date that is 30 legislative days after the submission to Congress of the report described in subsection (d), and unless a joint resolution is enacted on or before that date, the Assistant Secretary may not permit the NTIA's role in the performance of the Internet Assigned Numbers Authority functions to terminate, lapse, be cancelled, or otherwise cease to be in effect.

(d) REPORT DESCRIBED.—The report described in this subsection is a report that contains—

(1) the proposal relating to the transition of the NTIA's stewardship of the Internet Assigned Numbers Authority functions that was developed in a process convened by ICANN at the request of the NTIA; and

(2) a certification by the Assistant Secretary that—

(A) such proposal—

(i) supports and enhances the multistakeholder model of Internet governance;

(ii) maintains the security, stability, and resiliency of the Internet domain name system;

(iii) meets the needs and expectations of the global customers and partners of the Internet Assigned Numbers Authority services;

(iv) maintains the openness of the Internet; and

(v) does not replace the role of the NTIA with a government-led or intergovernmental organization solution; and

(B) the required changes to ICANN's bylaws contained in the final report of ICANN's Cross Community Working Group on Enhancing ICANN Accountability and the changes to ICANN's bylaws required by ICANN's IANA Stewardship Transition Coordination Group have been adopted.

(e) REQUIREMENT OF CONGRESSIONAL APPROVAL.—

(1) EXPEDITED CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REPORTING AND DISCHARGE.—

(i) IN GENERAL.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House of Representatives not later than 10 days after the date on which the joint resolution is introduced.

(ii) DISCHARGE.—If a committee of the House of Representatives fails to report a joint resolution within the period specified in clause (i), the committee shall be discharged from further consideration of the joint resolution, and the joint resolution shall be referred to the appropriate calendar.

(B) PROCEEDING TO CONSIDERATION.—

(i) IN GENERAL.—After each committee authorized to consider a joint resolution reports it to the House of Representatives or has been discharged from its consideration, it shall be in order, not later than the 11th day after the date on which the joint resolution is introduced, to move to proceed to consider the joint resolution in the House of Representatives.

(ii) PROCEDURES.—If a motion to proceed to a joint resolution is made—

(I) all points of order against the motion are waived;

(II) the motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution;

(III) the previous question shall be considered as ordered on the motion to its adoption without intervening motion;

(IV) the motion shall not be debatable; and

(V) a motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—If the House of Representatives proceeds to a joint resolution—

(i) the joint resolution shall be considered as read;

(ii) all points of order against the joint resolution and against its consideration are waived;

(iii) the previous question shall be considered as ordered on the joint resolution to its passage without intervening motion, except 2 hours of debate equally divided and controlled by the proponent and an opponent;

(iv) an amendment to the joint resolution shall not be in order; and

(v) a motion to reconsider the vote on passage of the joint resolution shall not be in order.

(2) EXPEDITED CONSIDERATION IN THE SENATE.—

(A) REPORTING AND DISCHARGE.—

(i) IN GENERAL.—Any committee of the Senate to which a joint resolution is referred shall report it to the Senate not later than 10 days after the date on which the joint resolution is introduced.

(ii) DISCHARGE.—If a committee of the Senate fails to report a joint resolution within the period specified in clause (i), the committee shall be discharged from further consideration of the joint resolution, and the joint resolution shall be placed on the calendar.

(B) MOTION TO PROCEED.—

(i) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than the 11th day after the date on which the joint resolution is introduced, to move to proceed to consider the joint resolution in the Senate (even though a previous motion to the same effect has been disagreed to).

(ii) PROCEDURES.—If a motion to proceed to a joint resolution is made—

(I) all points of order against the motion (and against consideration of the joint resolution) are waived;

(II) the motion is not debatable;

(III) the motion is not subject to a motion to postpone; and

(IV) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(iii) MOTION AGREED TO.—If a motion to proceed to the consideration of a joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—If the Senate proceeds to a joint resolution—

(i) all points of order against the joint resolution are waived;

(ii) consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees;

(iii) a motion further to limit debate is in order and not debatable; and

(iv) an amendment to the joint resolution, a motion to postpone, a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution are not in order.

(D) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(E) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

(3) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution—

(i) the joint resolution of the other House shall not be referred to a committee;

(ii) with respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; and

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this subsection, the joint resolution of the other House shall be entitled to expedited floor procedures under this subsection.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—If the President vetoes a joint resolution, debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(4) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 2293. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle D—American Infrastructure Bank

SEC. 11301. SHORT TITLE.

This subtitle may be cited as the ''Build USA Act''.

SEC. 11302. DEFINITIONS.

In this subtitle:

(1) BANK.—The term ''Bank'' means the American Infrastructure Bank established under section 11311(a).

(2) BOARD.—The term ''Board'' means the Board of Directors of the Bank.

(3) CORE INFRASTRUCTURE PROJECT.—The term ''core infrastructure project'' means a Federal-aid highway or highway (as those terms are defined in section 101 of title 23, United States Code) project of a State that is eligible for funding under chapter 1 of title 23, United States Code.

(4) STATE.—The term ''State'' has the meaning given the term in section 101(a) of title 23, United States Code.

PART I—AMERICAN INFRASTRUCTURE BANK

SEC. 11311. ESTABLISHMENT OF AMERICAN INFRASTRUCTURE BANK.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established as a wholly owned Government corporation subject to chapter 91 of title 31, United States Code (commonly known as the ''Government Corporation Control Act'') (except as otherwise provided in this part), a bank to be known as the ''American Infrastructure Bank''.

(2) RESPONSIBILITY OF SECRETARY.—The Secretary shall take such action as the Secretary determines to be necessary to assist in implementing the establishment of the Bank in accordance with this subtitle.

(3) CONFORMING AMENDMENT.—Section 9101(3) of title 31, United States Code, is amended by inserting after subparagraph (N) the following:

''(O) the American Infrastructure Bank.''.

(b) BOARD OF DIRECTORS.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Bank shall have a bipartisan Board of Directors consisting of—

(i) 4 voting members, 1 of each who shall be appointed, by and with the advice and consent of the Senate—

(I) by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Environment and Public Works of the Senate;

(II) by the Minority Leader of the Senate, in consultation with the Ranking Member of the Committee on Environment and Public Works of the Senate;

(III) by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Transportation and Infrastructure of the House of Representatives; and

(IV) by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives; and

(ii) 1 nonvoting member, who shall be the Secretary (or a designee).

(B) QUALIFICATIONS.—A Board member appointed under subparagraph (A)(i) shall have relevant expertise in the fields of public or private finance, infrastructure financing, or transportation infrastructure policy.

(C) TERM.—A member of the Board shall be appointed for a term of 3 years.

(D) DATE OF INITIAL APPOINTMENTS.—The initial appointments to the Board under subparagraph (A)(i) shall be made not later than 180 days after the date of the enactment of this Act.

(E) VACANCIES.—A vacancy on the Board—

(i) shall not affect the powers of the Board; and

(ii) shall be filled in the same manner as the original appointment was made.

(F) MEETINGS.—The Board shall meet at the call of the chairperson.

(G) QUORUM.—A majority of the members of the Board shall constitute a quorum.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a chairperson and vice chairperson from among the members of the Board.

(I) COMPENSATION.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall determine compensation of members of the Board in a manner that is consistent with similar compensation for members of other boards in the Federal Government.

(ii) FEDERAL EMPLOYEES AND OFFICIALS.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(J) ADMINISTRATIVE COSTS.—

(i) IN GENERAL.—For the first 3 years beginning on the date of the enactment of this Act, not more than ½ of 1 percent of the funds made available under section 11322 shall be used for—

(I) compensation for members of the Board under subparagraph (I);

(II) compensation for employees of the Board;

(III) administrative expenses; and

(IV) any other expenses incurred by the Bank.

(ii) 3 YEARS AFTER THE DATE OF ENACTMENT.—For any year beginning after the date that is 3 years after the date of the enactment of this Act, funds from interest received by the Bank shall be used to provide funds for the expenses described in clause (i).

(2) DUTIES.—The Board shall—

(A) not later than 18 months after the date of the enactment of this Act, commence operation of the Bank, including by establishing all operational and administrative parameters of the Bank; and

(B) monitor and exercise oversight of core infrastructure projects as necessary to achieve the purposes of the Bank.

(3) POWERS.—The Board shall have the authority—

(A) in accordance with such terms as the Board determines to be appropriate, to make senior and subordinated loans, purchase senior and subordinated debt securities, and enter into a binding commitment to make any such loan or purchase any such security, the proceeds of which are used to assist in the financing or refinancing of the development of 1 or more core infrastructure projects;

(B) to issue and sell debt securities of the Bank on such terms as the Board determines to be appropriate;

(C) to issue public benefit bonds and provide financing to core infrastructure projects from amounts made available from the issuance of those bonds;

(D) to make loan guarantees;

(E) to enter into agreements or contracts with any individual or entity in support of the business of the Bank;

(F) to purchase in the open market any outstanding obligation of the Bank at any time and at any price;

(G) to acquire, lease, pledge, exchange, and dispose of real and personal property and otherwise exercise all the usual incidents of ownership of property to the extent the exercise of those powers are appropriate to, and consistent with, the purposes of the Bank;

(H) to sue and be sued in a corporate capacity in any court of competent jurisdiction, except that no attachment, injunction, or similar process, may be issued against the property of the Bank or against the Bank with respect to that property;

(I) to indemnify the members of the Board for liabilities arising out of the actions of the Board, in accordance with, and subject to the limitations contained in, this subtitle; and

(J) to exercise all other lawful powers that are necessary or appropriate to carry out, and are consistent with, the purposes of the Bank.

(4) LIMITATIONS.—

(A) ISSUANCE OF DEBT SECURITY.—The Board may not issue any debt security without the consent of the Secretary.

(B) ISSUANCE OF VOTING SECURITY.—The Board may not issue any voting security in the Bank.

(c) AUDITS; REPORTS.—

(1) ACCOUNTING.—The book of accounts of the Bank shall be—

(A) maintained in accordance with generally accepted accounting principles; and

(B) subject to an annual audit by an independent public accountant that is—

(i) appointed by the Board; and

(ii) of nationally recognized standing.

(2) REPORTS.—Not later than 90 days after the last day of each fiscal year during which the Bank is in operation, the Board shall submit to the President and the appropriate committees of Congress a report that describes, with respect to the preceding fiscal year—

(A) the operations of the Bank;

(B) a schedule of the obligations and outstanding capital securities of the Bank, together with a statement of the amounts issued and redeemed or paid during that fiscal year; and

(C) the status of core infrastructure projects receiving funding or other assistance pursuant to this subtitle, including disclosure of all entities with a development, ownership, or operational interest in those core infrastructure projects.

(3) BOOKS AND RECORDS.—

(A) IN GENERAL.—The Bank shall maintain adequate books and records to support the financial transactions of the Bank, including a description, to be maintained on a publically accessible database, of—

(i) each financial transaction of the Bank and each core infrastructure project that receives funding from the Bank; and

(ii) the amount of funding for each core infrastructure project.

(B) AUDITS.—The books and records of the Bank shall be—

(i) maintained in accordance with recommended accounting practices; and

(ii) open to inspection by the Comptroller General of the United States.

SEC. 11312. STATE REMITTANCE AGREEMENTS WITH BANK.

(a) IN GENERAL.—A State may enter into an agreement of not less than 3 years with the Bank, under which—

(1) the State agrees to remit not less than 60 percent of the total amount of funds received by the State in each year of the 3-year period from the Federal Government for Federal-aid highway activities under sections 119(d) and 133(b) of title 23, United States Code;

(2) the Board will issue to the State funds from the Bank received under section 11322 in an amount equal to 90 percent of the amount the State remitted to the Bank under paragraph (1); and

(3) the State will use the funds received from the Bank under paragraph (2) to carry out core infrastructure projects in accordance with subsection (b).

(b) STATE DETERMINATION OF COMPLIANCE.—Notwithstanding any other provision of law, in carrying out a project under subsection (a)(3), a State shall—

(1) have the authority to determine whether the State is in compliance with all Federal requirements of—

(A) environmental approvals relating to the project;

(B) environmental permits relating to the project;

(C) section 313 of title 23, United States Code;

(D) the development and construction of the project, including—

(i) preliminary design;

(ii) right-of-way acquisition;

(iii) construction engineering; and

(iv) final acceptance of the project;

(E) preapproval for preventative maintenance projects and procedures;

(F) project agreements and modifications to project agreements; and

(G) consultant procurement services relating to the project;

(2) assume responsibility of and oversight duties over compliance with the requirements described in paragraph (1); and

(3) to the maximum extent practicable, attempt to carry out the project in compliance with all Federal requirements.

(c) USE OF STATE-REMITTED FUNDS.—The Bank shall use an amount equal to 10 percent of the funds remitted to the Bank by States under subsection (a)(1) to carry out section 11313.

SEC. 11313. LOANS TO STATES AND UNITS OF LOCAL GOVERNMENT FOR TRANSPORTATION PROJECTS.

(a) IN GENERAL.—The Bank may grant a loan to a State or a unit of local government to carry out a core infrastructure project in compliance with all applicable Federal laws and requirements.

(b) SUBMISSION OF APPLICATIONS.—In order to be eligible to receive a loan under subsection (a), a State or unit of local government shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(c) INTEREST RATES FOR LOANS.—The Board shall—

(1) set the interest rate for a loan provided under subsection (a); and

(2) ensure that the interest rate remains at a level that is more favorable than that of similar infrastructure loans available on the private market.

PART II—CAPITALIZATION OF BANK

SEC. 11321. ALLOWANCE OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR DIVIDENDS RECEIVED FROM A CONTROLLED FOREIGN CORPORATION.

(a) APPLICABILITY OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION.—

(1) IN GENERAL.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) ELECTION.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to the 3-taxable year period beginning with—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Build USA Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date of enactment.

''(2) TIME FOR MAKING ELECTION.—Any election made under this section shall be made on or before the due date (including extensions) for filing the return of tax for the first taxable year in the 3-taxable year period described in paragraph (1).

''(3) DECLARATION OF AMOUNT REPATRIATED.—An election under this section shall designate a limitation of the aggregate amount of dividends to be taken into account under subsection (a) during the 3-taxable year period.''.

(2) CONFORMING AMENDMENTS.—

(A) EXTRAORDINARY DIVIDENDS.—Section 965(b)(2) of such Code is amended by striking ''June 30, 2003'' and inserting ''December 31, 2014'', and

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking ''October 3, 2004'' and inserting ''December 31, 2014''.

(C) DETERMINATIONS RELATING TO BASE PERIOD.—Section 965(c)(2) of such Code is amended by striking ''June 30, 2003'' and inserting ''December 31, 2014''.

(b) AMOUNT OF DEDUCTION.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''81.4 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 11322. APPROPRIATIONS TO BANK.

(a) ESTIMATION OF REVENUES FROM REPATRIATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's designee) shall estimate the increase in the amount of revenues to be received in the Treasury after the date of the enactment of this Act and before October 1, 2019, attributable to the amendments made by this part.

(b) APPROPRIATION.—Out of any money in the Treasury not otherwise appropriated, there is hereby appropriated to the Bank an amount equal to the amount described in subsection (a), to remain available until expended.

SA 2294. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STRENGTHENING AMERICA'S BRIDGES FUND.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund, to be known as the ''Strengthening America's Bridges Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as may be appropriated to the Fund under paragraph (2).

(2) TRANSFERS TO FUND.—There is appropriated to the Fund an amount equivalent to the increase in revenue received in the Treasury due to the amendments made by subsection (b), as determined by the Secretary of the Treasury (or a designee).

(3) EXPENDITURES FROM FUND.—Amounts in the Fund shall be made available by the Secretary of Transportation for the purpose of making grants, in accordance with the requirements of this subsection, to States for the repair or maintenance of any bridges classified as deficient in the National Bridge Inventory, as authorized under section 144(b) of title 23, United States Code.

(4) SELECTION PROCESS.—

(A) IN GENERAL.—The Secretary shall select the recipients of grants awarded under this subsection in accordance with the criteria published under subparagraph (B) and described in paragraph (5).

(B) PUBLICATION OF CRITERIA.—The Secretary shall publish selection criteria for any grants awarded under this subsection not earlier than 60 days after the date of enactment of this Act.

(C) TIMELINE FOR SUBMISSION.—Applications for grants under this section shall be submitted not earlier than 120 days after the date on which the criteria are published under subparagraph (B).

(D) DEADLINE FOR SELECTION.—The Secretary shall select and announce all projects selected under this paragraph not earlier than 60 days after the last date of the submission period described in subparagraph (C).

(5) CRITERIA.—In making grants under this subsection, the Secretary shall ensure that—

(A) the distribution of funds is geographically equitable, including an appropriate balance in addressing the needs of urban and rural areas;

(B) not more than 25 percent of the funds made available under this section are awarded to projects in a single State;

(C) not less than 20 percent of the funds provided under this section shall be for projects located in rural areas;

(D) for projects located in rural areas, the Secretary may increase the Federal share of costs to more than 80 percent; and

(E) priority is given to projects that require a contribution of Federal funds in order to complete an overall financing package.

(6) RETENTION OF FUNDS.—To fund the provision and oversight of grants under this subsection, the Secretary may—

(A) retain not more than 10 percent of the funds made available to the Secretary under paragraph (3); and

(B) transfer any portion of those funds to the Administrator of the Federal Highway Administration.

(7) FEDERAL SHARE.—Except as provided in paragraph (5)(D), the Federal share of the costs for which an expenditure is made under this subsection shall be, at the option of the recipient, not more than 80 percent.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM REFUNDABLE PORTION OF CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.—

''(1) IN GENERAL.—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

''(2) REFUNDABLE PORTION.—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct TIN under section 24(e)(1) (relating to child tax credit) or a correct Social Security number required under section 24(e)(2) (relating to refundable portion of child tax credit), to be included on a return,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of enactment of this Act.

SA 2295. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE ____—TERMINATION OF EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. ____01. ABOLISHMENT OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Effective on the abolishment date:

(1) ABOLISHMENT.—The Export-Import Bank of the United States (in this title referred to as the ''Bank'') is abolished.

(2) TRANSFER OF FUNCTIONS.—All functions that, on the day before the abolishment date are authorized to be performed by the Bank, the Board of Directors of the Bank, any officer or employee of the Bank acting in that capacity, or any agency or office of the Bank, are transferred to the Secretary of the Treasury (in this title referred to as the ''Secretary'').

(3) TRANSFER OF ASSETS AND OBLIGATIONS.—Except as otherwise provided in this title, the obligations, assets, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred under paragraph (2) are transferred to the Secretary.

(b) ABOLISHMENT DATE DEFINED.—In this title, the term ''abolishment date'' means the date that is 30 days after the date of the enactment of this Act.

SEC. ____02. RESOLUTION AND TERMINATION OF BANK FUNCTIONS.

(a) RESOLUTION OF FUNCTIONS.—The Secretary shall—

(1) complete the disposition and resolution of functions of the Bank in accordance with this title; and

(2) resolve all functions that are transferred to the Secretary under section ____01.

(b) TERMINATION OF FUNCTIONS.—All functions that are transferred to the Secretary under section ____01 shall terminate on the date all obligations of the Bank, and all obligations of others to the Bank, in effect on the day before the abolishment date have been sold under section ____03 or otherwise satisfied, as determined by the Secretary.

(c) REPORT TO THE CONGRESS.—When the Secretary makes the determination described in subsection (b), the Secretary shall report the determination to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. ____03. AUCTION OF BANK ASSETS AND OBLIGATIONS.

(a) IN GENERAL.—Not later than 30 days after the assets and obligations of the Bank are transferred to the Secretary under this title, the Secretary shall conduct an auction to sell such assets and obligations to non-Federal entities.

(b) REMAINING ASSETS AND OBLIGATIONS.—The Secretary shall service any assets and obligations not sold pursuant to subsection (a) until such assets and obligations reach maturity.

(c) DEPOSIT IN GENERAL FUND.—The proceeds of the auction required by subsection (a) shall be deposited in the general fund of the Treasury and used for the purpose of deficit reduction.

SEC. ____04. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF THE TREASURY.

The Secretary shall—

(1) be responsible for the implementation of this title; and

(2) have the authority to carry out any tasks necessary to provide for the transfer of any assets or obligations under section ____01 or the auction required by section ____03.

SEC. ____05. PERSONNEL.

Effective on the abolishment date, there are transferred to the Department of the Treasury all individuals, other than members of the Board of Directors of the Bank, who—

(1) immediately before the abolishment date, were officers or employees of the Bank; and

(2) in their capacity as such an officer or employee, performed functions that are transferred to the Secretary under section ____01.

SEC. ____06. TRANSFER OF INSPECTOR GENERAL DUTIES.

(a) TERMINATION OF THE OFFICE OF INSPECTOR GENERAL FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.—Notwithstanding any other provision of law, the Office of Inspector General for the Bank shall terminate on the abolishment date, and the assets and obligations of the Office shall be transferred to the Office of the Inspector General for the Department of the Treasury or otherwise disposed of.

(b) AUTHORITY AND RESPONSIBILITY FOR TRANSFER OR DISPOSAL.—The Secretary shall have the authority and responsibility for transfer or disposal under subsection (a).

(c) SAVINGS PROVISION.—The provisions of this section shall not affect the performance of any pending audit, investigation, inspection, or report by the Office of the Inspector General for the Bank as of the abolishment date, with respect to functions transferred by this section. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any performance under the same terms and conditions and to the same extent that such performance could have been discontinued or modified if this section had not been enacted.

SEC. ___07. EXERCISE OF AUTHORITIES.

Except as otherwise provided by law, the Secretary may, for purposes of performing a function transferred by this title, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the Bank on the day before the effective date of the transfer of the function under this title.

SEC. ___08. AVAILABILITY OF EXISTING FUNDS.

(a) IN GENERAL.—Existing appropriations and funds available for the performance of functions, programs, and activities terminated pursuant to this title shall remain available, for the duration of their period of availability, for necessary expenses in connection with the termination and resolution of such functions, programs, and activities.

(b) DEPOSIT IN GENERAL FUND.—Any appropriations or other funds described in subsection (a) not used for necessary expenses in connection with the termination and resolution of functions, programs, and activities under this title shall be deposited in the general fund of the Treasury and used for the purpose of deficit reduction.

SEC. ___09. CONFORMING AMENDMENTS AND REPEALS.

(a) REPEAL OF PRIMARY AUTHORIZING STATUTE.—The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

(b) ELIMINATION OF RELATED AUTHORIZING PROVISIONS.—

(1) Section 103 of the International Development and Finance Act of 1989 (Public Law 101–240; 12 U.S.C. 635 note) is repealed.

(2) Section 303 of the Support for East European Democracy (SEED) Act of 1989 (Public Law 101–179; 12 U.S.C. 635 note) is repealed.

(3) Section 1908 of the Export-Import Bank Act Amendments of 1978 (12 U.S.C. 635a–1) is amended—

(A) by striking ''(a)''; and

(B) by striking subsection (b).

(4) Sections 1911 and 1912 of the Export-Import Bank Act Amendments of 1978 (12 U.S.C. 635a–2 and 635a–3) are repealed.

(5) Section 206 of the Bank Export Services Act (12 U.S.C. 635a–4) is repealed.

(6) Sections 1 through 5 of Public Law 90–390 (12 U.S.C. 635j through 635n) are repealed.

(7) Sections 641 through 647 of the Trade and Development Enhancement Act of 1983 (12 U.S.C. 635o note and 12 U.S.C. 536o through 635t) are repealed.

(8) Section 534 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 12 U.S.C. 635g note) is amended by striking subsection (d).

(9) Section 3302 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 12 U.S.C. 635i–3 note) is amended by striking subsection (a).

(10) Section 1105(a) of title 31, United States Code, is amended by striking paragraph (34) and redesignating the succeeding paragraphs of such section as paragraphs (34) through (38), respectively.

(11) Section 9101(3) of title 31, United States Code, is amended by striking subparagraph (C).

(c) ELIMINATION OF RELATED COMPENSATION PROVISIONS.—

(1) POSITION AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the following item:

''President of the Export-Import Bank of Washington.''.

(2) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended—

(A) by striking the following item:

''First Vice President of the Export-Import Bank of Washington.''; and

(B) by striking the following item:

''Members, Board of Directors of the Export-Import Bank of Washington.''.

(d) ELIMINATION OF OFFICE OF INSPECTOR GENERAL FOR THE BANK.—Section 12 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking ''the President of the Export-Import Bank;''; and

(2) in paragraph (2), by striking ''the Export-Import Bank,''.

(e) EFFECTIVE DATE.—The repeals and amendments made by this section shall take effect on the abolishment date.

(f) REPORT TO THE CONGRESS ON OTHER AMENDMENTS TO FEDERAL STATUTE.—The Secretary shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a written report that contains suggestions for such other amendments to Federal statutes as may be necessary or appropriate as a result of this title.

SEC. ___10. REFERENCES.

Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to Bank shall be deemed to be a reference to the Secretary.

SA 2296. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 15_____. LIMITATION ON WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE WITH AIR QUALITY STANDARDS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 159 the following:

''§ 160. Noncompliance with air quality standards

''The Secretary may withhold amounts required to be apportioned under section 104(b) or any other provision of this title or title 49 for Federal-aid highway projects for a fiscal year from a State that contains an area that has not attained an applicable national primary or secondary ambient air quality standard under the Clean Air Act (42 U.S.C. 7401 et seq.) (including regulations promulgated pursuant to that Act) only if—

''(1) the rule establishing the standard has been finalized and implemented before the date of enactment of the DRIVE Act; or

''(2) in a case in which the rule establishing the standard is finalized and implemented on or after the date of enactment of the DRIVE Act, the Administrator of the Environmental Protection Agency includes in each regulatory impact analysis regarding the proposed and final rule at least 1 analysis that does not include—

''(A) any other proposed rule;

''(B) any other rule that, as of the date of the analysis—

''(i) has been finalized by the Administrator; but

''(ii) has not been implemented; and

''(C) any calculation of benefits resulting from reducing emissions of any other criteria pollutant.''.

(b) CONFORMING AMENDMENT.—The analysis for title 23, United States Code, is amended by inserting after the item relating to section 159 the following:

''160. Noncompliance with air quality standards.''.

SA 2297. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) IN GENERAL.—

(1) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(2) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) BUDGETARY EFFECTS OF THIS SECTION.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this section.

SA 2298. Mr. CRUZ (for himself, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HEALTH INSURANCE COVERAGE FOR CERTAIN CONGRESSIONAL MEMBERS AND MEMBERS OF THE EXECUTIVE BRANCH.

(a) IN GENERAL.—Notwithstanding section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)), Members of Congress, the President, Vice President, and all other political appointees shall purchase health insurance coverage through a health exchange established under such Act and shall receive no Federal subsidy or contribution to the costs of such coverage that is not also otherwise available to individuals at a similar income level.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF CONGRESS.—The term ''Member of Congress'' shall have the meaning given such term in section 1312(d)(3)(D)(ii)(I) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)(ii)(I)).

(2) POLITICAL APPOINTEE.—The term ''political appointee'' means any individual who—

(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code;

(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations; or

(D) is employed in or under the Executive Office of the President in a position that is excluded from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

SA 2299. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONDITION ON RECEIPT OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity unless the entity certifies that, during the period beginning on the date of receipt of such funds and ending on the date such funds are exhausted, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion unless in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2300. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FEDERAL FUNDING OF CERTAIN ENTITIES.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity that—

(1) is the target of an investigation by an agency of the Federal government; and

(2) performs, or provides any funds to any other entity that performs, an abortion unless in the reasonable medical judgment of the physician involved, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2301. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON SANCTIONS RELIEF FOR IRAN.

Notwithstanding any other provision of law, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement with Iran relating to Iran's nuclear program until—

(1) the Government of Iran has recognized Israel's right to exist; and

(2) the Government of Iran has released all American prisoners of conscience who are being unjustly held in Iranian jails, including Saeed Abedini, Amir Hekmati, and Jason Rezaian, and located and returned Robert Levinson.

SA 2302. Mr. ROBERTS (for himself, Mr. ALEXANDER, Mr. BURR, Mr. CORNYN, Mr. COTTON, Mr. GARDNER, Mr. RISCH, Mr. SASSE, Mr. TILLIS, Mr. BOOZMAN, and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF COUNTRY OF ORIGIN LABELING REQUIREMENTS FOR BEEF, PORK, AND CHICKEN.

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by striking paragraphs (1) and (7);

(2) by redesignating paragraphs (2), (3), (4), (5), (6), (8), and (9) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(3) in paragraph (1)(A) (as so redesignated)—

(A) by striking clause (i) and inserting the following new clause:

''(i) muscle cuts of lamb and venison;'';

(B) by striking clause (ii) and inserting the following new clause:

''(ii) ground lamb and ground venison;'';

(C) by striking clause (viii); and

(D) by redesignating clauses (ix), (x), and (xi) as clauses (viii), (ix), and (x), respectively.

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) in subsection (a)(2)—

(A) in the heading, by striking ''BEEF, LAMB, PORK, CHICKEN,'' and inserting ''LAMB,'';

(B) by striking ''beef, lamb, pork, chicken,'' and inserting ''lamb,'' each place it appears in subparagraphs (A), (B), (C), and (D); and

(C) in subparagraph (E)—

(i) in the heading, by striking ''GROUND BEEF, PORK, LAMB, CHICKEN,'' and inserting ''GROUND LAMB,''; and

(ii) by striking ''ground beef, ground pork, ground lamb, ground chicken,'' each place it appears and inserting ''ground lamb,''; and

(2) in subsection (f)(2)—

(A) by striking subparagraphs (B) and (C); and

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

SA 2303. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 11001(b)(1) (relating to research, technology, and education authorizations of appropriations)—

(1) in subparagraph (A) (relating to the highway research and development program), reduce the amounts made available for each of fiscal years 2016 through 2021 by $15,000,000; and

(2) in subparagraph (D) (relating to the intelligent transportation systems program), reduce the amounts made available for—

(A) each of fiscal years 2016 through 2020 by $5,000,000; and

(B) fiscal year 2021 by $4,315,400.

In subsection (b)(2) of section 11009 (relating to flexibility for certain rural road and bridge projects), strike ''section 1316(b) of MAP–21'' and insert ''section 1316(a) of MAP–21 (as amended by section 11304)''.

At the end of title I, add the following:

Subtitle D—Tribal Infrastructure and Roads Enhancement and Safety

SEC. 11301. SHORT TITLE.

This subtitle may be cited as the ''Tribal Infrastructure and Roads Enhancement and Safety Act'' or ''TIRES Act''.

SEC. 11302. DEFINITIONS.

In this subtitle:

(1) INDIAN RESERVATION.—The term ''Indian reservation'' has the meaning given the term ''reservation'' in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 11303. APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.

(a) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, a highway project, including projects administered by the Bureau of Indian Affairs, located on a road eligible for assistance under section 202 of title 23, United States Code, is deemed to be an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), if the project—

(A) qualifies for categorical exclusion under—

(i) MAP–21 (Public Law 112–141; 126 Stat. 405) or an amendment made by that Act; or

(ii) section 771.117 of title 23, Code of Federal Regulations (or successor regulations); or

(B) would meet those requirements if the project sponsor were a State agency.

(2) MAP–21 CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—Section 1317 of MAP–21 (23 U.S.C. 109 note; 126 Stat. 550) (as amended by section 11101 (relating to categorical exclusions for projects of limited Federal assistance)) is amended by adding at the end the following:

''(c) APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—With respect to a project described in subsection (a) that is located on a road eligible for assistance under section 202 of title 23, United States Code, for the first full fiscal year after the date of enactment of the TIRES Act, and each fiscal year thereafter, the amount referred to in subsection (a)(1)(A) shall be adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) ADMINISTRATION.—The Secretary may issue guidance or rules for the administration of this section.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The categorical exclusions described in subsection (a), and the amendments made by subsection (a), take effect on the date of enactment of this Act.

(2) FAILURE OF SECRETARY TO ACT.—The failure of the Secretary to promulgate any final regulations or guidance shall not affect the qualification for the categorical exclusions described in subsection (a).

SEC. 11304. STREAMLINING FOR TRIBAL PUBLIC SAFETY PROJECTS WITHIN EXISTING OPERATIONAL RIGHTS-OF-WAY.

Section 1316 of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549) is amended—

(1) in subsection (b)—

(A) by striking ''(b) DEFINITION OF AN OPERATIONAL RIGHT-OF-WAY.—In this section, the'' and inserting the following:

''(b) DEFINITIONS.—In this section:

''(1) OPERATIONAL RIGHT-OF-WAY.—

''(A) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(B) INCLUSION.—For purposes of subparagraph (A), if a real property interest on an Indian reservation has not been formally designated an operational right-of-way, an Indian tribe may determine the scope and boundaries of that real property interest as an operational right-of-way, subject to the approval of the Bureau of Indian Affairs and the Secretary.

''(2) TRIBAL PUBLIC SAFETY PROJECT.—

''(A) IN GENERAL.—The term 'tribal public safety project' means a project subject to this section that—

''(i) corrects or improves a hazardous road location or feature; or

''(ii) addresses a highway safety problem.

''(B) INCLUSIONS.—The term 'tribal public safety project' includes a project for 1 or more of the following:

''(i) An intersection safety improvement.

''(ii) Pavement and shoulder widening, including addition of a passing lane to remedy an unsafe condition.

''(iii) Installation of a rumble strip or other warning device, if the rumble strip or other warning device does not adversely affect the safety or mobility of bicyclists, pedestrians, or the disabled.

''(iv) Installation of a skid-resistant surface at an intersection or other location with a high frequency of accidents.

''(v) An improvement for pedestrian or bicyclist safety or safety of the disabled.

''(vi) Construction of any project for the elimination of hazards at a railway-highway crossing that is eligible for funding under section 130 of title 23, United States Code, including the separation or protection of grades at railway-highway crossings.

''(vii) Construction of a railway-highway crossing safety feature, including installation of protective devices.

''(viii) The conduct of a model traffic enforcement activity at a railway-highway crossing.

''(ix) Construction of a traffic calming feature.

''(x) Elimination of a roadside obstacle.

''(xi) Improvement of highway signage and pavement markings.

''(xii) Installation of a priority control system for emergency vehicles at signalized intersections.

''(xiii) Installation of a traffic control or other warning device at a location with high accident potential.

''(xiv) Safety-conscious planning.

''(xv) Improvements in the collection and analysis of crash data.

''(xvi) Planning integrated interoperable emergency communications equipment, operational activities, or traffic enforcement activities, including police assistance, relating to workzone safety.

''(xvii) Installation of guardrails, barriers, including barriers between construction work zones and traffic lanes for the safety of motorists and workers, and crash attenuators.

''(xviii) The addition or retrofitting of structures or other measures to eliminate or reduce accidents involving vehicles and wildlife.

''(xix) Installation and maintenance of signs, including fluorescent, yellow-green signs, at pedestrian-bicycle crossings and in school zones.

''(xx) Construction and yellow-green signs at pedestrian-bicycle crossings and in school zones.

''(xxi) Construction and operational improvements on high-risk rural roads.

''(xxii) Any other project that the Secretary determines qualifies.'';

(2) by redesignating subsections (a) and (b) as subsections (b) and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(3) in subsection (b) (as so redesignated), in the subsection heading, by striking ''IN GENERAL'' and inserting ''DESIGNATION''; and

(4) by adding at the end the following:

''(c) PROJECTS WITHIN EXISTING OPERATIONAL RIGHTS-OF-WAY.—

''(1) APPLICABILITY.—This subsection applies to a project within an existing operational right-of-way on an Indian reservation (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)) that is—

''(A) for a maintenance or preservation activity, whether or not federally funded, within the existing operational right-of-way, including for roadside ditches; or

''(B) a project that—

''(i) is a tribal public safety project or a project that the tribal department of transportation or the equivalent (or in the case of an Indian tribe without a tribal department of transportation or equivalent, an official representing the Indian tribe) certifies to the Secretary as providing a safety benefit to the public; and

''(ii) is an action that—

''(I) is categorically excluded under section 771.117 of title 23, Code of Federal Regulations (or successor regulations); or

''(II) would be categorically excluded under section 771.117 of title 23, Code of Federal Regulations (or successor regulations), if the applicant were a State agency.

''(2) FINAL ACTION.—Except as provided in paragraph (3), a Federal agency shall take final action on an application by an Indian tribe for a permit, approval, or jurisdictional determination for a project described in paragraph (1) not later than 45 days after the date of receipt of the application.

''(3) EXTENSIONS.—A Federal agency may extend the period to take final action on an application by an Indian tribe under paragraph (2) by an additional 30 days by providing to the Secretary and the Indian tribe notice of the extension, including a statement of the need for the extension.

''(4) CONSTRUCTIVE APPROVAL.—If a Federal agency does not take final action on an application by an Indian tribe under paragraphs (2) and (3)—

''(A) the permit or approval for the project described in paragraph (1) shall be considered approved; and

''(B) the Indian tribe shall notify the Secretary of approval under this paragraph.

''(5) REPORT.—Not later than 4 years after the date of enactment of the 'TIRES Act', the Secretary shall submit to Congress a report that describes the operation of this subsection, including any recommendations.''.

SEC. 11305. OPTION OF ASSUMING NEPA APPROVAL AUTHORITY.

(a) DEFINITION OF SECRETARY.—In this section, the term ''Secretary'' means the Secretary of the Interior or the Secretary of Transportation, as applicable.

(b) ASSUMPTION OF FEDERAL RESPONSIBILITIES.—An Indian tribe participating in tribal self-governance or a contract or agreement under subsection (a)(2) or (b)(7) of section 202 of title 23, United States Code, and carrying out construction projects on the Indian reservation over which the Indian tribe has jurisdiction, may elect to assume all Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), division A of subtitle III of title 54, United States Code, and other applicable Federal law that would apply if the Secretary were to undertake a construction project if the Indian tribe—

(1) designates an officer—

(A) to represent the Indian tribe; and

(B) to assume the status of a responsible Federal official under those laws; and

(2) accepts the jurisdiction of the Federal court for the purpose of enforcement of the

responsibilities of the responsible Federal official under those laws.

SEC. 11306. TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA REPORT.

(a) FINDINGS.—Congress finds that—

(1) in many States, the Native American population is disproportionately represented in fatalities and crash statistics;

(2) improved crash reporting by tribal law enforcement agencies would facilitate safety planning and would enable Indian tribes to apply more successfully for State and Federal funds for safety improvements;

(3) the causes of underreporting of crashes on Indian reservations include—

(A) tribal law enforcement capacity, including—

(i) staffing shortages and turnover; and

(ii) lack of equipment, software, and training; and

(B) lack of standardization in crash reporting forms and protocols; and

(4) without more accurate reporting of crashes on Indian reservations and rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), it is difficult or impossible to fully understand the nature of the problem and develop appropriate countermeasures, which may include effective transportation safety planning and programs aimed at—

(A) DUI prevention;

(B) pedestrian safety;

(C) roadway safety improvements;

(D) seat belt usage; and

(E) proper use of child restraints.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, after consultation with the Secretary of Transportation, the Secretary of Health and Human Services, the Attorney General, and Indian tribes, shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the quality of transportation safety data collected by States and counties for transportation safety systems and the relevance of that data to improving the collection and sharing of data on crashes on or near—

(A) Indian reservations; or

(B) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(2) PURPOSES.—The purposes of the report described in paragraph (1) are—

(A) to improve the collection and sharing of data on crashes on or near Indian reservations; and

(B) to develop data that Indian tribes can use to recover damages to tribal property caused by motorists.

(3) PAPERLESS DATA REPORTING.—In preparing the report under paragraph (1), the Secretary shall provide Indian tribes with options and best practices for transition to a paperless transportation safety data reporting system that—

(A) improves the collection of crash reports;

(B) stores, archives, queries, and shares crash records; and

(C) uses data exclusively—

(i) to address traffic safety issues on—

(I) Indian reservations; and

(II) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)); and

(ii) to identify and improve problem areas on—

(I) public roads on Indian reservations; and

(II) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(4) ADDITIONAL BUDGETARY RESOURCES.—The Secretary shall include in the report under paragraph (1) the identification of Federal transportation funds provided to Indian tribes by agencies in addition to the Department of the Interior.

SEC. 11307. BUREAU OF INDIAN AFFAIRS ROAD SAFETY STUDY.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of Transportation, the Attorney General, and States, shall—

(1) complete a study that identifies and evaluates options for improving safety on—

(A) public roads on or near Indian reservations; and

(B) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)); and

(2) submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the study.

SEC. 11308. TRIBAL TRANSPORTATION FUNDING.

(a) IN GENERAL.—Section 1101(a)(3) of MAP–21 (Public Law 112–141; 126 Stat. 414) is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code (other than subsection (d) of that section), there are authorized to be appropriated—

''(i) $468,180,000 for fiscal year 2016;

''(ii) $477,540,000 for fiscal year 2017;

''(iii) $487,090,000 for fiscal year 2018;

''(iv) $496,830,000 for fiscal year 2019;

''(v) $506,770,000 for fiscal year 2020; and

''(vi) $516,905,400 for fiscal year 2021.''; and

(2) by adding at the end the following:

''(D) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—For the tribal transportation facility bridge program under section 202(d) of title 23, United States Code, there are authorized to be appropriated—

''(i) $16,000,000 for fiscal year 2016;

''(ii) $18,000,000 for fiscal year 2017;

''(iii) $20,000,000 for fiscal year 2018;

''(iv) $22,000,000 for fiscal year 2019;

''(v) $24,000,000 for fiscal year 2020; and

''(vi) $26,000,000 for fiscal year 2021.''.

(3) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—Section 202(d) of title 23, United States Code (as amended by sections 11023(c)(2) (relating to asset management) and 11024(2) (relating to a tribal transportation program amendment)), is amended by striking paragraph (2) and inserting the following:

''(2) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—The Secretary shall use funds made available to carry out this subsection—

''(A) to carry out any planning, design, engineering, preconstruction, construction, and inspection of new or replacement tribal transportation facility bridges;

''(B) to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing composition; or

''(C) to implement any countermeasure for deficient tribal transportation facility bridges, including multiple-pipe culverts.''.

In section 34101(6) (relating to authorization of appropriations for administrative expenses), reduce the amounts made available for each of fiscal years 2016 through 2020 by $10,000,000.

SA 2304. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NATIONAL AMBIENT AIR QUALITY STANDARDS.

Section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking ''(d)(1) Not later than December 31, 1980, and at five-year intervals'' and inserting the following:

''(d) REVIEW AND REVISION OF CRITERIA AND STANDARDS; INDEPENDENT SCIENTIFIC REVIEW COMMITTEE; APPOINTMENT; ADVISORY FUNCTIONS.—

''(1) REVIEW AND REVISION OF CRITERIA AND STANDARDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), not later than December 31, 1980, and at 10-year intervals'';

(B) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(B) EARLY AND FREQUENT REVIEW AND REVISION.—Except with respect to any national ambient air quality standard promulgated under this section for ozone concentrations, the Administrator''; and

(C) by adding at the end the following:

''(C) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE CONCENTRATIONS.—Not earlier than February 1, 2018, but not later than December 31, 2018, and at 10-year intervals thereafter, the Administrator shall, with respect to national ambient air quality standards for ozone concentrations—

''(i) complete a thorough review of any standard promulgated under this section; and

''(ii) make revisions to the standards described in clause (i) and promulgate new standards as may be appropriate in accordance with section 108 and subsection (b).''; and

(2) in paragraph (2)(B)—

(A) by striking ''(B) Not later than January 1, 1980, and at five-year intervals'' and inserting the following:

''(B) REVIEW.—

''(i) IN GENERAL.—Except as provided in clause (ii), not later than January 1, 1980, and at 10-year intervals''; and

(B) by adding at the end the following:

''(ii) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE CONCENTRATIONS.—Not earlier than February 1, 2018, and at 10-year intervals thereafter, the committee referred to in subparagraph (A) shall, with respect to national ambient air quality standards for ozone concentrations—

''(I) complete a review of any standard promulgated under this section; and

''(II) recommend to the Administrator any new standard and any revision to the standards described in subclause (I) as may be appropriate under section 108 and subsection (b).''.

SA 2305. Mr. FLAKE (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AGREEMENT TO KEEP PUBLIC LAND OPEN DURING A GOVERNMENT SHUTDOWN.

(a) DEFINITIONS.—In this section:

(1) COVERED UNIT.—The term ''covered unit'' means—

(A) public land;

(B) units of the National Park System;

(C) units of the National Wildlife Refuge System; or

(D) units of the National Forest System.

(2) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(3) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of the Interior, with respect to land under the jurisdiction of the Secretary of the Interior; or

(B) the Secretary of Agriculture, with respect to land under the jurisdiction of the Secretary of Agriculture.

(b) AUTHORIZATION OF AGREEMENT.—Subject to subsection (c), if a State or political subdivision of the State offers, the Secretary shall enter into an agreement with the State or political subdivision of the State under which the United States may accept funds from the State or political subdivision of the State to reopen, in whole or in part, any covered unit within the State or political subdivision of the State during any period in which there is a lapse in appropriations for the covered unit.

(c) APPLICABILITY.—The authority under subsection (b) shall only be in effect during any period in which the Secretary is unable to operate and manage covered units at normal levels, as determined in accordance with the terms of agreement entered into under subsection (b).

(d) REFUND.—The Secretary shall refund to the State or political subdivision of the State all amounts provided to the United States under an agreement entered into under subsection (b)—

(1) on the date of enactment of an Act retroactively appropriating amounts sufficient to maintain normal operating levels at the covered unit reopened under an agreement entered into under subsection (b); or

(2) on the date on which the State or political subdivision establishes, in accordance with the terms of the agreement, that, during the period in which the agreement was in effect, fees for entrance to, or use of, the covered units were collected by the Secretary.

(e) VOLUNTARY REIMBURSEMENT.—If the requirements for a refund under subsection (d) are not met, the Secretary may, subject to the availability of appropriations, reimburse the State and political subdivision of the State for any amounts provided to the United States by the State or political subdivision under an agreement entered into under subsection (b).

SA 2306. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. UNUSED EARMARKS.

(a) SHORT TITLE.—This section may be cited as the ''Jurassic Pork Act''.

(b) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term ''Executive agency'' under section 105 of title 5, United States Code;

(2) the term ''earmark'' means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term ''unused DOT earmark'' means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) RESCISSION OF UNUSED DOT EARMARKS.—

(1) IN GENERAL.—Except as provided in paragraph (2), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded and shall be transferred to the Highway Trust Fund.

(2) EXCEPTION.—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of amounts from the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(d) AGENCY-WIDE IDENTIFICATION AND REPORT.—

(1) AGENCY IDENTIFICATION.—Each agency shall identify and submit to the Director of the Office of Management and Budget an annual report—

(A) that identifies each earmark for a project of the agency that is ineligible for funding; and

(B) that discusses each project of the agency for which—

(i) amounts are made available under an earmark; and

(ii) as of the end of a fiscal year, unobligated balances remain available.

(2) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report regarding earmarks (including any earmark that is ineligible for funding) that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c) at the end of the fiscal year during which the report is submitted.

SA 2307. Mr. FLAKE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. USE OF PROJECT LABOR AGREEMENTS IN CONSTRUCTION PROJECTS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Division C of subtitle I of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4713. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations

''(a) IN GENERAL.—The head of an executive agency may not in any solicitation, bid specification, project agreement, or other controlling document—

''(1) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; or

''(2) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections for division C of subtitle I of title 41, United States Code, is amended by inserting after the item relating to section 4712 the following new item:

''4713. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations.''.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations

''(a) IN GENERAL.—The head of an agency may not in any solicitation, bid specification, project agreement, or other controlling document—

''(1) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; or

''(2) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations.''.

(c) APPLICATION OF AMENDMENTS.—The amendments made by subsections (a) and (b) shall not apply to construction contracts awarded before the date of the enactment of this Act.

SA 2308. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 888, strike lines 7 through 20 and insert the following:

''(i) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(ii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iii) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities;

''(G) is justified based on the ability of the project to achieve generation of national economic benefits that reasonably exceed the costs of the project; and

''(H) is supported by a sufficient amount

SA 2309. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike paragraph (1) of section 15002(b) (relating to authorization of appropriations for the Appalachian regional development program)) and insert the following:

(1) by striking paragraph (5) of subsection (a) and inserting the following:

''(5) $90,000,000 for each of fiscal years 2016 through 2021.'';

SA 2310. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division H, add the following:

SEC. 800_____. ADJUSTMENT OF AUTHORIZATIONS TO MATCH FUNDING.

Notwithstanding any other provision of this Act, the Secretary of the Treasury shall determine the total amount of revenue generated by this Act and the amendments made by this Act and adjust, on a fiscal year basis, each extension or authorization of authority provided under this Act or an amendment made by this Act so that the total amount of revenue generated offsets the total revenue obligated.

SA 2311. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EARMARKS.

(a) IN GENERAL.—None of the funds appropriated under this Act or an amendment made by this Act may be used for an earmark.

(b) DEFINITION.—In this section, the term ''earmark'' means—

(1) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives.

SA 2312. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF COMPLIANCE DEADLINE FOR CARBON DIOXIDE EMISSIONS RULE.

(a) DEFINITION OF COMPLIANCE DATE.—

(1) IN GENERAL.—In this section, the term ''compliance date'' means the date by which any State, local, or tribal government or other person is required to comply with any requirement in a final rule that succeeds—

(A) the proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34830 (June 18, 2014)); or

(B) the supplemental proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships'' (79 Fed. Reg. 65482 (November 4, 2014)).

(2) INCLUSION.—The term ''compliance date'' includes the date by which State plans are required to be submitted to the Administrator of the Environmental Protection Agency under any final rule described in paragraph (1).

(b) EXTENSIONS.—If any person files a petition for review to challenge a final rule described in subsection (a)(1), each compliance date shall be extended by the time period equal to the period of days that—

(1) begins on the date that is 60 days after the date on which notice of promulgation of a final rule described in subsection (a)(1) appears in the Federal Register; and

(2) ends on the date that is 60 days after the date on which judgment becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607)) that—

(A) are filed during the time period described in paragraph (1); and

(B) seek review of any aspect of the rule.

SA 2313. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 52203, strike ''$1,000,000,000'' and insert ''$15,000,000,000''.

SA 2314. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 11____. STRENGTHEN AND FORTIFY EXISTING BRIDGES.

(a) DEFINITIONS.—In this section:

(1) BRIDGE.—The term ''bridge'' means a bridge on a public road, without regard to whether the bridge is on a Federal-aid highway.

(2) ELIGIBLE BRIDGE.—The term ''eligible bridge'' means a bridge that is—

(A) structurally deficient;

(B) functionally obsolete; or

(C) fracture critical.

(3) FEDERAL-AID HIGHWAY.—The term ''Federal-aid highway'' has the meaning given the term in section 101(a) of title 23, United States Code.

(4) FRACTURE CRITICAL.—The term ''fracture critical'' means, with respect to a bridge, a bridge with a steel member in tension, or with a tension element, the failure of which would likely cause a portion of the bridge or the entire bridge to collapse.

(5) FUNCTIONALLY OBSOLETE.—The term ''functionally obsolete'' means, with respect to a bridge, a bridge that, as determined by

the Secretary, no longer meets the most current design standards for the traffic demands on the bridge.

(6) PUBLIC ROAD.—The term ''public road'' has the meaning given the term in section 101(a) of title 23, United States Code.

(7) REHABILITATION.—The term ''rehabilitation'' means, with respect to a bridge, the carrying out of major work necessary, as determined by the Secretary—

(A) to restore the structural integrity of the bridge; or

(B) to correct a major safety defect of the bridge.

(8) REPLACEMENT.—The term ''replacement'' means, with respect to a bridge, the construction of a new facility that, as determined by the Secretary, is in the same general traffic corridor as the replaced bridge.

(9) STATE.—The term ''State'' means—

(A) a State; and

(B) the District of Columbia.

(10) STRUCTURALLY DEFICIENT.—The term ''structurally deficient'' means, with respect to a bridge, a bridge that, as determined by the Secretary—

(A) has significant load-carrying elements that are in poor or worse condition due to deterioration, damage, or both;

(B) has a load capacity that is significantly below truckloads using the bridge and that requires replacement; or

(C) has a waterway opening causing frequent flooding of the bridge deck and approaches resulting in significant traffic interruptions.

(b) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a program to assist States to rehabilitate or replace eligible bridges.

(c) APPORTIONMENT OF FUNDS.—

(1) IN GENERAL.—Amounts made available to carry out the program established under subsection (b) for a fiscal year shall be apportioned to each State according to the ratio that—

(A) the total cost to rehabilitate or replace structurally deficient and functionally obsolete bridges in that State; bears to

(B) the total cost to rehabilitate or replace structurally deficient and functionally obsolete bridges in all States.

(2) CALCULATION OF TOTAL COST.—

(A) CATEGORIES OF BRIDGES.—The Secretary shall place each structurally deficient or functionally obsolete bridge into 1 of the following categories:

(i) Federal-aid highway bridges eligible for rehabilitation.

(ii) Federal-aid highway bridges eligible for replacement.

(iii) Bridges not on Federal-aid highways eligible for rehabilitation.

(iv) Bridges not on Federal-aid highways eligible for replacement.

(B) CALCULATION.—For purposes of the calculation under paragraph (1), the Secretary shall multiply the deck area of structurally deficient and functionally obsolete bridges in each category described in subparagraph (A) by the respective unit price on a State-by-State basis, as determined by the Secretary, to determine the total cost to rehabilitate or replace bridges in each State.

(C) DATA USED IN MAKING DETERMINATIONS.—The Secretary shall make determinations under this subsection based on the latest available data, which shall be updated not less than annually.

(D) USE OF EXISTING INVENTORIES.—To the extent practicable, the Secretary shall make determinations under this subsection using inventories prepared under section 144 of title 23, United States Code.

(d) USE OF FUNDS.—Funds apportioned to a State under the program established under subsection (b) shall—

(1) be used by that State for the rehabilitation and replacement of eligible bridges;

(2) except as otherwise specified in this section, be administered as if apportioned under chapter 1 of title 23, United States Code, except that the funds shall not be transferable;

(3) be subject to the requirements described in section 1101(b) of MAP–21 (23 U.S.C. 101 note; 126 Stat. 414) in the same manner as amounts made available for programs under divisions A and B of that Act; and

(4) not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act.

(e) CONDITION AT PROJECT COMPLETION.—A bridge that is rehabilitated or replaced under the program established under subsection (b) may not be structurally deficient, functionally obsolete, or fracture critical upon the completion of the rehabilitation or replacement.

(f) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds apportioned to a State under the program established under subsection (b) shall be 100 percent.

(g) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—Any funds apportioned to a State under the program established under subsection (b) and not obligated by that State at the end of the third fiscal year beginning after the fiscal year during which the funds were apportioned shall be withdrawn from that State and reapportioned by the Secretary to States that have not had funds withdrawn under this subsection in accordance with the formula specified in subsection (b).

(h) NONSUBSTITUTION.—In carrying out the program established under subsection (b), the Secretary shall ensure that funding made available to a State under the program supplements, and does not supplant—

(1) other Federal funding made available for the rehabilitation or replacement of eligible bridges; and

(2) the planned obligations of that State with respect to eligible bridges.

(i) REPORT.—Not later than 1 year after the date of enactment of this Act, and each year thereafter if States obligated funds apportioned under the program established under subsection (b) during that year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the amounts obligated by each State for projects under the program.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section (other than subsection (k)) $2,000,000,000 for each of fiscal years 2016 through 2018.

(k) OFFSET.—

(1) IN GENERAL.—Section 7701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

''(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

''(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

''(2) CORPORATION DESCRIBED.—

''(A) IN GENERAL.—A corporation is described in this paragraph if—

''(i) the stock of such corporation is regularly traded on an established securities market, or

''(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any time during the taxable year or any preceding taxable year is $50,000,000 or more.

''(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

''(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

''(ii) such corporation—

''(I) is not regularly traded on an established securities market, and

''(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than $50,000,000, and

''(iii) the Secretary grants a waiver to such corporation under this subparagraph.

''(3) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

''(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

''(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

''(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

''(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

''(ii) decisions about how to invest the assets are made in the United States.''.

(2) REVENUES PLACED IN HIGHWAY TRUST FUND.—Section 9503(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) CERTAIN OTHER AMOUNTS.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to the revenues received in the Treasury which are attributable to the amendments made by section 11____ (k)(1) of the DRIVE Act.''.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act, whether or not regulations are issued under section 7701(p)(3) of the Internal Revenue Code of 1986, as added by this subsection.

SA 2315. Ms. STABENOW (for herself, Mr. BROWN, Mr. PETERS, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52301.

SA 2316. Mr. TOOMEY (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. GRANTS TO STATES.

Chapter 311 of title 49, United States Code, is amended—

(1) in section 31101—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) by inserting after paragraph (1) the following:

''(2) 'covered farm vehicle' means a motor vehicle (including an articulated motor vehicle)—

''(A) that—

''(i) is registered or otherwise designated by the State for use in, or transportation activities related to, the operation of farms;

''(ii) is equipped with a special registration plate or other State-issued designation to allow for identification of the vehicle as a farm vehicle by law enforcement personnel;

''(iii) is traveling in the State of registration or designation or in another State;

''(iv) is operated by—

''(I) a farm owner or operator;

''(II) a ranch owner or operator; or

''(III) an employee or family member of an individual specified in subclause (I) or (II);

''(v) is transporting to or from a farm or ranch—

''(I) agricultural commodities;

''(II) livestock;

''(III) agricultural supplies; or

''(IV) machinery, including machinery being transported for the purpose of performance of agricultural production activity or for the purpose of servicing or repairing the item being transported;

''(vi) is not used in the operations of a for-hire motor carrier;

''(vii) has a gross vehicle weight rating or gross vehicle weight, whichever is greater, that is—

''(I) 26,001 pounds or less; or

''(II) greater than 26,001 pounds and is traveling within the State of registration or designation or within 150 air miles of the farm or ranch with respect to which the vehicle is being operated; and

''(viii) is not transporting materials that require a placard; or

''(B) that—

''(i) meets the requirements under subparagraph (A) (other than clause (vi) of such subparagraph);

''(ii) is operated pursuant to a crop share farm lease agreement;

''(iii) is owned by a tenant with respect to that agreement; and

''(iv) is transporting the landlord's portion of the crops under that agreement.''; and

(2) in section 31102—

(A) in subsection (b)(2)(E), by striking the period at the end and inserting a semicolon;

(B) by redesignating subsection (e) as subsection (f); and

(C) by inserting after subsection (d) the following:

''(e) LIMITATION OF AUTHORITY; STATE STANDARDS FOR COVERED FARM VEHICLES AND DRIVERS.—The Secretary may not terminate, reduce, limit, or otherwise interfere with the amount or timing of grants that a State is otherwise eligible to receive under this title or title 23 as a result of any minimum standard or exemption provided by the State for a covered farm vehicle or the driver of such vehicle that is less stringent than the requirements for commercial motor vehicles and drivers established under title 49, Code of Federal Regulations, including requirements pertaining to—

''(1) controlled substances and alcohol use and testing;

''(2) commercial driver's licensing;

''(3) driver qualifications;

''(4) medical certifications;

''(5) driving and operating commercial vehicles;

''(6) parts and accessories for the safe operation of commercial vehicles;

''(7) the maximum hours of service of drivers;

''(8) vehicle inspection repair and maintenance;

''(9) employee safety and health standards; and

''(10) recordkeeping related to compliance with such standards.''.

SA 2317. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 10____. EMERGENCY EXEMPTIONS.

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 2318. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____ EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Restoring Competition in Export Financing Act of 2015''.

SEC. ____02. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

SEC. ____03. AGGREGATE LOAN, GUARANTEE, AND INSURANCE AUTHORITY.

(a) IN GENERAL.—Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended to read as follows:

''(2) APPLICABLE AMOUNT.—In paragraph (1), the term 'applicable amount' means—

''(A) during fiscal year 2015, $120,000,000,000;

''(B) during fiscal year 2016, $115,000,000,000;

''(C) during fiscal year 2017, $103,500,000,000;

''(D) during fiscal year 2018, $92,000,000,000;

''(E) during fiscal year 2019, $80,500,000,000;

''(F) during fiscal year 2020, $69,000,000,000;

''(G) during fiscal year 2021, $57,500,000,000;

''(H) during fiscal year 2022, $46,000,000,000;

''(I) during fiscal year 2023, $34,500,000,000;

''(J) during fiscal year 2024, $23,000,000,000; and

''(K) during fiscal year 2025, $11,500,000,000.''.

(b) MEASURES TO ENSURE COMPLIANCE.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (3) as paragraph (5); and

(2) by inserting after paragraph (2) the following:

''(3) AUTHORITY TO SELL SEASONED LOANS AND GUARANTEES TO COMPLY WITH LIMITATION.—The Bank may sell seasoned loans and

guarantees to private investors to comply with the decreasing limitation on outstanding loans, guarantees, and insurance under this subsection.

''(4) CONSEQUENCES OF EXCEEDING LIMITATION.—

''(A) IN GENERAL.—If the Bank exceeds the limitation on outstanding loans, guarantees, and insurance under this subsection in a fiscal year, the Bank—

''(i) may not provide any new loans, guarantees, or insurance on or after the date on which the Bank exceeds that limitation; and

''(ii) the President of the Bank shall submit to Congress a report describing the reasons the Bank exceeded that limitation and the efforts of the Bank to come into compliance with the limitation.

''(B) TESTIMONY.—The Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives may compel the President of the Bank to testify with respect to a report described in subparagraph (A)(ii).''.

SEC. ___04. REPORT ON WINDING DOWN OF OPERATIONS.

(a) REPORT BY EXPORT-IMPORT BANK.—Not later than one year after the date of the enactment of this Act, the Export-Import Bank of the United States shall submit to Congress and the Comptroller General of the United States a plan on how the Bank plans—

(1) to manage the orderly wind-down of the portfolio and operations of the Bank by June 30, 2025; and

(2) to comply with the decreasing limitation on the aggregate loan, guarantee, and insurance authority of the Bank under section 6(a) of the Export-Import Bank Act of 1945, as amended by section ___03.

(b) REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.—After receiving the report required by subsection (a), the Comptroller General of the United States shall submit to Congress an assessment of the plan and such recommendations as the Comptroller General considers appropriate with respect to the plan and the orderly wind-down of the portfolio and operations of the Export-Import Bank of the United States.

SEC. ___05. EFFECTIVE DATE.

The provisions of and amendments made by this title shall take effect on June 30, 2015.

SA 2319. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. _____. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''fiscal year 2012 and each fiscal year thereafter'' and inserting ''each of fiscal years 2012 through 2015''; and

(ii) by striking ''year.'' and inserting ''year; and''; and

(C) by adding at the end the following:

''(D) for each of fiscal years 2016 through 2018, the amount that is equal to 150 percent of the full funding amount for fiscal year 2011.''.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2018''.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter'' and inserting ''August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)''; and

(ii) by adding at the end the following:

''(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2018.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2018 if the county elects to receive a share of the State payment or the county payment in 2013.''; and

(B) in paragraph (2)(B)—

(i) by inserting ''or any subsequent year'' after ''2013''; and

(ii) by striking ''2015'' and inserting ''2018''.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking ''not more than 7 percent of the total share for the eligible county of the State payment or the county payment'' and inserting ''any portion of the balance''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which $350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).''.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking ''purpose described in section 202(b)'' and inserting ''purposes described in section 202(b), section 203(c), or section 204(a)(5)''.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2018''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B)(i)''.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2020''; and

(B) in subsection (b), by striking ''2018'' and inserting ''2021''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended by striking paragraph (2) and inserting the following:

''(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

''(A) search and rescue and other emergency services, including firefighting, that are performed on Federal land; and

''(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A).''.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2020'' and

(B) in subsection (b), by striking ''2018'' and inserting ''2021''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

SA 2320. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 6_____. WILDFIRE DISASTER FUNDING.

(a) DISASTER FUNDING.—Section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''and'' at the end and inserting ''plus'';

(B) in subclause (II), by striking the period at the end and inserting ''; less''; and

(C) by adding the following:

''(III) the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''; and

(2) by adding at the end the following:

''(v) Beginning in fiscal year 2018, and for each fiscal year thereafter, the calculation of the 'average funding provided for disaster relief over the previous 10 years' shall include, for each year within that average, the additional new budget authority provided in an appropriation Act for wildfire suppression

operations pursuant to subparagraph (E) for the preceding fiscal year.''.

(b) WILDFIRE SUPPRESSION.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(E) WILDFIRE SUPPRESSION.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term 'additional new budget authority' means the amount provided for a fiscal year in an appropriation Act that is—

''(aa) in excess of 100 percent of the average costs for wildfire suppression operations over the previous 10 years; and

''(bb) specified to pay for the costs of wildfire suppression operations.

''(II) WILDFIRE SUPPRESSION OPERATIONS.—The term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting, including—

''(aa) support, response, and emergency stabilization activities;

''(bb) other emergency management activities; and

''(cc) the funds necessary to repay any transfers needed for the costs of wildfire suppression operations.

''(ii) ADDITIONAL NEW BUDGET AUTHORITY.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $1,460,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $1,557,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $1,778,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $2,030,000,000 in additional new budget authority;

''(V) for fiscal year 2020, $2,319,000,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $2,650,000,000 in additional new budget authority.

''(iii) AVERAGE COST CALCULATION.—The average costs for wildfire suppression operations over the previous 10 years shall be calculated annually and reported in the budget of the President submitted under section 1105(a) of title 31, United States Code, for each fiscal year.''.

(c) REPORTING REQUIREMENTS.—

(1) SUPPLEMENTAL APPROPRIATIONS.—If the Secretary of the Interior or the Secretary of Agriculture determines that supplemental appropriations are necessary for a fiscal year for wildfire suppression operations, a request for the supplemental appropriations shall promptly be submitted to Congress.

(2) NOTICE OF NEED FOR ADDITIONAL FUNDS.—Prior to the obligation of any of the additional new budget authority for wildfire suppression operations specified for purposes of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall submit to the Committees on Appropriations and the Budget of the House of Representatives and the Committees on Appropriations and the Budget of the Senate written notification that describes—

(A) that the amount for wildfire suppression operations to meet the terms of section 251(b)(2)(E) of that Act for that fiscal year will be exhausted imminently; and

(B) the need for additional new budget authority for wildfire suppression operations.

(3) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

(A) ACCOUNTING AND REPORTING REQUIREMENTS.—For each fiscal year, the Secretary of the Interior and the Secretary of Agriculture shall account for and report on the amounts used from the additional new budget authority for wildfire suppression operations provided to the Secretary of the Interior or Secretary of Agriculture, as applicable, in an appropriations Act pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)).

(B) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than 180 days after the end of the fiscal year for which additional new budget authority is used, pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall—

(I) prepare an annual report with respect to the additional new budget authority;

(II) submit to the Committees on Appropriations, the Budget, and Natural Resources of the House of Representatives and the Committees on Appropriations, the Budget, and Energy and Natural Resources of the Senate the annual report prepared under subclause (I); and

(III) make the report prepared under subclause (I) available to the public.

(ii) COMPONENTS.—The annual report prepared under clause (i) shall—

(I) document risk-based factors that influenced management decisions with respect to wildfire suppression operations;

(II) analyze a statistically significant sample of large fires, including an analysis for each fire of—

(aa) cost drivers;

(bb) the effectiveness of risk management techniques and whether fire operations strategy tracked the risk assessment;

(cc) any resulting ecological or other benefits to the landscape;

(dd) the impact of investments in wildfire suppression operations preparedness;

(ee) effectiveness of wildfire suppression operations, including an analysis of resources lost versus dollars invested;

(ff) effectiveness of any fuel treatments on fire behavior and suppression expenditures;

(gg) suggested corrective actions; and

(hh) any other factors the Secretary of the Interior or Secretary of Agriculture determines to be appropriate;

(III) include an accounting of overall fire management and spending by the Department of the Interior or the Department of Agriculture, which shall be analyzed by fire size, cost, regional location, and other factors;

(IV) describe any lessons learned in the conduct of wildfire suppression operations; and

(V) include any other elements that the Secretary of the Interior or the Secretary of Agriculture determines to be necessary.

SA 2321. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 6_____. WILDFIRE DISASTER FUNDING AUTHORITY.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(E) FLAME WILDFIRE SUPPRESSION.—

''(i) If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $1,410,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $1,460,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $1,560,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $1,780,000,000 in additional new budget authority;

''(V) for fiscal year 2020 $2,030,000,000 in additional new budget authority;

''(VI) for fiscal year 2021, $2,320,000,000 in additional new budget authority;

''(VII) for fiscal year 2022, $2,650,000,000 in additional new budget authority;

''(VIII) for fiscal year 2023, $2,690,000,000 in additional new budget authority;

''(IX) for fiscal year 2024, $2,690,000,000 in additional new budget authority; and

''(X) for fiscal year 2025, $2,690,000,000 in additional new budget authority.

''(ii) As used in this subparagraph—

''(I) the term 'additional new budget authority' means the amount provided for a fiscal year, in excess of 70 percent of the average costs for wildfire suppression operations over the previous 10 years, in an appropriation Act and specified to pay for the costs of wildfire suppression operations; and

''(II) the term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting including support, response, and emergency stabilization activities; other emergency management activities; and funds necessary to repay any transfers needed for these costs.

''(iii) The average costs for wildfire suppression operations over the previous 10 years shall be calculated annually and reported in the President's Budget submission under section 1105(a) of title 31, United States Code, for each fiscal year.''.

(b) DISASTER FUNDING.—Section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''and'' and inserting ''plus'';

(B) in subclause (II), by striking the period and inserting ''; less''; and

(C) by adding the following:

''(III) the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''; and

(2) by adding at the end the following:

''(v) Beginning in fiscal year 2018 and in subsequent fiscal years, the calculation of the 'average funding provided for disaster relief over the previous 10 years' shall include the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''.

(c) REPORTING REQUIREMENTS.—If the Secretary of the Interior or the Secretary of Agriculture determines that supplemental appropriations are necessary for a fiscal year for wildfire suppression operations, such Secretary shall promptly submit to Congress—

(1) a request for such supplemental appropriations; and

(2) a plan detailing the manner in which such Secretary intends to obligate the supplemental appropriations by not later than 30 days after the date on which the amounts are made available.

SA 2322. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. _____. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''fiscal year 2012 and each fiscal year thereafter'' and inserting ''each of fiscal years 2012 through 2015''; and

(ii) by striking ''year.'' and inserting ''year; and''; and

(C) by adding at the end the following:

''(D) for each of fiscal years 2016 through 2021, the amount that is equal to 150 percent of the full funding amount for fiscal year 2011.''.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2021''.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter'' and inserting ''August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)''; and

(ii) by adding at the end the following:

''(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2021.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2021 if the county elects to receive a share of the State payment or the county payment in 2013.''; and

(B) in paragraph (2)(B)—

(i) by inserting ''or any subsequent year'' after ''2013''; and

(ii) by striking ''2015'' and inserting ''2021''.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking ''not more than 7 percent of the total share for the eligible county of the State payment or the county payment'' and inserting ''any portion of the balance''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which $350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).''.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking ''purpose described in section 202(b)'' and inserting ''purposes described in section 202(b), section 203(c), or section 204(a)(5)''.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2021''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B)(i)''.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2023''; and

(B) in subsection (b), by striking ''2018'' and inserting ''2024''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended by striking paragraph (2) and inserting the following:

''(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

''(A) search and rescue and other emergency services, including firefighting, that are performed on Federal land; and

''(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A).''.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2023'' and

(B) in subsection (b), by striking ''2018'' and inserting ''2024''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

SA 2323. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. INDUSTRIAL HEMP FARMING.

(a) SHORT TITLE.—This section may be cited as the ''Industrial Hemp Farming Act of 2015''.

(b) EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking ''(16) The'' and inserting ''(16)(A) The''; and

(B) by adding at the end the following:

''(B) The term 'marihuana' does not include industrial hemp.''; and

(2) by adding at the end the following:

''(57) The term 'industrial hemp' means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.''.

(c) INDUSTRIAL HEMP DETERMINATION BY STATES.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

''(i) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes Cannabis sativa L. for purposes of making industrial hemp in accordance with State law, the Cannabis sativa L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).''.

SA 2324. Mr. PERDUE (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SAVINGS PROVISION.

Notwithstanding any other provision of this Act, any authorization or appropriation for each of fiscal years 2019, 2020, and 2021 shall have no force or effect.

SA 2325. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care

Act; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title I, add the following:

SEC. 11___. BRIDGES NOT ON NATIONAL HIGHWAY SYSTEM.

Section 119(d)(2) of title 23, United States Code, is amended by adding at the end the following:

''(Q) Replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on Federal-aid highways (other than on the National Highway System).''.

SA 2326. Mr. SULLIVAN (for Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, and Mr. PETERS)) proposed an amendment to the bill H.R. 2499, to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes; as follows:

At the end, add the following:

SEC. 4. BUSINESS LOANS PROGRAM.

(a) SECTION 7(a) FUNDING LEVELS.—The third proviso under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2371) is amended by striking ''$18,750,000,000'' and inserting ''$23,500,000,000''.

(b) LOAN LIMITATIONS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''No financial assistance'' and inserting the following:

''(i) IN GENERAL.—No financial assistance''; and

(B) by adding at the end the following:

''(ii) LIQUIDITY.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the lender determines that the borrower is unable to obtain credit elsewhere solely because the liquidity of the lender depends upon the guaranteed portion of the loan being sold on the secondary market.''; and

(2) by adding at the end the following:

''(C) LENDING LIMITS OF LENDERS.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the sole purpose for requesting the guarantee is to allow the lender to exceed the legal lending limit of the lender.''.

(c) REPORTING.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration;

(B) the term ''business loan'' means a loan made or guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(C) the term ''cancellation'' means that the Administrator approves a proposed business loan, but the prospective borrower determines not to take the business loan; and

(D) the term ''net dollar amount of business loans'' means the difference between the total dollar amount of business loans and the total dollar amount of cancellations.

(2) REQUIREMENT.—During the 3-year period beginning on the date of enactment of this Act, the Administrator shall submit to Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a quarterly report regarding the loan programs carried out under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), which shall include—

(A) for the fiscal year during which the report is submitted and the 3 fiscal years before such fiscal year—

(i) the weekly total dollar amount of business loans;

(ii) the weekly total dollar amount of cancellations;

(iii) the weekly net dollar amount of business loans—

(I) for all business loans; and

(II) for each category of loan amount described in clause (i), (ii), or (iii) of section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18));

(B) for the fiscal year during which the report is submitted—

(i) the amount of remaining authority for business loans, in dollar amount and as a percentage; and

(ii) estimates of the date on which the net dollar amount of business loans will reach the maximum for such business loans based on daily net lending volume and extrapolations based on year to date net lending volume, quarterly net lending volume, and quarterly growth trends;

(C) the number of early defaults (as determined by the Administrator) during the quarter covered by the report;

(D) the total amount paid by borrowers in early default during the quarter covered by the report, as of the time of purchase of the guarantee;

(E) the number of borrowers in early default that are franchisees;

(F) the total amount of guarantees purchased by the Administrator during the quarter covered by the report; and

(G) a description of the actions the Administrator is taking to combat early defaults administratively and any legislative action the Administrator recommends to address early defaults.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 23, 2015, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 23, 2015, at 9:30 a.m., to conduct a hearing entitled ''Measuring the Systemic Importance of U.S. Bank Holding Companies.''

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

COMMITTEE ON FINANCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., to conduct a hearing entitled ''Iran Nuclear Agreement Review.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. INHOFE. 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 July 23, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Achieving the Promise of Health Information Technology: Information Blocking and Potential Solutions.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 23, 2015, at 2:30 p.m.

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

SUBCOMMITTEE ON THE CONSTITUTION

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate, on July 23, 2015, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Administrative State v. The Constitution: Dodd-Frank at Five Years.''

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

PRIVILEGES OF THE FLOOR

Mr. THUNE. Mr. President, I ask unanimous consent that Katherine White, Federal Trade Commission, and LCDR Robert Donnell, U.S. Coast Guard, detailees on the Commerce Committee, be granted floor privileges throughout the debate on the highway bill.

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

NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 114, H.R. 23.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 23) to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 23

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Windstorm Impact Reduction Act Reauthorization of 2015''.

SEC. 2. DEFINITIONS.

(a) DIRECTOR.—Section 203(1) of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702(1)) is amended by striking ''Director of the Office of Science and Technology Policy'' and inserting ''Director of the National Institute of Standards and Technology''.

(b) LIFELINES.—Section 203 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702) is further amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) LIFELINES.—The term 'lifelines' means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.''.

(c) WINDSTORM.—Paragraph (5) of such section, as redesignated by subsection (b), is amended by inserting ''northeaster,'' after ''tropical storm,''.

SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

Section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) ESTABLISHMENT.—There is established the National Windstorm Impact Reduction Program, the purpose of which is to achieve major measurable reductions in the losses of life and property from windstorms through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the understanding of windstorms and their impacts and developing and encouraging the implementation of cost-effective mitigation measures to reduce those impacts.

''(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

''(1) LEAD AGENCY.—The National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director shall—

''(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifelines;

''(B) support the development of performance-based engineering tools, and work with appropriate groups to promote the commercial application of such tools, including through wind-related model building codes, voluntary standards, and construction best practices;

''(C) request the assistance of Federal agencies other than the Program agencies, as necessary to assist in carrying out this Act;

''(D) coordinate all Federal post-windstorm investigations to the extent practicable; and

''(E) when warranted by research or investigative findings, issue recommendations to assist in informing the development of model codes, and provide information to Congress on the use of such recommendations.

''(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the National Institute of Standards and Technology shall be responsible for carrying out research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

''(3) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall support research in—

''(A) engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines; and

''(B) economic and social factors influencing windstorm risk reduction measures.

''(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

''(5) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency shall—

''(A) support—

''(i) the development of risk assessment tools and effective mitigation techniques;

''(ii) windstorm-related data collection and analysis;

''(iii) public outreach and information dissemination; and

''(iv) promotion of the adoption of windstorm preparedness and mitigation measures, including for households, businesses, and communities, consistent with the Agency's all-hazards approach; and

''(B) work closely with national standards and model building code organizations, in conjunction with the National Institute of Standards and Technology, to promote the implementation of research results and promote better building practices within the building design and construction industry, including architects, engineers, contractors, builders, and inspectors.'';

(2) by redesignating subsection (d) as subsection (c), and by striking subsections (e) and (f); and

(3) by inserting after subsection (c), as so redesignated, the following new subsections:

''(d) BUDGET ACTIVITIES.—The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Director of the National Oceanic and Atmospheric Administration, and the Director of the Federal Emergency Management Agency shall each include in their agency's annual budget request to Congress a description of their agency's projected activities under the Program for the fiscal year covered by the budget request, along with an assessment of what they plan to spend on those activities for that fiscal year.

''(e) INTERAGENCY COORDINATING COMMITTEE ON WINDSTORM IMPACT REDUCTION.—

''(1) ESTABLISHMENT.—There is established an Interagency Coordinating Committee on Windstorm Impact Reduction, chaired by the Director or the Director's designee.

''(2) MEMBERSHIP.—In addition to the chair, the Committee shall be composed of—

''(A) the heads or such designees of—

''(i) the Federal Emergency Management Agency;

''(ii) the National Oceanic and Atmospheric Administration;

''(iii) the National Science Foundation;

''(iv) the Office of Science and Technology Policy; and

''(v) the Office of Management and Budget; and

''(B) the head of any other Federal agency, or such designee, the chair considers appropriate.

''(3) MEETINGS.—The Committee shall meet not less than once a year at the call of the Director of the National Institute of Standards and Technology.

''(4) GENERAL PURPOSE AND DUTIES.—The Committee shall oversee the planning and coordination of the Program.

''(5) STRATEGIC PLAN.—The Committee shall develop and submit to Congress, not later than one year after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, a Strategic Plan for the Program that includes—

''(A) prioritized goals for the Program that will mitigate against the loss of life and property from future windstorms;

''(B) short-term, mid-term, and long-term research objectives to achieve those goals;

''(C) a description of the role of each Program agency in achieving the prioritized goals;

''(D) the methods by which progress towards the goals will be assessed; and

''(E) an explanation of how the Program will foster the transfer of research results into outcomes, such as improved model building codes.

''(6) PROGRESS REPORT.—Not later than 18 months after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, the Committee shall submit to the Congress a report on the progress of the Program that includes—

''(A) a description of the activities funded under the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

''(B) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

''(C) a description of any recommendations made to change existing building codes that were the result of Program activities; and

''(D) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

''(7) COORDINATED BUDGET.—The Committee shall develop a coordinated budget for the Program, which shall be submitted to the Congress not later than 60 days after the date of the President's budget submission for each fiscal year.''.

SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

Section 205 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15704) is amended to read as follows:

''SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

''(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Windstorm Impact Reduction, which shall be composed of at least 7 and not more than 15 members who are qualified to provide advice on windstorm impact reduction and represent related scientific, architectural, and engineering disciplines, none of whom may be employees of the Federal Government, including—

''(1) representatives of research and academic institutions;

''(2) industry standards development organizations;

''(3) emergency management agencies;

''(4) State and local government; and

''(5) business communities, including the insurance industry.

''(b) ASSESSMENTS.—The Advisory Committee on Windstorm Impact Reduction shall offer assessments and recommendations on—

''(1) trends and developments in the natural, engineering, and social sciences and practices of windstorm impact mitigation;

''(2) the priorities of the Program's Strategic Plan;

''(3) the coordination of the Program;

''(4) the effectiveness of the Program in meeting its purposes; and

''(5) any revisions to the Program which may be necessary.

''(c) COMPENSATION.—The members of the Advisory Committee established under this section shall serve without compensation.

''(d) REPORTS.—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

''(e) CHARTER.—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

''(f) TERMINATION.—The Advisory Committee shall terminate on September 30, 2017.

''(g) CONFLICT OF INTEREST.—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15706) is amended to read as follows:

''SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

''(1) $5,332,000 for fiscal year 2015;

''(2) $5,332,000 for fiscal year 2016; and

''(3) $5,332,000 for fiscal year 2017.

''(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

''(1) $9,682,000 for fiscal year 2015;

''(2) $9,682,000 for fiscal year 2016; and

''(3) $9,682,000 for fiscal year 2017.

''(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

''(1) $4,120,000 for fiscal year 2015;

''(2) $4,120,000 for fiscal year 2016; and

''(3) $4,120,000 for fiscal year 2017.

''(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

''(1) $2,266,000 for fiscal year 2015;

''(2) $2,266,000 for fiscal year 2016; and

''(3) $2,266,000 for fiscal year 2017.''.

Mr. SULLIVAN. I ask unanimous consent that the committee-reported substitute be agreed to, that the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 23), as amended, was passed.

VETERANS ENTREPRENEURSHIP ACT OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 149, H.R. 2499.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the Vitter amendment at the desk be agreed to, that the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2326) was agreed to, as follows:

(Purpose: To improve the bill)

At the end, add the following:

SEC. 4. BUSINESS LOANS PROGRAM.

(a) SECTION 7(a) FUNDING LEVELS.—The third proviso under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2371) is amended by striking ''$18,750,000,000'' and inserting ''$23,500,000,000''.

(b) LOAN LIMITATIONS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''No financial assistance'' and inserting the following:

''(i) IN GENERAL.—No financial assistance''; and

(B) by adding at the end the following:

''(ii) LIQUIDITY.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the lender determines that the borrower is unable to obtain credit elsewhere solely because the liquidity of the lender depends upon the guaranteed portion of the loan being sold on the secondary market.''; and

(2) by adding at the end the following:

''(C) LENDING LIMITS OF LENDERS.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the sole purpose for requesting the guarantee is to allow the lender to exceed the legal lending limit of the lender.''.

(c) REPORTING.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration;

(B) the term ''business loan'' means a loan made or guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(C) the term ''cancellation'' means that the Administrator approves a proposed business loan, but the prospective borrower determines not to take the business loan; and

(D) the term ''net dollar amount of business loans'' means the difference between the total dollar amount of business loans and the total dollar amount of cancellations.

(2) REQUIREMENT.—During the 3-year period beginning on the date of enactment of this Act, the Administrator shall submit to Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a quarterly report regarding the loan programs carried out under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), which shall include—

(A) for the fiscal year during which the report is submitted and the 3 fiscal years before such fiscal year—

(i) the weekly total dollar amount of business loans;

(ii) the weekly total dollar amount of cancellations;

(iii) the weekly net dollar amount of business loans—

(I) for all business loans; and

(II) for each category of loan amount described in clause (i), (ii), or (iii) of section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18));

(B) for the fiscal year during which the report is submitted—

(i) the amount of remaining authority for business loans, in dollar amount and as a percentage; and

(ii) estimates of the date on which the net dollar amount of business loans will reach the maximum for such business loans based on daily net lending volume and extrapolations based on year to date net lending volume, quarterly net lending volume, and quarterly growth trends;

(C) the number of early defaults (as determined by the Administrator) during the quarter covered by the report;

(D) the total amount paid by borrowers in early default during the quarter covered by the report, as of the time of purchase of the guarantee;

(E) the number of borrowers in early default that are franchisees;

(F) the total amount of guarantees purchased by the Administrator during the quarter covered by the report; and

(G) a description of the actions the Administrator is taking to combat early defaults administratively and any legislative action the Administrator recommends to address early defaults.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2499), as amended, was passed.

DHS IT DUPLICATION REDUCTION ACT OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 1626 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1626) to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1626) was ordered to a third reading, was read the third time, and passed.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 229, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 229) designating July 26, 2015, as ''United States Intelligence Professionals Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 229) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JULY 24, 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m., Friday, July 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, all postcloture time on the motion to proceed to H.R. 22 be deemed expired.

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

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:07 p.m., adjourned until Friday, July 24, 2015, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL BRETT W. ANDERSEN
COLONEL WALLACE S. BONDS
COLONEL JOHN C. BOYD
COLONEL DAVID L. BOYLE
COLONEL MARK N. BROWN
COLONEL ROBERT D. BURKE
COLONEL THOMAS M. CARDEN, JR.
COLONEL PATRICK J. CENTER
COLONEL LAURA L. CLELLAN
COLONEL JOHANNA P. CLYBORNE
COLONEL ALAN C. CRANFORD
COLONEL ANITA K.W. CURINGTON
COLONEL DARRELL D. DARNBUSH
COLONEL AARON R. DEAN II
COLONEL DAMIAN T. DONAHOE
COLONEL JOHN H. EDWARDS, JR.
COLONEL LEE M. ELLIS
COLONEL PABLO ESTRADA, JR.
COLONEL JAMES R. FINLEY
COLONEL THOMAS C. FISHER
COLONEL LAPTHE C. FLORA
COLONEL MICHAEL S. FUNK
COLONEL MICHAEL J. GARSHAK
COLONEL HARRISON B. GILLIAM
COLONEL MICHAEL J. GLISSON
COLONEL WALLACE A. HALL, JR.
COLONEL KENNETH S. HARA
COLONEL MARCUS R. HATLEY
COLONEL GREGORY J. HIRSCH
COLONEL JOHN E. HOEFERT
COLONEL LEE W. HOPKINS
COLONEL LYNDON C. JOHNSON
COLONEL RUSSELL D. JOHNSON
COLONEL PETER S. KAYE
COLONEL JESSE J. KIRCHMEIER
COLONEL RICHARD C. KNOWLTON
COLONEL MARTIN A. LAFFERTY
COLONEL EDWIN W. LARKIN
COLONEL BRUCE C. LINTON
COLONEL KEVIN D. LYONS
COLONEL ROBERT B. MCCASTLAIN
COLONEL MARK D. MCCORMACK
COLONEL MARSHALL T. MICHELS
COLONEL MICHAEL A. MITCHELL
COLONEL SHAWN M. O'BRIEN
COLONEL DAVID F. O'DONAHUE
COLONEL JOHN O. PAYNE
COLONEL TROY R. PHILLIPS
COLONEL RAFAEL A. RIBAS
COLONEL EDWARD D. RICHARDS
COLONEL HAMILTON D. RICHARDS
COLONEL JOHN W. SCHROEDER
COLONEL SCOTT C. SHARP
COLONEL CARY A. SHILLCUTT
COLONEL BENNETT E. SINGER
COLONEL RAYMOND G. STRAWBRIDGE
COLONEL TRACEY J. TRAUTMAN
COLONEL SUZANNE P. VARES–LUM
COLONEL DAVID N. VESPER
COLONEL CLINT E. WALKER
COLONEL JAMES B. WASKOM
COLONEL MICHAEL J. WILLIS
COLONEL KURTIS J. WINSTEAD
COLONEL DAVID E. WOOD

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. LAURA L. YEAGER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. WILLIAM J. EDWARDS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ROBERT W. ENZENAUER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL RANDY A. ALEWEL
BRIGADIER GENERAL CRAIG E. BENNETT
BRIGADIER GENERAL ALLEN E. BREWER
BRIGADIER GENERAL BRIAN R. COPES
BRIGADIER GENERAL BENJAMIN J. CORELL
BRIGADIER GENERAL PETER L. COREY
BRIGADIER GENERAL STEVEN FERRARI
BRIGADIER GENERAL RALPH H. GROOVER III
BRIGADIER GENERAL WILLIAM A. HALL
BRIGADIER GENERAL BRIAN C. HARRIS
BRIGADIER GENERAL RICHARD J. HAYES, JR.
BRIGADIER GENERAL SAMUEL L. HENRY
BRIGADIER GENERAL BARRY D. KEELING
BRIGADIER GENERAL KEITH A. KLEMMER
BRIGADIER GENERAL WILLIAM J. LIEDER
BRIGADIER GENERAL DANA L. MCDANIEL
BRIGADIER GENERAL RAFAEL O'FERRALL
BRIGADIER GENERAL JOANNE F. SHERIDAN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

To be lieutenant general

MAJ. GEN. REX C. MCMILLIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. RUARK

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

JOHN C. BOSTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

JOHN A. CHRIST

IN THE ARMY

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEPHEN T. WOLPERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JENIFER E. HEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL R. STARKEY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DEEPA HARIPRASAD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DALE T. WALTMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

VINCENT E. BUGGS
DEXTER E. CASTON
ROBERT C. DOTSON
JOHNNIE E. EDMONDS
DENNIS C. EDWARDS
RICHARD D. ERENBAUM
DERRICK M. FISHBACK
ANDREW L. FLAGLER
STEPHEN K. FREEMAN
LEE D. HYDER
BRYAN A. JONES
GEORGE LEWIS
MICHAEL A. LOCKWOOD
JAMES E. MARTIN, JR.
ROBERTO MARTINEZGONZALEZ
DAVID E. MEYER
JOSEPH P. NEUWIRTH
JOHN T. NOVAK
MICHAEL O. PETZINGER
SANDY C. SADLER
KIRK R. SLAUGHTER
DORA E. TERAN
JOHN M. TERRIZZI
GUSTAVUS A. WALTERS
WILLIAM A. WYMAN, JR.
JAMES M. ZEPP III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SHONTELLE C. ADAMS

ROGER T. AESCHLIMAN
IREDRELL K. AGEE III
ALAN B. ALEXANDER
MICHAEL J. ALLEN
BRENT F. ANDERSON
JASON M. AWADI
CRAIG W. BAKER
KEVIN M. BAKER
JOHNATHON W. BALLARD
NICOLE M. BALLIET
CHRISTOPHER S. BARIL
RAYMOND J. BARNES
STEVEN D. BARNEY
BRENT R. BAXTER
JEMAL J. BEALE
GLENN A. BEARD, JR.
MARK M. BECKLER
ALFRED S. BELLUCHE
KEVIN K. BENDER
DANIEL T. BILKO
KEVIN M. BLACK
DOUGLAS W. BOGENHAGEN
JOSEPH W. BOLER
JULIAN H. BOND
CHARLES F. BOOZE III
RODNEY C. BOYD
MICHAEL S. BOYLE
JAMES D. BRIGGS
JEFFREY L. BROWN
VICTOR R. BROWN
SCOTT K. BURNHOPE
MIRIAM D. CARLISLEWESTFALL
ALLAN W. CARTER
CHRISTOPHER C. CERNIAUSKAS
JAMES P. CHALLENDER
ANDREW J. CHEVALIER
DIRK A. CHRISTIAN
GREGG T. CLARK
RAMON COLON
MARK D. COLVIN
THOMAS L. CONERLY
RYAN E. CONNELLY
REGINALD L. COOK
DAVID E. COOPER
WILLIAM F. COST, JR.
CALVIN J. COVANY, JR.
LEVON E. CUMPTON
XAVIER R. DASHIELL
MARION D. DAVIS
DANIEL A. DEGELOW
BRIAN S. DEMERS
ROBERT S. DIVNEY
STEPHEN P. DOWDIE
THOMAS P. DOWNEY
DANA L. DUGGINS
BILLY A. EASTERLY
TODD W. EDGAR
LESLEY F. EDWARDS, JR.
ANDREW W. ENGELHARDT
JONATHAN J. ERICKSON
JAMES D. ERIKSEN, JR.
CHRISTOPHER S. EVANS
WILLIAM T. EWING
MICHAEL J. FALK
PATRICIA T. FANT
SCOTT D. FARISH
JAMES P. FREEHART
WILLIAM K. FREEMAN, JR.
MATTHEW W. FRYMAN
KEVIN A. FUJIMOTO
LOUIS J. FUSARO, JR.
SCOTT A. GAINES
ROS L. GAMMON IV
KEVIN L. GARNER
JOHN T. GENTRY, JR.
RAUL E. GIERBOLINI
STEVEN A. GILBERT
DOYLE GILLIS, JR.
BOBBY M. GINN, JR.
GARLAND H. GOODRICH
RICHARD A. GRAY
LEO GRIEGO, JR.
TAMMY L. GROSS
LAWRENCE H. GUENTHER
JOEL D. HAGY
EDWARD H. HALLENBECK
ERIC H. HALLSTROM
GRETCHEN E. HARBIN
RODNEY HARRIS
PAUL D. HARRON
ROBERT J. HAYDEN IV
TIMOTHY A. HEAD
JAMISON A. HERRERA
HECTOR R. HERRERACAMERON
MARK E. HOLLAND
CHRISTOPHER S. HOLMES
MURRAY E. HOLT II
MICHAEL A. HONEYCUTT
ROBIN A. HOSSFELD
LYNN J. ISHII
ROBERT T. JARRETT, JR.
CLARK V. JOHNSON
RONALD N. JONAS
CRAIG W. JONES
JAMES M. JONES
STEPHEN P. JONES
GARY A. JORGENSEN, JR.
JASON D. KAUL
MATTHEW J. KENNEDY
THOMAS C. KIMBALL
PATRICK A. KIRBY
MICHAEL E. KITCHENS
HAROLD W. KNIGHT III
CHARLES L. KNOWLES
DENNIS E. KONKEL
JAMES P. KOPKO
ALLYSA A. KROPP
CLAYTON E. KUETEMEYER
CHRISTOPHER LAMBESIS
ROBERT J. LARKIN
CHRISTOPHER L. LARRABEE
CHRISTOPHER J. LAWSON
MARK D. LEBEAU
JEFFREY D. LEE
LOREN R. LEGRAND
MICHAEL J. LINS
EDWARDS S. LITTLE, JR.
HOWARD R. LLOYD, JR.
KEVIN W. LOCHTEFELD
FREDERICK D. LONG
PATRICK R. MACKLIN
KIMBERLY M. MARTINDALE
MICHAEL M. MAY
RORY B. MCCORMACK
GORDON MCCOY
KIMBERLY J. MCDONALD
MIMI Y. H. MCEWING
MARK E. MCGUIRE
LAURA A. MCHUGH
MICHAEL A. MCLEAN
NORMAND G. MICHAUD
JOSEPH A. MITCHELL
WILLIAM S. MITCHELL
PAUL J. MOCARSKI
BENNIE L. MORRIS
CHRISTOPHER M. MURPHY
MICHAEL T. MURPHY
PAUL NEMA
ANTHONY F. NOLL
FRANK J. OLIVEIRA
BRYAN K. OUELLETTE
ROBERT A. PAOLUCCI
WARREN L. PAULING
KARL S. POND
DAVID K. PRITCHETT
JERRY F. PROCHASKA
STEVEN E. REECE
ANTHONY L. RIVERA
CARLOS J. RIVERAROMAN
GENE T. ROACH, JR.
JAMES M. ROBERTS II
BRETT D. ROBISTOW
MAURICE E. ROCHELLE
GREGORY W. ROGERS
KIM S. ROLSTONE
ISRAEL ROMERO
STACY L. ROTH
EDITH C. SAILOR
GUSTAVO V. SANTIAGO, JR.
SHANNON D. SAUCY
MATTHEW J. SAXTON
ANTHONY SCIARAFFA
STEVEN G. SHEPHERD
GARY L. SHEPPARD
SCOTT M. SHERMAN
STEVEN G. SHERROD
CHAD H. SMITH
DOUGLAS R. SMITH
EDWARD S. SMITH
ISABEL R. SMITH
JEFFERY M. SMITH
JODY M. SMITH
ROBERT E. SOWARDS
TODD A. SPAFFORD
HENRY L. STEVENS
KEVIN M. STEWART
PAUL C. SUSKIE
FREDERICK F. TADY, JR.
ERIC J. TEEGERSTROM
MARK E. TELLIER
DENNIS A. TILSON
GREGORY C. TINE
FRANK TOMINEZ, JR.
CHUNG T. TRAN
JOHN A. TREUFELDT, JR.
PERRY L. TURNER
TYRONE T. TWYMAN
THOMAS E. VERN, JR.
KEVIN L. VINES
CHRISTIAN J. VONWUPPERFELD
BART R. WAGNER
EDWARD C. WALLER
GLEN H. WALTERS
LELAND D. WARD
ROBERT F. WEIR
DAVID A. WEISBERG
KENNETH R. WHITE
MARK K. WHITLOCK
JOHN W. WHITMIRE
JAMES C. WILKINS
KEITH L. WILLIAMS
JOHN M. WINDLE
ROBERT T. WOOLDRIDGE II
ROBERT S. WRIGHT
JOSEPH S. ZUFFANTI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANDREA C. ALICEA
ASHLEY G. ARAGONA
HUGO R. ASURZA
GILBERT C. BARRETT II
BARRETT N. BEARDSLEY
DANIEL W. BJORGE
ABBY N. BOSCHERT
ADAM W. BROCK
DAWN L. BROYLES
PHILIP T. BUCKLER
JASON M. BULLOCK
JOSEPH F. CAPETILLO
BYRON E. CAPPS
DIANA K. S. CHOI
COLLIN R. CLATANOFF
LEE M. COTE, JR.
LOGAN R. CURTIS
NHANAM D. DO
ANDREW W. DULLNIG
ELENA G. FURDUICARR
THOMAS P. GRAHAM
JESSE P. HALL
JOSHUA L. HALL
MICHAEL B. HARPER
ELSIE A. HINZ
CHRISTA E. HIRLEMAN
ERICK A. JANSSON
JOHN G. KEETON
JOHN M. K. KIM
SUNG S. KIM
BRIAN J. KIRKWOOD
VIVIAN Y. W. KO
MARK M. KOMFORTI
JASON C. LACOURSE
ADAM J. LANE
ANDRE C. LEDOUX
BRIAN J. LEE
JOSHUA H. LEE
TERRENCE O. LEWIS
JACOB V. LILJENQUIST
KOURTNEY R. LOGAN
SCOTT C. MARSHALL
JAMES M. MCCANN
PETER B. MCCLELLAN
JASON MCDANIEL
LUIS F. MISSURA
DUKE P. NGUYEN
IRIS A. PANOS
STEPHEN B. PETERMAN
KEVIN D. PRIEST
TEJDEEP S. RATTAN
VEJAY K. RAVINDRAN
ROHTAZ K. SANDHU
STEPHEN J. SEBASTIAN
PAUL SEIBEL
JAMES T. SHANER
KRISTOFER P. SIVANICH
KEVIN D. SMITH
ANDREW D. TAYLOR
BENJAMIN L. THOMPSON
CHRISTOPHER O. TORRES
MATTHEW J. WALKER
HILARY F. WHEELESS
SPENCER W. WILSON
AARON J. YARNELL
GIOVANNY F. ZALAMAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ERIC B. ABDUL
ALAIN M. P. ABELLADA
DAVID J. S. ACIERTO
DANIKA L. ALEXANDER
GEOFFREY C. ALEXANDER
DAVID E. ANDERSON
RONALD D. ANDERSON
MICHAEL D. APRIL
CRUZ N. J. ARBELO
JOEL L. ARTER
BENJAMIN T. ARTHUR
TIENEKA M. BAKER
ERIC M. BALENT
JEDIDIAH A. BALLARD
MATTHEW M. BANTI
JULIANN BARRETT
DANIEL W. BEAUCHAMP
KATHERINE M. BEDIGREW
MICHAEL A. BELLAMY
MICHAEL D. BERVEN
AARON S. BIRCH
KRISTINA A. BOWEN
NATHAN L. BOYER
MICHAEL R. BRACKMAN
AARON W. BROTHERS
ROBERT A. BROWN, JR.
CHARLES E. BRYANT
JEFFREY H. BURKET
BRANDY M. BUTLER
MICHAEL BYBEL, JR.
EVAN R. CAMERON
AMANDA M. CARNES
VINCENT E. CASIANO
IAN M. CASSADAY
ASHLEY N. CHAFFINDEMPSEY
MICHAEL M. CHAMBERLIN
STEPHEN H. CHO
JOON S. CHOI
LAURA C. COOKMAN
ALISSA M. COONEY
SETH L. CORNELL
JOANNA R. CROSSETT
JENNIFER M. CRUMBAILEY
MICHAELFLYNN L. CULLEN
JOHN W. DAULA
KELLY T. DAVISON
RYAN M. DECORT
JONATHAN M. DEETH
JONATHAN R. DIAZ
GREGORY R. DION
MARK N. DONOVAN
SETH DUKES
KENNETH C. DUNSTONE
AMANDA R. DUTTLINGER
RICHARD P. EIDE III
DIANE U. ELEGINOSTEFFENS

ISAAC D. ERBELE
RICHARD J. ERNST
JAMES J. ESPOSITO
CAITLIN M. FINK
EMILIE B. FITZPATRICK
FRANCISCO J. FLETES
JOHN J. FOWLER
KLAUS A. FREELAND
JEFFREY T. FREEMAN
JOSIAH D. FREEMYER
IAN D. FUNNELL
ABRAHAM J. FURA
MARY S. GELNETT
ALAN A. GEORGE
MICHELE A. GLASS
JASON A. GLOW
BENJAMIN E. GOOD
NICHOLAS P. GORHAM
TROY B. GRAYBEAL
VANESSA R. GREEN
LIESL S. GRENIER
KENNETH H. GRIER
STEPHANIE A. GROTZKE
AMBER K. GRUTERS
ELIZABETH S. GUINTO
ROY E. GUINTO
JARRED A. HAGAN
LAELA M. HAJIAGHAMOHSENI
ASHLEY U. HALL
CHRISTOPHER P. HALL
NOAH M. HALL
JUSTIN A. HAMILTON
JONATHAN T. HARDIN
QUINTON M. HATCH
NATHANAEL E. HATHAWAY
CHRISTINE Y. H. HAYES
COURTNEY J. HAYES
MEREDITH A. HAYS
DANA T. HENSLEY, JR.
MATTHEW E. HERBERG
MICHELLE M. HILL
GRAYSON W. HOOPER
DONALD N. HOPE
ERICA R. HOPE
GERALD J. HOPKINS, JR.
PAUL M. HOUGHTALING
ROBERT HOUSTON IV
JAMES A. HULA, JR.
ADAM L. HUNZEKER
JOSHUA B. HVIDDING
GARETT E. JACKSON
SELINA A. JEANISE
REBEKAH J. JOHNSON
MILISSA U. JONES
CHARLES L. KATZ
DONALD E. KEEN, JR.
BRIAN P. KEENE
LAURA M. KELLER
LINDSAY E. KELLEY
JOSEPH R. KELLY
CHONNA L. KENDRICK
JIYOON KIM
MICHAEL KIM
MYUNGJIN G. KIM
SARAH A. KINKENNON
JOHN G. KNIGHT
MICHAEL A. KOREN
BRYAN K. KUJAWA
NJI G. T. KUM
NICHOLAS J. KUNTZ
MARIA T. KURTZ
JOSHUA L. LAGRANT
CHRISTOPHER W. LARSON
SHANE L. LARSON
MATTHEW D. LAUGHLIN
LUAT N. C. LE
DANIEL J. LEE
JOSHUA S. LEE
DAVID A. LEITMAN II
BRYAN J. LIMING
CHARLES K. LIN
PHILLIP C. LINDHOLM
LUKE J. LINDLEY
COLIN T. LINTHICUM
KEVIN T. LOK
QUINTON D. LORDS
VICTORIA A. R. MAHAR
PAMELA C. MASELLA
KYLE M. MASTERS
PATRICK J. MASTIN
BRETT A. MATZEK
JEREMY R. MCCALLUM
MARK A. MCCONNELL
REBECCA L. MCCONNELL
EMILY C. MCDUFFEE
RAVI S. MENON
NORMAN K. MESSENGER, JR.
SARA E. MICHAEL
MARY E. MILLER
JOSEPH G. MOLLURA
CARDONA A. L. MORALES
EMILY N. MORGAN
TYLER A. MOSS
MATT T. MURAMOTO
VINCENTE S. NELSON
JAMES Q. NGUYEN
MOROMOKE O. ODINA
MARY T. M. ODONNELL
CHRISTINE M. OLANREWAJU
DAVID L. OLIVER
NICOLAS M. ORTIZ
REBECCA M. ORTOLANO
SCOTT R. OSTRANDER
BRETT A. OZANICH
SARAH A. PACE
ROBERT D. PAISLEY
ALEXIS C. PALBUS
OTTO W. PANTOJA
JIGARKUMAR A. PATEL
ANTHONY B. PATTERSON
BRIAN L. PATTON
JOSEPH J. PAVELITES
IRINA M. PECHENKO
GREGORY S. PEIRCE
MIGUEL PEREZABREU
JOSEPH L. PETFIELD
MICHAEL D. PHILLIPS
ADAM M. PICKETT
GREGORY R. PITTMAN
JASON E. POLCHINSKI
AUGUSTAH J. POUTRE
JEFFREY D. PRICHARD
ROBERT QUARCOO
LAURA J. RADEL
ARWYN E. RAINA
DINESH S. RAO
TYLER R. REESE
DANIEL S. RHOADES
PEDRO J. RIOSMORALES
RACHEL C. ROBBINS
CHRISTOPHER A. ROBERTS
CHRISTOPHER R. ROHRBOUGH
DAVID M. ROMANO
CABALLERO M. ROMERO
RACHEL A. ROSENBAUM
OLGA O. ROSENBERRY
MEGHAN R. ROSENQUIST
JACOB C. L. RUMLEY
GEORGE N. RYMARCZUK
REBECCA J. SAINATO
MICHAEL A. SAMUELS
JOY SARKAR
AUDREY L. M. SATO
STEVEN G. SCHAUER
CARLA W. SCHNITZLEIN
JEREMY D. SCHROEDER
ERIC L. SCOFIELD
JASON S. SEDARSKY
JARED R. SEIBERT
JONATHAN J. SEXTON
LISA M. SHAPCOTT
NICHOLAS J. SHARBINI
ZACHARY J. SHAUB
ASHLEY G. SHAW
WILLIAM E. SHERMAN
WILLIAM J. SHERMAN
SEAN R. SHIRLEY
ELIZABETH G. SIMMONS
ADAM J. SMITH
JONATHAN S. P. SMITH
PATRICK R. SMITH
THOMAS B. SMITH
CHE A. SOLLA
MARICEL Z. SOTO
MARIO A. SOTO
MICHELLE K. STEGENGA
CHRISTOPHER D. STEWART
DOUGLAS R. STODDARD
MATTHEW A. STRODE
JOSHUA J. STROMMEN
NICHOLAS R. TENEYUQUE
JESSICA S. THOMAS
JORDAN L. THOMSON
REGINALD TREVINO
JASON A. UNGER
BLARCUM G. S. VAN
CHARLENE A. VESTERMARK
NICOLE O. VIETOR
ROBERT C. VIETOR
BERNADETTE VILLARREAL
WILLIAM J. WADZINSKI
JENNIFER A. WAGNER
IAN M. WARD
KRISTIE M. WAVERS
JAMES W. WEIGHTMAN
MEGHAN L. WEISBECK
KIMBERLY A. WERNER
JONATHAN E. WIESE
JOSEPH R. C. WILLIAMS
TA R. K. WILLS
JAMES H. WINEGARNER
CAMERON S. WOLTERSTORFF
DIFU WU
GERALD E. WYNNE
MATTHEW J. ZAK
DEREK G. ZICKGRAF
SARA I. ZOESCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

GARY S. ANSELMO
TIMOTHY J. ARSENEAU
DEANNA M. BAGUE
CHRISTOPHER Z. BARRA
MICHAEL E. BEANE
JUAN R. BERRIOS
MARK A. BLANEK
ERIC BOETTCHER
CHARLES V. BOLLES II
WAYNE H. BOWEN
TIMOTHY E. BRENNAN
RICHARD E. BROWN
PAUL J. BUCKWALTER
KEVIN S. BUNTON
JERRY B. BUSH
LORING Q. BUSH
JEFFREY A. CANTOR
RANDALL S. CARTMILL
TIMOTHY D. CHAPMAN
MICHAEL C. CLAY
RICARDO COBIAN
SHAWN P. COCHRAN
FRANCES E. COFFEY
CLIFFORD A. CONKLIN
JOHN A. CONKLIN
KAREN A. CONNICK
JEANINE S. CUNLIFFE
GARY D. CURRY
ROBERT C. CUTAJAR
JAMES Y. DAFFRON
KIRK P. DAILEY
MICHAEL A. DALESANDRO
DAVID J. DAUB
JAMES E. DAVIS
KEVIN E. DAVIS
MARSHA L. DEFELICE
GREG B. DEGUZMAN
MARI E. DEPORRES
JOHN E. DETHLEFS
DARRELL D. DODGE
FRED M. DORSEY, JR.
CHRISTOPHER J. DZIUBEK
BARRY E. EDBERG
OSCAR F. EICHHORN
NORMAN M. FABIAN
GERALD A. FAUNT
RODNEY J. FISCHER
JOHN M. FISHER
BRETT J. GARDNER
KELLY E. GARRETT
DONALD W. GATES
KIM A. GATEWOOD
JOHN M. GERMANN
SETH A. GLADSTONE
ROGER A. GLENN
JASON K. GRAAF
LEONARD D. GRANT
JEFFERY G. GREENE
ROBERT J. HAILEY
DEAN E. HALE
DAVID L. HARRIS
DAVID E. HEFLIN
WILLIAM P. HEYLAND
WILLIAM P. HIGGINS
ERIC S. HOLLIDAY
DOUGLAS L. HOPLER
CAROL V. HRICZOV
JOHN T. HUBERT
MICHELLE M. HUCKINS
ELVIS HUGEE
DOUGLAS R. HURST
TRISTRAM T. HYDE V
MARTIN B. INMAN
EURIKA L. JENNINGS
JOHN W. JOSEPH
MARIA A. JUAREZ
ROBIN D. JULCH
VICTOR G. KELLY
JULIANNE M. L. KERR
JAMES M. KISIEL
GAYLON L. KRAVIG
DUANE LACLAIR
STEVE C. LAI
ROBERT LALOR
BETHANY L. LEE
MARLON E. LEWIS
TODD C. LIEBIG
RANDY W. LUKE
WILLIAM M. MAGUIRE
JEFFREY D. MAHAN
MICHAEL C. MALONE
RUDOLPH V. MALONE
ANTHONY E. MANETTA
JESSE C. MANNING
CHRISTOPHER L. MATSON
PAUL J. MATTERN
WALTER C. MATTIL
CARLOS D. MAYS
CLEA O. MCCAA
DARYL S. MCCORMICK
TIMOTHY E. MCGOWAN
RANDALL L. MEDEIROS
JOHN K. MEEHAN
SAMUEL C. MEMBRERE
WILLIAM G. MERGNER
PAUL V. MILLER
KAREN S. MONDAYGRESHAM
DANNY C. MORGAN
KIMBERLY S. MOROS
LINDAN A. MOYA
SCOTT A. NELSON
DAVID A. NIESEN
HALLAH E. NILSEN
MANUEL OCASIO, JR.
KEVIN D. OLIVER
THOMAS W. OLSEN
STANLEY B. OSWALD
GREGORY V. PASS
MICHAEL C. PECKHAM
AHMAD J. PELZER
JOHN J. A. PERREL
EDWARD L. PESCE
LONG PHAM
ROBERT T. PHILLIPS
ANTHONY PICKENS
KENNETH R. POWELL
GREGORY P. PUCCETTI
JEFFREY D. PUGH
TIMOTHY G. PULLEY
EDWARD W. RADGOWSKI, JR.
DAVID K. RAINEY
RICHARD G. REED
KENNETH D. REID
TODD L. RESSEL
RODGER T. REYNOLDS
MARY B. REYNOLDS
VINCE A. RICE
JEFFREY L. RICHAR

CHANDRA M. ROBERTS
MICHAEL L. ROBERTSON
ANTHONY L. ROCKEMORE
JOHN L. RODRIGUEZ
BURNIE L. ROPER, JR.
CHRISTINE V. RUMMEL
WILLIAM J. RUMMEL
DORIL SANDERS
RAY D. SARTAIN
JOHN H. SCOTT
MARCUS A. SCOTT
DOUGLAS E. SHARP
ALAN R. SHEARD
MICHAEL A. SHERMAN
PAMELA L. SHIELDS
RAYMOND SHORT
JOHN D. SLAVIN
KEVIN M. SMITH
ANTHONY T. SNIDER
TIMOTHY M. SNYDER
MARK M. STEWART
JOHN A. STOKES, JR.
DOUGLAS M. STONE
GARY K. STOVER, JR.
MICHAEL S. SULLIVAN
APRIL L. THOMAS
DEAN P. THOMPSON
SAMMIE L. THURMAN, JR.
WILLIAM E. TILLERY
RENEA L. TIMKO
MARCI D. TOLER
STEPHEN L. TREMBLAY
GERALD E. TUCKER
DOYLE R. TUISL
ANTHONY E. ULRICH
MARK P. VAKOS
ROBERT A. VAUGHAN
ERNST C. VONARNSWALDT
JOHN G. VONGLIS
JEFFREY L. WAKELYN
MALCOLM T. WALKER
WILLIAM A. WILKE
WENDETTA N. WILLIAMS
DAVID L. WILLIS
JOSEPH A. WOLL
KENNETH J. YEASKY
JOHN G. ZIERDT

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

AUDRY T. OXLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARK B. LYLES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RUSSELL P. BATES
DAVID GLOVER
RAFAELDIONIS MEDINA
HORACIO G. TAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SYLVESTER C. ADAMAH
GREGGORY A. BENTON
CHARLES W. BISGARD
TROY M. BROWN
RYAN P. CAREY
JAMES W. EVANS
CATHERINE U. EYRICH
MATTHEW C. GUNDERSON
GREGORY P. JENNINGS
SAMUEL A. JOHNSON
STEPHEN M. LAMPERT
CHRISTOPHER S. LANDESS
MICHAEL W. MCCAIN
DANIEL J. MULLER
JEREMY D. RAMBERG
JEFFREY A. RICHER
KENNETH E. SCHWALBE
CONSTANCE L. SOLINA
CHRISTOPHER E. STEELE
ROBERT D. STILES
JULIANA M. STRIETER
LI SUNG
PRESTON D. TAYLOR
CHADWICK D. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RUBEN A. ALCOCER
ROBERT G. ALEXANDER III
DONALD E. BAKER
PATRICK W. BROWN
CHRISTOPHER M. BUCZKOWSKI
KEITH A. CAPPER
TRAVIS P. COLLERAN
CHRISTOPHER P. COUSINO
JODY M. DANIEL
SAMUEL V. FONTE
TERRI L. GABRIEL
JOSEPH M. GILMORE
STEPHEN K. GULICK
JEFFREY S. HARRIS
PETER J. HOLDORF
DAVID J. HUBER
COLLEEN L. JACKSON
KENNETH J. JACKSON
EDELIO P. JOLOYA
JOANNA D. KALVIG
KEITH B. KLEMM
CARL W. KOCH
PHILIP R. LINDLEY
ERIC D. LOCKETT
PHILIP W. LOWREY
CASS K. MADSON
FRANK D. MILLER
GREGORY P. MITCHELL
SHAWN M. MORGHEIM
DOUGLAS R. MURPHY
CHRISTOPHER A. NEWELL
ALLEN M. OWENS, JR.
DAVID W. PAVLIK
JOSEPH C. PESTAR, JR.
JOSEPH H. PETH
DERWIN B. PROBY
CHARLES M. REED
MICHAEL R. SCHILLING
SETH D. THORNHILL
JOHN H. TIPTON
SEAN W. TOOLE
SALVADOR TORRESACOSTA
JAMES A. TROUT
JAMES L. VENCKUS
ALEXANDER D. WALLACE III
MELISSIA A. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ACCURSIA A. BALDASSANO
BRIAN A. BARBER
RACHEL R. BAUDEK
KRYSTAL M. BAUMAN
KAREN A. BELCAR
RHONDA L. BENNETT
RAYMOND L. BONDS
PHILLIP A. BOYER
TIMOTHY P. BRENDER
NATHAN S. BREZOVIC
CARMEN M. BROSINSKI
TYMESIA V. CORTEZ
COBY S. CROFT
RICHARD J. CURLEY
DAVID A. DEIKE
KERRY L. EBUENG
BRIDGETTE D. FERGUSON
JERVIA I. FICKENS
LYDIA B. HAASE
ROBIN A. HARRIS
CAMBRAI E. HARTY
VIRGINIA C. HAZLETT
KIRSTEN L. HILL
BETH A. HOFFMAN
LINDA A. HUBER
TERRI L. JANDRON
JODY L. KING
SOPHIA M. LAWRENCE
PANDORA J. LIPTROT
VALERIE V. LITTLEFIELD
JILL M. MALDARELLIDREY
CRAIG T. MALLOY
BRENT M. MCDUFFIE
KAZMER MESZAROS, JR.
PATRICIA J. MILLER
DAWN E. MITCHELL
MEGAN Z. NASWORTHY
LOUISE B. NELLUMS
ERIC J. PAULI
DANIEL F. RICE
ANNA A. ROSS
WILLIAM J. ROULAINE
ELIOT D. SPENCER
SUSAN M. TILLMON
MATTHEW A. TRUDEAU
JERROL B. WALLACE
JOEL P. WEMETTE
AMY C. WHITE
JANICE A. WHITE
JACQUELINE R. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JASON S. AYEROFF
LAURA E. BISHOP
PHILLIP A. CHOCKLEY
CHRIS W. CZAPLAK
PHILIP J. HAMON
CLIFTON H. HUTCHINSON II
ELIZABETH H. JOSEPHSON
HAYES C. LARSEN
AMANDA R. MYERS
STEVEN M. MYERS
STEVEN R. OBERT
PETER P. PASCUCCI
KATHERINE S. PASIETA
MARY B. POHANKA
ELIZABETH A. ROSSO
RYAN STORMER
ANGELA J. TANG
BRENT E. TROYAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JERRY J. BAILEY
TIMOTHY D. BARNES
MATT D. BEERY
KERRI L. BROWNE
ROGER S. CARON
WILLIE D. CARTER
BRENT N. CASADY
GEORGE P. COAN III
ROBERT E. COMEAU
JOHN P. CONZA
MARIA C. COON
NOEL M. CORPUS
RANDY S. DEE
CARRIE L. DREYER
JOSEPHINE C. FAJARDO
DIANA M. GARCIA
ADRIAN D. GASKIN
REBECCA V. GELS
RICHARD GILLIARD, JR.
JEFFERSON D. GRUBB
LESLIE C. HAIR
ANDREW M. HAYES
JONATHAN A. HOILES
MATTHEW H. JAMERSON
JOSEPH S. JENKINS
PAULA JOHNSTON
DANIEL KACHENCHAI
MICHELLE L. KEE
MELISSA D. H. LAUBY
ROBERT D. LIPPY
JOSEPH A. MASTRANGELO
ROBERT T. MCMAHON III
RACHELLE MCPHERSON
KENNETH J. MEEHAN
JOHN G. MEETING
STACIE A. MILAVEC
KELLY E. MOKAY
JASON T. MORAREND
MARCY M. MORLOCK
BRENT A. OLDE
RANDY L. PANKE
ANTHONY M. RABAIOTTI
JANEL B. ROSSETTO
WILLIAM R. SCHEELER
STEVEN D. SCHUTT
DOUGLAS P. SCHWEIKHART
ROBERT P. SENKO
ELIZABETH SMITH
BRUCE H. THOMPSON
ERIN R. WILFONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

WILLIAM M. ANDERSON
YASIR F. BAHRANI
CECILIA M. BROWN
DEA L. BRUEGGEMEYER
AMY L. BRYER
KATHLEEN D. BUSS
SHERRY A. CARAVEO
JAMES T. CORBETT
BART M. CRAGEN
MATTHEW C. DART
JEFFREY A. DRAUDE
NICOLE C. EISENBERG
KRISTI E. ERICKSON
PATRICK J. FOX, JR.
BRIAN J. GUERRIERI
BROOK W. JONES
BYUNG J. JOO
JOHN J. NEAL
IAN M. J. VALECRUZ
DAVID S. WELDON
JEFFREY R. WESSEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARIA A. ALAVANJA
TERRENCE D. ANDERSON
CHRISTOPHER M. ANDREWS
STEVEN R. BANKS
MICHAEL J. BARRY
RICHARD L. BECKER
DEIRDRE A. BELL
CURT A. BERGSTROM
KASINA J. BLEVINS
JASON B. BLITZ
ROGER BOODOO
WESLEY D. BOOSE
NORMAN Y. BRIONES
CAROL L. BUDZIK
KEVIN A. BYRD
MARIO J. CARDOSO
ROBERT N. CLAPP
MAX A. CLARK II
JUSTIN M. COX
TRAVIS G. DEATON
MARK R. DEBUSE
JAMES G. DEMITRACK
JOY U. DIERKS
TAI A. DO
RODERICK H. DOSS
BENJAMIN J. DRINKWINE
JONATHAN N. ELLIOT
DANIEL P. ELLIOTT
OCTAVIANO ESPINOSA

SAMUEL G. ESPIRITU
MICHAEL C. FLANAGAN
IAN M. FOWLER
WARREN K. FREY
MARCIA L. FRYE
JACOB J. GLASER
JASON A. GORDON
WENDY T. GORDON
DANIEL J. GRABO, JR.
THANH D. HOANG
ASHLEY E. HUMPHRIES
DONALD W. HURST
MARK D. JOHNSON
GRANT A. KIDD
JENNIFER F. M. KLIMPEL
THAD D. KLIMPEL
BRIAN S. KNIPP
RICHARD A. KOCH
ROBERT J. KRAUSE
JOHN T. LANDERS
MARK F. LUND
MONICA A. LUTGENDORF
DAVID M. MANN
MERLE B. MARTIN
JAMES MASTERSON
JACQUELINE C. MCDOWELL
MICHAEL G. MERCADO
ANIS MILADI
ALICEA M. MINGO
JOHN D. MOORE
NICOLAS B. MOYADELPINO
JOSEPH A. NELLIS
CAMERON J. L. NELSON
WILLIAM B. NGUYEN
KATE E. OLIVER
MARIUSZ A. OLSZEWSKI
CHARLES J. OSIER, JR.
CHRISTOPHER R. OXNER
MICHELLE A. PERKINS
GREGORY R. POMICTER
TODD A. QUACKENBUSH
ALBIN S. QUIKO
JAMES C. RAPLEY III
JENNIFER M. REEM
JUNEWAI L. REOMA
DUSTIN J. ROBERTS
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