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## Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Eternal God, the protector of our dreams, we praise Your righteous Name. Lord, December 7 reminds us of a season of infamy. At that time, our Nation confronted greater challenges than we face today. Remind our Senators and Nation that the only thing we have to fear is fear itself. May our lawmakers not repeat past mistakes, always remembering that eternal vigilance is freedom's price. Help us to remember that we will be buffeted by winds of fear only when we forget how You have protected us in the past. If Your power prevailed in our past, it can still conquer all our present and future dangers, toils, and snares. May we never forget that in everything You are working for the good of those who love You.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MINORITY LEADER

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

### GOVERNMENT FUNDING BILL

Mr. REID. Mr. President, I have heard reports that the Speaker has an-

nounced that Congress will be in session next week. I don't know if that is valid. I haven't heard from him myself, but the December 11 deadline was a deadline that the Republicans set and we didn't.

If the Congress fails to finish our business by December 11, it will be because Republicans continue to insist on extraneous poison pill riders in the government funding bill. These are Republican riders, Republican earmarks, and as long as they are there, there can be no legislation.

Without legislation, the government shuts down again—as it did a couple of years ago—because of Republicans.

### FIGHTING ISIS

Mr. REID. Mr. President, last night, President Obama spoke in stark terms about the threat terrorism poses to the United States. He detailed the extraordinary efforts our government is taking to protect Americans. He also outlined a strong plan for continuing to combat terrorism at home and abroad. President Obama is right to say the first thing Congress should do is close the loophole that lets the FBI terror suspects buy assault weapons such as those used in the San Bernardino shooting.

Senate Democrats support President Obama's plan to fight ISIS and protect America. President Obama has made it clear that Democrats do not believe we should put thousands of troops on the ground in the middle of another civil war in the Middle East. But we do support the President's strategy of continuing to go after ISIS in the air with our coalition partners, targeting their leadership, oil infrastructure, and heavy weapons.

We know that it must be the local forces on the ground that ultimately fight for and hold their ground because it is their land.

Senate Democrats understand that the Syrian war will only be resolved

diplomatically, with all parties supporting the removal of Assad. We also know that we can do more to address the threats from terrorists. That is why beginning today Senate Democrats will unveil a series of proposals to take the fight to ISIS while enhancing our protection of Americans at home.

There are a few important steps we must take in order to combat ISIS's terrorism. The Democratic plan would create a new ISIS czar, one person who is fully empowered and unifies the Federal Government's efforts in fighting ISIS. We did it with Ebola. We certainly can do it with this scourge that is facing our country, ISIS. I am pleased that President Obama has taken a first step in that direction.

To continue targeted airstrikes on ISIS strongholds and oil supplies and to increase support for anti-ISIS local fighters on the ground are part of the plan.

We must also cut off ISIS money through new sanctions.

ISIS runs its reign of terror in Iraq and Syria through extortion, oil sales, and theft. Senate Democrats' legislation imposes new sanctions—and they are tough—including a cutoff from the U.S. and international financial systems if people knowingly facilitate financial transactions with ISIS.

One of the things that would help is that we have a person who has been waiting for hundreds of days to be confirmed. What is his job? He works in the Treasury Department with the State Department to stop financing of terrorism. The Republicans—for reasons totally not understood by anyone—are blocking voting on this person. The job is vacant.

We also believe that we should improve intelligence training between the United States and our allies in the fight against ISIS. Some of that has started, of course.

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



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We believe we must screen and support migrants in Europe and the Middle East. Europe is facing an unprecedented number of migrants landing on their shores, almost 1 million this year. Their screening systems have been overwhelmed by the large number of migrants. Our bill would respond to Europeans' request to provide them with technical assistance to screen migrants and improve their own border security and our security as well.

In the Middle East, the Democrats' plan will help Jordan, a strong U.S. ally at the forefront of the migrant crisis. Four million people are displaced in the region, creating instability in Jordan, our ally, and also harming the neighboring countries. Democrats' legislation includes a new stabilization fund for Jordan and Lebanon, helping those fleeing the conflict in Syria stay in the region, closer to home.

These are just a few of the components of our plan to degrade and destroy ISIS, but we are equally committed to thwarting terrorism here at home. The Democratic plan would close the terrorist's gun loophole.

As of today, there is a legal loophole that prevents law enforcement from verifying that potential gun buyers are not FBI terror suspects. That means if a person has pledged allegiance to ISIS online and is barred from flying due to the threat they pose, that man or woman can still walk into any gunshop and purchase weapons and ammunition. They can do that today, right now. That is wrong.

Last Thursday Democrats tried to pass legislation to give law enforcement the tools needed to prevent the sale of guns to suspected terrorists. Republicans blocked our commonsense measure. We are not finished. We will bring this vote to the floor as often as we can. That is the way it should be.

We need to strengthen the Visa Waiver Program. It was amazing to see the Republicans running for President waffle and weasel out of why someone who is on a flight-risk status, someone who cannot fly, should be able to buy a gun. It was interesting to see on the Sunday shows the Republicans waffle and weasel through answers on this subject.

We need to strengthen the Visa Waiver Program so ISIS fighters cannot access the program and travel to our country. This includes requiring visa waiver travelers to use machine-readable passports, requiring information sharing rules with visa waiver countries and requiring visa waiver countries to enter into agreements regarding the air marshal program and to comply with U.S. aviation and airport security standards.

We must improve aviation security. We must work to secure our airports. We saw all the news when ISIS brought down a Russian plane with hundreds of passengers aboard.

A recent report from the Homeland Security inspector general found that 73 workers with access to secure areas in airports had links to terrorism—

stunning. Our legislation authorizes new vetting for aviation workers and new security measures for the most important areas of our airports.

We must lock down radiological materials to stop a dirty bomb. With both ISIS and Al Qaeda saying they want to get their hands on weapons of mass destruction, it is disturbing that there are 2,300 sites around the United States with radiological material. Our legislation requires a new plan for locking down those materials at the places where they are held, such as universities and hospitals, so we can reduce the threat of a dirty bomb.

Our legislation is concerned—and we are going to do everything we can—with preventing homegrown terrorists by creating an office within the Department of Homeland Security tasked with countering extremism.

We must address encryption by directing the National Academy of Sciences, the intelligence community, and the private sector to work together to identify new encryption technology and how it is used to make sure that our national security needs and technology policies are not working at cross purposes.

Finally, Senate Democrats are proposing legislation to provide law enforcement agencies with grant money to help prepare for active shooter situations. We know how critical first responders are to containing and ending active shooter attacks. So we should ensure they have all the tools necessary.

This is the plan that we, Senate Democrats, are putting forward. It is comprehensive. It addresses international and domestic concerns. The consequences of inaction are too grave for us to waste time seeking political gain.

The security of our Nation and the decimation of ISIS depend on the steps we take now. So I hope Republicans will join us to implement these logical reforms that place the security of Americans first and address the threat of ISIS around the world.

Mr. President, I see no one on the floor wishing to speak.

Would the Chair announce the program for the day.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### FAST ACT

Mr. PETERS. Mr. President, I rise today to applaud the tremendous work that has been done over the course of this year to pass a bipartisan, 5-year, \$305 billion highway bill, the Fixing America's Surface Transportation Act, known as the FAST Act. Transportation infrastructure is an essential part of the U.S. economy. It serves as the foundation to support our country's economic global competitiveness and connects communities, people, and markets.

Federal investment in transportation and other infrastructure has, unfortunately, lagged in recent decades, with public expenditures on infrastructure as a percentage of GDP steadily declining to its lowest levels in 20 years. I have consistently called for a highway bill that ensures steady and reliable funding for States so they can make long-term plans for improving our crumbling infrastructure. For too long, stopgap measures to prop up the highway trust fund for just a few months at a time have failed to provide the stability necessary to grow our economy.

The FAST Act comes at a critical time. This legislation will improve our Nation's infrastructure, make our Federal surface transportation programs work better for States, and address our Nation's infrastructure priorities by focusing on critical commerce corridors and emerging freight corridors as well.

The FAST Act also makes key investments in something I am very passionate about, and that is the future of mobility in the United States. Today, the auto industry is working hand in hand with tech, telecom, and software companies and their partners in academia and Federal agencies to collaborate and contribute to the transportation system of the future. This future will be dominated by connected and autonomous vehicles—on-demand services such as ride-sharing and car-sharing—and innovations in vehicle-to-infrastructure communications.

Vehicle-to-infrastructure communications technologies—known as V2I—have the potential to deliver incredible safety, mobility, environmental, and operational benefits to the driving public. For example, V2I technologies will allow bridges that are icing up to be able to communicate directly with an automobile before it gets to the bridge and, as a result, will prevent an accident before it even occurs. Today, stakeholders are working to develop and test V2I technologies, and widespread deployment is expected in the coming years.

We have to make sure the States are making plans for their future in V2I technologies. That is why I introduced

legislation earlier this year with Senators STABENOW and BLUNT that promotes investment in vehicle-to-infrastructure technology by authorizing States to use existing surface and highway transportation funding to invest in V2I projects as they upgrade their highway infrastructure. It is called the Vehicle-to-Infrastructure Safety Technology Investment Flexibility Act of 2015, and today I am proud to say this legislation passed as part of the FAST Act.

My vehicle-to-infrastructure provision and the broader bill's other major investments in research and development represent the type of forward-thinking policymaking on which Congress should be focused. By committing now to help usher in the future of mobility and by providing the funding and time to execute these programs, we have the ability to transform our society for the better.

The FAST Act also contains several provisions to improve rail safety in the United States. I am pleased that legislation I authored, in the wake of the devastating Amtrak No. 188 crash earlier this year in Philadelphia that unfortunately took the lives of 8 people and injured over 200, was included in the FAST Act. My provision requires the Department of Transportation, Amtrak, and the National Transportation Safety Board to conduct a post-accident assessment of the Amtrak No. 188 crash to determine if Amtrak followed its emergency preparedness and family assistance response plans and to determine if and how these plans can be improved for the future.

Finally, the FAST Act reauthorizes the Export-Import Bank. Since the beginning of July, the jobs supported by the Ex-Im Bank have been unnecessarily jeopardized. The Ex-Im Bank helps level the playing field for American companies in a tough global market. Last year it supported more than \$27.4 billion in U.S. exports and 164,000 jobs. More than \$10 billion of that total—nearly 40 percent—represented exports by small businesses, and 90 percent of its overall transactions directly supported small businesses, including many that serve as suppliers for large companies.

In Michigan, for example, the Ex-Im Bank has supported 229 exporter businesses selling \$11 billion worth of goods to places such as Saudi Arabia, Mexico, and Canada. This support is particularly important for our manufacturing industry, and the majority of Michigan exporters using Ex-Im Bank are manufacturers of motor vehicles and parts, machinery and chemicals—basically the backbone of Michigan's economy.

I am proud to see that with the FAST Act's passage, we can get back to the business of doing what makes sense for the economy and for jobs in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, while my colleague from Michigan is here,

let me say that we appreciate so much his participation in the commerce committee, especially the expertise he brings to the table with regard to all things automotive since, in fact, his State is the automotive State. He is a valued member of our commerce committee. I thank the Senator from Michigan.

#### FIGHTING ISIS

Mr. NELSON. Mr. President, Americans are understandably frightened by the terrorist attacks in Paris and San Bernardino. As we mourn the loss of the victims, our hearts go out to their friends and families.

We were shocked 14 years ago, on September 11, when foreign terrorists struck our homeland. For the first time, two big oceans did not protect us from foreign terrorists. Now we know we have to be prepared to meet the threat not only abroad but here at home.

First, that means we have to see the threat clearly. It doesn't just come from shadowy foreign terrorist groups such as ISIS or Al Qaeda; now we see that it comes from a lone wolf or wolves, individuals who get radicalized. We saw that in the case at Fort Hood. We have seen it in other cases. We saw it in the case that was averted in Times Square, from someone who had come all the way across the country. They are extremely hard to detect.

Of course, ISIS uses the Internet to spread its propaganda, its influence, and to try to inspire disaffected young people with its propaganda far beyond where ISIS is located over in the Middle East. That means we have to use all the tools at our disposal to collect actionable intelligence, harden our defenses, counter radicalization, counter propaganda, and stiffen our resolve.

We ought to ensure that terrorists can't exploit the Visa Waiver Program. There are 38 countries with which we share this visa waiver. We ought to ensure that our law enforcement and intelligence agencies have the access they need to the terrorists' electronic communications to disrupt the attacks—that is a big order—all the while protecting Americans' privacy and constitutional rights.

That is why this Senator thinks it was a mistake to change the previous law, as we did earlier this year, which allowed telecom business bulk records to be readily accessed to trace terrorist communications. We have done this. We do not have the ready access of those bulk business records. Again, I remind our listeners we are not talking about the contents of communications—telephone calls or content of the Internet messages. We are talking about the bulk records which are business records that such and such a number or such and such an IP address on such and such a date transmitted a message to another number or another IP address.

In the past, through a court order, those bulk records were held by the

NSA, granting ready access so that if we were trying to stop a terrorist by getting intel ahead of time, we could go back and see where those communications were and with whom and how many hops it had gone in order to try to break up the terrorist activity. The problem with the lone wolf is that if they are disguising their operations, they are not communicating with anybody. That is why it makes it so much more difficult to intercept the lone wolf who has been inspired by ISIS.

Recently we saw that ISIS has claimed the responsibility for the bombing of a Russian airliner over Egypt, and it reminds us that our planes and airports remain a target for terror attacks. That is why I am introducing, and will explain tomorrow, legislation to tighten internal security at airports across the country. We had some good examples of that a year ago in Atlanta. Unbelievably, for several months, guns were brought into the Atlanta airport by airport workers, were transferred to a passenger who had already gone through TSA security, and they were actually transported over a number of months from Atlanta to New York. It is the lack of security on the perimeter of allowing workers into the airport proper that needs to be tightened up at all of our 300 airports. Two have already done that over the last several years, and I am very proud of the Miami airport and the Orlando airport that they have done it and done it very successfully.

Because ISIS exploits war in Syria and the instability and sectarian conflict in Iraq, meeting the terrorist threat means the use of military force as well. With the help of our coalition partners, as we speak, our forces are striking ISIS from the air and training local forces to fight ISIS on the ground. We are intensifying airstrikes against ISIS leadership, against heavy weapons, against oil tankers and oil wells, and have recently deployed U.S. Special Operations forces to help local forces build the necessary battlefield momentum to take back territory.

Special Operations forces will be central to the fight in order to avoid the large-scale deployment of U.S. ground forces. These forces are trained to conduct surgical strikes against terrorist leaders. There are press reports that GEN Joseph Votel, the current commander of the U.S. Special Operations Command, in the next year will become the next commander of Central Command, responsible for operations against ISIS. He already works side by side with General Austin—the commander of U.S. Central Command in Tampa at MacDill Air Force Base—and he will bring tremendous experience to the job.

The Congress is not doing our job. We should authorize the use of military force. It is our responsibility. I believe the President has the responsibility to fight ISIS in Iraq or Syria or wherever, but the unity of the Congress backing the President in law is constitutionally

required. We ought to debate these proposals and vote. The authorization would show the world that the United States is united in defeating ISIS.

The military fight is one piece of a broader effort to destroy ISIS and bring about a political transition in Syria to a government where finally Bashar al-Assad will have finally left. That is critical to ending the war, ending the resulting humanitarian crisis, and stemming the flow of the refugees. Our efforts will take time and commitment, but they are clearly necessary to protect our national security.

This is going to be a long, hard war. We can't do it overnight. There has been success in the war effort. We brought together 65 nations. Twelve thousand terrorist fighters have been killed. We have shrunk the territory ISIS occupies and has sanctuary.

I want to show the Senate this map. It has been shown before. It is not classified. All the area in green is what ISIS used to occupy, along with the area in orange—there along the Euphrates River. All of that area in green ISIS occupied but no longer does because of the coalition efforts. There has been success. Someone needs to talk about that success. Going forward, we are going to have to use more Special Operations troops. We are going to have to insist on our Arab neighbors picking up the fight and doing the fighting on the ground, and we do not need to make the mistake of tens of thousands of Americans on the ground because that plays right into ISIS's hands because it looks like—and ISIS would portray it as—it is the United States versus Muslims.

We should treat Muslims with respect here at home in America; treat them with the respect they deserve. Don't overreact. Otherwise that plays to ISIS's advantage of the image of Americans; in other words, it is us versus them. We are accelerating the fight. We have more and more intense coalition partners. We have extensive intel sharing. We have an outreach to Muslims about the truth of ISIS, and we insist our partners share their intel with us. That includes the visa waiver of those 38 nations.

Fear at this time—like San Bernardino—is a natural response. It happens at times such as this, but we cannot let fear get the best of us. We must overcome the fear and not let it compromise who we are as Americans by overreacting. We need to nail down a truth that our government has no greater obligation than to keep us safe.

I want to share with the Senate, where is the unity that we used to have? I know it is not in vogue to say "the good old days," but I can tell you that when this Senator was a young Congressman and when it came to national security, partisanship stopped at the water's edge. Isn't it time to unify? Isn't it the time to disagree without being disagreeable? Isn't it time to think of ourselves as Americans instead of partisans? Isn't it time to re-

member that Latin phrase that is up there above the President's desk, "e pluribus unum"—out of many, one. It is time to come together. God bless America.

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

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

Mr. DURBIN. Madam President, I ask to be recognized in morning business.

The PRESIDING OFFICER. The Senator is recognized.

#### GUN VIOLENCE

Mr. DURBIN. Madam President, I rise to speak about the devastating impact gun violence has on our families and our communities across America. Every day in America, we have a staggering amount of gun violence. On average, 297 people are shot in America each day, and 89 of them die. On a typical day, there are 31 murders and 55 suicides by gun, as well as several accidental shootings. And every day, on average, 151 Americans are shot and wounded in an assault and 45 are accidentally shot but survive. We have had over 350 mass shootings in America just this year, meaning incidents where at least four people are shot, and we have had over 50 incidents this year where guns have been fired at a school—50 at a school.

These statistics are sobering and a call to action. Most shootings in America have become so routine, they don't even make the news. Sadly, many Americans believe this staggering level of violence is just a normal day in America. But in recent weeks, horrific mass shootings at a Planned Parenthood office in Colorado Springs, CO, and a holiday party in San Bernardino have brought the issue of gun violence back into the forefront.

After high-profile mass shootings, we often hear the gun lobby and their political allies say: Any effort to pass a new gun law is just politicizing a tragedy. They say: We don't need any new gun laws; what we really should do is enforce the laws on the books. We saw this dynamic play out just last week. The day after the San Bernardino shooting, the vast majority of Senate Democrats voted for an amendment by Senator FEINSTEIN to close the loophole that lets suspected terrorists buy firearms in America. The vast majority of Senate Republicans voted no. Senate Democrats also voted overwhelmingly for a bipartisan amendment offered by Senators MANCHIN and TOOMEY. This amendment would close the loopholes that allow guns to be sold without background checks either on the Internet or at gun shows. Again, the Senate

Republicans overwhelmingly voted against a background check to keep firearms out of the hands of convicted felons and mentally unstable people.

Make no mistake—the whole world saw what happened last week in San Bernardino, and the whole world now knows that people who want to commit acts of mass violence or terror in the United States sadly have easy access to an arsenal of guns. There are major loopholes in the laws on the books.

This is a serious vulnerability, and Americans know we need to address it. The risk of terrorist-inspired mass shootings like Paris has never been higher. What are most effective ways to guard against this vulnerability? Well, I thought those two amendments we considered last week were a good start. Won't we agree—even those who own guns, value them, use them for sport, hunting, or self-defense—won't we agree that keeping guns out of the hands of convicted felons and mentally unstable people is the starting point? I think we should.

The ATF did a review of the crime guns that were seized in the highest crime areas in the city of Chicago. They found out that 40 percent of the guns used in the commission of crime in some of the deadliest precincts of Chicago came from northwest Indiana gun shows. Why? Well, because you don't go through a background check if you buy from certain people at a gun show. So the thugs, the drug gangs, the drive-by shooters—all they have to do is take the Skyway over the border into Indiana, go to one of those gun shows, fill their trunks with guns, firearms, and ammunition, and drive back for a killing spree in Chicago. There are no background checks. Does that make sense?

When they say, "Well, you know, it is a shame they have so much gun violence in Chicago because you know they have some of the strictest laws on the books," well, those strict laws don't apply when you cross the State line into Indiana. Sadly, those laws don't apply as they should across the United States.

So we called the amendment on the floor, a bipartisan amendment. PATRICK TOOMEY of Pennsylvania and JOE MANCHIN of West Virginia—neither one of them liberal by self-definition—have come forward and said—JOE MANCHIN said: I learned a long time ago that if you want to own a gun in West Virginia, in my family, you didn't sell it to a stranger, you didn't sell it to a criminal, and you certainly didn't sell it to someone who was mentally unstable. He said that is just common sense. Well, it is common sense that escaped the support and attention of the Senate Republicans. They voted against that provision overwhelmingly, against background checks to keep firearms out of the hands of convicted felons and those who are mentally unstable. How would you explain that? Well, it might be easier to explain that than to explain the other amendment they voted against.

Listen to this one. If our government, in their investigation, comes up with the name of a person they believe is involved in terrorism and they put them on a no-fly list so they can't get on an airplane, guess what—they can still go to a licensed gun dealer in America and buy a firearm.

These mad people in San Bernardino had AR-15s, semiautomatic and automatic weapons. They weren't on a terrorist watch list that I know of or a no-fly list, but if their names had been on a list, it wouldn't have slowed them down one bit in making a purchase.

So Senator FEINSTEIN of California offered this amendment, an amendment which had previously been offered by the late Senator Lautenberg of New Jersey repeatedly. Senator FEINSTEIN took up his cause and brought this amendment to the floor for a vote last week in Washington.

I went back and looked at the CONGRESSIONAL RECORD to see what the objections were of the people who said they had to vote against the amendment which would say if you are on a terrorist fly list, you cannot purchase firearms or explosives in the United States. I read some of the statements that were made by the senior Senator from Texas. In his argument against this, he said:

If you believe the Federal Government should be able to deprive an American citizen of one of their core constitutional rights without notice and an opportunity to be heard, then you should vote for the Senator's amendment.

The Senator from Texas continued:

This is not the way we are supposed to do things in this country. If you think that the Federal Government never makes a mistake and that presumptively the decisions the Federal Government makes about putting you on a list because of some suspicions, then you should vote for this amendment.

So as far as he is concerned—and I suppose those who joined him in voting against this amendment—if your name is on a terrorist watch list in America as somebody we suspect is involved in terrorism, you start off by presuming the government must be wrong and the government has to prove it. You start off, in their position, by saying that the first thing we should do is let that presumed terrorist buy a gun and then let's have a due process hearing. What? What is he thinking? If you thought there was a dangerous person in your city or your community who might engage in terrorism, would you want them to buy an assault weapon? Would you want them to buy explosives? I wouldn't.

Let's err on the side of safety and security and say: No, if you are on that list, you cannot purchase a weapon or an explosive. If you protest being on the list and don't think you belong there, so be it. That is your right. You are entitled to a process to get your name off the list, and the Feinstein amendment provides such a process. And if you prove that our government is wrong, then proceed with buying the gun or the explosives.

But the presumption on the other side is that you are always entitled to buy a gun, you are always entitled to buy explosives, and if the government says otherwise, they have to prove it. It doesn't sound like a recipe for safety in America, but that is what happened on the floor of the Senate.

So we called this measure, and there were 45 who voted yes and 54 voted no—45 to 54 on whether someone on the terrorist watch list should be able to be prohibited from buying firearms and explosives.

There has been a lot of tough talk lately about terrorism, this dozen—13, 14; I forget the number—running for President on the Republican side. They are trying to out trump one another and get tougher with terrorists. Yet when the moment came on the floor of the Senate and the Republicans in the Senate—including three or four running for President—had a chance to vote to keep firearms and explosives out of the hands of suspected terrorists, they voted no. How does that make us any safer? Oh, they are tough as can be in their speeches, but when it comes down to their votes, they are nowhere to be found.

#### REFUGEES

Mr. DURBIN. Madam President, there is also a question about what we can do to keep our country safe in terms of people coming into our country.

Each year we admit about 70,000 refugees from all over the world. The No. 1 country providing refugees to the United States—Burma. Most people wouldn't have guessed that. About one-fourth of our refugees come from Burma.

How do they get into the United States as refugees? They are first identified by the United Nations Council on Refugees, and then they start a process, a background check and process. This goes on for 18 months to 24 months. It involves repetitive fingerprinting and checking, interviews, examinations, questions. Then, finally, after 24 months, they may be allowed to come to the United States as a refugee. About 70,000 a year come into our country. I have met a lot of them. They are from all over the world—Africa, Asia, all over the world. And now we have a focus on them, a laserlike focus on them.

Some are arguing that the way to keep America safe is to stop refugees from coming in from Syria. Well, we know Syria has been engaged in a civil war for more than 4 years. We know some 4 million people have been displaced. I was in Greece a few weeks back and saw numbers coming across the Aegean Sea from Turkey into Greece. These Syrian and some Iraqi refugees are desperate people. You literally see a family walking—mother, father, carrying babies, walking toddlers—with all that they own on their backs. That is it. We stopped to talk to

some of them, and they told the story of what it was like to live in Syria amidst a civil war, what it was like to have barrel bombs going off in your town—the damage that it did, the killing that it did. Many of them had lost members of their families. They were running away from that violence—not only from Assad, the head of Syria, but from ISIL as well.

Some of them decide to ask to become refugees in the United States. They know that if they ask, they are in for a long, long haul—18 to 24 months. Some have made it, fewer than 2,000, during the last 4 years. Some have made it. Not a single Syrian refugee coming into the United States since this war began has ever been charged with terrorism. It just hasn't happened.

What happens with other visitors to the United States? Well, we welcome visitors. Certainly we do. Many of us look forward to visiting their countries too. About 55 million foreign travelers come to the United States each year; about 20 million are from visa waiver countries—38 countries where we have a special relationship and say: You don't need a specific visa to come to our country because we have this agreement between us; you may freely travel to the United States on what we call a visa waiver. That is about 20 million of the 55 million.

We can do better when it comes to these visitors on both sides—Americans traveling overseas and foreigners coming into this country. We need to make sure that before a person gets on a plane, we check their fingerprints, for example. That is a pretty easy thing to do these days. Just put your hands down; it reads them and cross-checks against the data bank of suspected people, suspected criminals, and suspected terrorists. Obviously, the overwhelming majority of people will have no problem whatsoever, but it is a way, just like taking off your shoes, to make sure that we are safer. It is a little inconvenient but worth it.

What we have said on the Democratic side is that if you want to make America safe—and we all do—it is far better to focus on foreign travelers and visa waivers, and make sure we are doing the proper checks before the person gets on the airplane. I believe we should do that. When I travel to their countries, I am prepared to face the same fingerprint check. It is not too much to ask in the 21st century, with the terrorism and violence that we face.

All these things will make us safer, but focusing on 70,000 refugees, among which a few hundred are Syrian, instead of looking at the larger group of 55 million foreign travelers—did you know that most of the terrorists in Paris, France, were carrying European passports which would have allowed them to come to the United States without a visa? So if we want to make our country safer—and I do—let's do things that are practical and thoughtful.

Incidentally, those who come to the United States on visa waivers from 38 countries around the world can currently legally buy firearms. What is that all about? Our law prevents foreign visitors who come in on a visa from buying firearms, but a loophole allows those who qualify under the Visa Waiver Program to come as visitors to buy a firearm. I think we can do better there as well.

Let's tighten up the Visa Waiver Program, and make sure we do the proper checks so dangerous people don't ever get on the plane to come to the United States. Let's make sure as well that if you have a visa waiver and you come to the United States as a visitor, you are not going to be purchasing firearms. Finally, if you are on a suspected terrorist no-fly list, you should be disqualified from buying a gun or an explosive, period. Those are three practical steps. I think we ought to move forward and do that on a bipartisan basis. It will be something to keep in mind and make America much safer.

In closing, some of the suggestions being made as these Republican Presidential candidates try to out-trump one another are very sad. They reflect the ignorance of history and a willingness to ignore the values of this country. When I hear some of the awful things being said about people of the Islamic faith—I think about a dinner I went to Saturday night. It was in Chicago; it was by the Children's Heart Research Foundation. They were saluting a number of doctors in the Chicago area who were extraordinary in saving the lives of children. One of them is a current surgeon. He started with Children's Memorial Hospital; he is now with the Advocate hospital system. He is considered to be the best in Chicago. If your baby—and 1 out of 100 are—is born with a congenital heart defect, this is the doctor you want to see the child; this is the surgeon you want to save your child's life. This doctor is a Muslim. He is an American. He is an important part of America. Those who are making negative statements about all people in the Islamic faith, calling for registration or exclusion or whatever it may be—their statements and views are not consistent with who we are as Americans. The President said as much last night, and I agree.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

#### MEASURES PLACED ON THE CALENDAR—S. 2359

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

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

The bill clerk read as follows:

A bill (S. 2359) to restore Second Amendment rights in the District of Columbia.

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

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

#### PRESIDENTIAL STRATEGY TO DEFEAT ISIL

Mr. McCONNELL. Madam President, last evening President Obama addressed the Nation concerning the threat ISIL poses to our people. Unfortunately, the American people did not hear of a strategy or a plan to defeat and destroy this terrorist army. Instead, they heard a restatement of a military campaign crafted to contain—contain—ISIL within Iraq and Syria.

Following the attacks in Paris and California, and the downing of a Russian airliner, about 60 percent of the American people disapprove of the President's handling of terrorism. Nearly two-thirds disapprove of his handling of ISIL.

The American people understand intuitively that ISIL and the wider terrorist threat have not been contained but, rather, that they have evolved into something increasingly more serious and more challenging. Americans also know that the operational concept ordered by the President is insufficient to defeat ISIL. It is not just the American people saying this. It is not just Republicans saying it, either. President Obama's last Defense Secretary recently criticized his approach; so have several other former Obama administration officials.

Here is a sampling of what they have said over just the last week or two: One called on the Obama administration to "wake up" to the threat. Another said that the Obama administration "seems to be really flailing and tone deaf to this latest challenge." A third called on the President to "change your strategy" because "by any measure, our strategy in Iraq and Syria is not succeeding." And then there is President Obama's former Secretary of State, Secretary Clinton, who put it plainly: "We're not winning." Hillary Clinton said: "We're not winning."

The President had a real opportunity last night to show the American people that defeating ISIL is his priority. He had an opportunity to demonstrate his willingness to adapt to the threat. He had an opportunity to explain how he can better prepare our Nation for a fight that will inevitably be passed on

to his successor, but he didn't do that. He didn't do it last night.

The American people were looking for a serious strategy and a real vision last night, not a recap of an approach that clearly hasn't worked. Last night was only the President's third Oval Office address, and by any measure a missed opportunity.

Look, throughout his time as Commander in Chief, President Obama has shown an inflexible adherence to policies he advocated as a candidate for office in 2008, most specifically to end our Nation's War on Terror. In his first days in office he issued a series of Executive orders designed to weaken the ability of our warfighter and intelligence community to gather targeted information, to capture terrorists, interrogate, and detain them to advance our understanding of terrorist networks and plans, as well as to protect the American people. Although the President conceded that the complete withdrawal of our forces from Afghanistan would be harmful to our national security interests and slowed our withdrawal in the face of Al Qaeda and Taliban resistance, he inflexibly clung to a fixed date for our drawdown of forces in Iraq, which allowed for the growth of ISIL. As the President inflexibly pursued an end to the War on Terror, the terrorist threat evolved and adapted as Al Qaeda affiliates advanced in presence and capability and Al Qaeda in Iraq grew into the terrorist army we now know as ISIL. ISIL's use of social media and encrypted communications burgeoned at the very moment the President and his allies were working to take away critical electronic surveillance tools from our intelligence community.

Here is what we need from the President now. What we need from the President is for him to clearly outline what it is he aims to achieve, how he aims to achieve it, and what authorities he thinks he will need to make that happen. He needs to match strategic objectives to the means to reach the goals. The President needs to tell us what authorities he needs to defeat encrypted online communications. The President needs to tell us what is needed to establish our capture, interrogation, and surveillance capabilities. The President needs to tell us how the coalition or NATO will forge a ground force capable of not only trying to contain ISIL but actually driving it from Raqqa. The President needs to tell us the force structure and the funding our commanders will need to rebuild our conventional capabilities so we can continue and expand this fight while facing other global threats. The President should also explain why he will not use the secure facility at Guantanamo Bay to safely hold and interrogate newly captured terrorists in order to help prevent the next plot against Americans.

These are the kinds of things the American people are looking for, and by leading on them, President Obama

can demonstrate his commitment to protecting our Nation and leaving it better prepared for his successor.

#### ACCOMPLISHMENTS OF THE NEW CONGRESS

Mr. McCONNELL. Madam President, on another matter, last November the American people elected a new Congress to get Washington working again. Nearly every day seems to bring more signs that we are. Over the weekend, President Obama signed the FAST Act, a multiyear highway bill, into law. It represents a significant departure from years of short-term extensions and congressional inaction. In fact, the FAST Act is the longest term highway bill to pass Congress in almost two decades, providing 5 full years of highway funding.

Here is what Kentuckians for Better Transportation—a top transportation advocacy organization in my State—had to say about it:

After many, many years of short term continuing resolutions we finally have a long term authorization that will give our states the opportunity to plan for and implement major road projects. . . . We can [now] plan for the future.

That is because in a new and more open Senate, Senator INHOFE, a Republican, and Senator BOXER, a Democrat, were able to work together for its passage. Senator BOXER herself called it “a major accomplishment.”

Here is another major accomplishment: the Every Student Succeeds Act. It is a bipartisan, reformist replacement for No Child Left Behind. Pundits in Washington could never agree on how to replace No Child Left Behind. The issue went unresolved for many years, but in a new and more open Senate, Senator ALEXANDER, a Republican, and Senator MURRAY, a Democrat, worked hard and found success in the bill before us. The House already passed it, 359 to 64. The Senate previously passed a very similar version of the bill, 81 to 17.

Tomorrow we should work together to pass it for a second and final time and send it to the President for his signature. It will be the latest important achievement for the American people from a new Congress that is back to work and back on their side.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### PRESIDENTIAL STRATEGY TO DEFEAT ISIS

Mr. CORNYN. Madam President, last night the President addressed the Nation. It was one of the few times during

his Presidency that he addressed the Nation from the Oval Office, signifying that this was going to be an important address by the Commander in Chief. Unfortunately, what the President communicated was that little, if any, change will be made in the current administration’s approach on terrorism following the attack on San Bernardino last week. The President’s approach to eradicating this terrorist threat has only resulted in a tactical stalemate that has kept the morale of ISIS high and their recruitment efforts robust, as we have seen.

In the wake of the shootings last week, an event the President himself called an act of terrorism, the American people deserve a credible and aggressive strategy to combat this terror threat that clearly poses a danger not just over there but over here. A good start would be for the President to listen to his own military leadership as well as members of the intelligence community. If the reports are true—and they certainly haven’t been denied—the President has turned a deaf ear to his own military leadership and leaders of the intelligence community on how to fight and defeat the ISIS threat. Despite the President’s rhetoric on his so-called strategy against ISIS, one thing is clear: It is not working. So our country clearly needs to change course, and that should start with a real plan and real candor from the Commander in Chief on how he intends to defend our interests abroad and at home to keep our people safe.

While I was eager to hear what the President might say about the bad results from his current strategy, unfortunately, we didn’t hear it last night. However, what we did hear was this recent theme from some of our colleagues across the aisle—as we voted on the repeal-ObamaCare set of votes last week—as well as from the President himself during his weekly address, the Democratic leader, and some other Members of the Senate, that what they are basically trying to do is to change the subject. You will recall that one way they tried to do that was by offering an amendment that said people on watch lists would be denied their core constitutional rights under the Bill of Rights, and in this case it happened to be the Second Amendment; that is, you are presumed to be guilty without the necessity of having to go to court and actually prove what you are claiming is true.

I was struck by the fact that the New York Times, back in 2014, noted in an editorial entitled “Terror Watch Lists Run Amok” that “A 2007 audit found that more than half of the 71,000 names on the no-fly list were wrongly included.” This is the New York Times making the case that basically I and others argued for, which is that there cannot be any presumption of guilt just because the government includes your name on a list, particularly when it comes to denying your core constitutional rights. If the Second Amend-

ment isn’t strong enough to withstand this so-called presumption, neither is the freedom to worship according to the dictates of your conscience, the First Amendment rights to free speech and freedom of association. You get my drift.

Rather than address the real problem, which flowed from another speech the President gave a few years ago out of the Oval Office where he announced the precipitous withdrawal of our troops in Iraq that created the vacuum that is now being filled by ISIS and Al Qaeda—rather than talk about the lessons learned and how a new and different strategy was going to be employed after consultation with our military leadership and members of the intelligence community, the President and his supporters decided to try to change the subject and produce a red herring that has nothing to do with the fight to degrade and defeat ISIS. Of course the threat is not only about people traveling from abroad to our country, it is about Americans here and other people on visas, perhaps from visa waiver countries, traveling from the Middle East to the United States. Perhaps the most dangerous of all is the radicalization of people already in the United States. If the preliminary indications prove to be true, that seems to be the thread that connects so many of these attacks, whether it is in San Bernardino or Garland, TX, a short time back, or MAJ Nidal Hasan at Fort Hood back in 2009.

What we need and what the American people deserve from their Commander in Chief is candor and the willingness to show a little humility and say: You know what. The way we have been handling things really isn’t working very well. Instead, the President tries to play partisan politics, and he tries to distract the American people by suggesting that our Constitution is too generous when it comes to the right to keep and bear arms.

For the sake of all Americans, I hope the President reconsiders his flawed strategy and produces a more effective one to eradicate ISIS soon because the safety of the American people is clearly at stake.

#### SENATE ACCOMPLISHMENTS

Mr. CORNYN. Madam President, we are on the downward trajectory of this year’s Congress, the 114th Congress, and I thought it would be appropriate to take a few minutes to talk about what this Chamber has been able to accomplish since we convened in January. I know there is a lot of cynicism and indeed outright fear about the way the Federal Government has been operating, and unfortunately I think a lot of that is attributable to the fact that this President has shown a complete unwillingness to work with Congress in many areas; for example, such as immigration reform. So when people see the President acting unilaterally—thank goodness the courts have stopped it,

but it causes them to lose confidence in the Federal Government's ability to address the problems they live with day in and day out and which they have a right to see us do our very best to address.

I can't help but think about this time last year and how, with great anticipation and high expectations, the American people decided to give our side of the aisle, the Republican side, the opportunity to serve in the majority. Our task was a daunting one. The Senate had basically been ground to a halt, and I think Members on both sides of the aisle came back in January ready to change the way we do things around here. I think some of our friends across the aisle found that the do-nothing strategy didn't work for them either, even though they were in the majority, because a number of Senate incumbents—having to face the voters without anything to show—ended up being defeated in last November's election. It didn't work for the American people. So it didn't work for the American people, and it didn't work for those Senators. As I said, the American people deserve better.

We tried to do better, and I think we have made some progress. We have been getting a few things done, delivering on promises made to the American people and working to find real solutions to the problems faced by those whom we are honored to represent. One of those areas that has been particularly important to me is doing something about an issue that plagues every State in our country; that is, human trafficking. At the beginning of last year, I was honored to lead a bipartisan effort to pass legislation designed to help victims of human trafficking get a helping hand and hopefully find a path to healing.

The Justice for Victims of Trafficking Act, which is now the law of the land, will help these victims, who are too often children, be treated like the victims they are instead of common criminals. After about a month on the floor of the Senate, that bill ultimately ended up passing, 99 to 0, and it was signed into law by the President. It points out that the Congress can work with the President on a bipartisan basis to fight some of the most tragic and troubling issues that face our Nation.

There are other examples. In the fall we passed a major cyber security bill that will help protect the American people from cyber attacks. The Cybersecurity Information Sharing Act fosters information sharing to help address the growing cyber threats we face. Of course we read about them in the news, if we haven't experienced them in person ourselves. The need for this legislation couldn't have been more pressing because over the summer the administration confirmed that hackers had accessed sensitive background information of more than 21 million people on the computer systems of the Office of Personnel Man-

agement—21 million Americans. That followed a similar breach at the Internal Revenue Service in which the personal data of more than 100,000 taxpayers was stolen. So passage of the Cybersecurity Information Sharing Act was the right thing to do, and it was done on a bipartisan basis. We are now engaged in a conference discussion with the House to try to reconcile the differences between those bills before it goes to the President.

That is the way we ought to be doing business around here—trying to find solutions that make America stronger and make our cyber infrastructure more resilient.

Another example was from last week. Last week we passed a multiyear highway bill for the first time in more than a decade. My State is blessed to be a fast-growing State, and of course that has encouraged a lot of people to move there—voting with their feet, as I like to say, and coming from places where jobs aren't being produced because the economy is not growing.

This bill helps Texas on the State and local level to prepare for those growing infrastructure needs that come with this increased growth. Just as significantly, it will help the rest of the country as well by creating jobs to build and maintain that infrastructure as well as the commerce that travels on that infrastructure and the environment which will be served by avoiding unnecessary congestion.

This bill also specifically grants States like Texas the flexibility to invest in infrastructure projects—in our case, along the border. We have a 1,200-mile common border with Mexico. It is a unique part of our country. I like to kid my constituents back home. I say: What most of my colleagues in Washington know about the border they read in novels or saw in a movie somewhere. It is a unique and wonderful part of our State, but it is also one that deserves our undivided attention because of the security threats, drug trafficking, and other illegal activity. It is no small thing for the Nation's top exporting State, one that shares almost 1,200 miles with Mexico, to be able to direct some of these funds to help build and maintain that infrastructure.

By the way, I know people frequently talk about Mexico and our relationship with Mexico in a negative way, but we also understand there are enormous benefits to our proximity to Mexico and our shared border. There are about 6 million jobs in America that depend on binational trade with Mexico. While Mexico has its problems—and they certainly have serious problems—we are working with them on their security and corruption issues and the like. It will take all of our efforts in order to address them. By promoting better border infrastructure, Texas can build on our strong trade record, which already includes the export of more than \$100 billion in goods to Mexico each year and supports hundreds of thousands of jobs—6 million jobs nationwide.

This multiyear highway bill will also give Texas and other States across the country more certainty. Before this we had been looking at temporary patches, which makes it impossible to plan, and it also makes the expenditure of those dollars enormously inefficient. This bill gives us greater certainty to make sure our States can deliver projects to facilitate greater volumes of trade and travel along interstates and other critical transportation corridors.

An area where we have not yet achieved success but where I think there is great promise—there are other areas, such as criminal justice reform, where I believe we can in the months ahead register another success, again for the benefit of the people we represent.

Last week, at the President's invitation, I joined a bipartisan, bicameral group of legislators to come to the White House to discuss a way forward for bringing substantive criminal justice reform to our country.

For too long, in my State we learned that we treated prisons like warehouses, warehousing people and ignoring the fact—or perhaps just not recognizing the significance of the fact—that sooner or later most of them were going to get out of prison. So what we decided to do in Texas in 2007 was to get smart on crime, not just tough on crime. Nobody doubted how tough we were on crime. But what we realized is that some of the money we spent on corrections could be plowed back into educational programs that would help willing inmates actually learn job skills, deal with their drug and alcohol problems, if they had those, and, in short, better prepare for life on the outside so they didn't end up a frequent flyer or in that turnstile, going from prison to the outside and then back again.

So we have been working on this issue for some time, based on the success we enjoyed in Texas and in other States. The product is a bill called the Sentencing Reform and Corrections Act, which passed out of the Senate Judiciary Committee 15 to 5. I know Chairman GOODLATTE in the House of Representatives is working on a bipartisan bill in that Chamber as well. So I think this is one of those pivotal moments where folks across the political spectrum see the advantage of working together in favor of bringing real progress that will benefit the American people by making our criminal justice system more effective and our communities safer. By the way, we can save money at the same time.

On another matter where we have seen significant progress, this week we will be voting on the conference report that accompanies the Every Child Achieves Act. This is the bill that actually fixes No Child Left Behind. This legislation was passed here in the Senate by wide margins over the summer. Chairman ALEXANDER and the conference committee and Ranking Member MURRAY were able to achieve an

amazing thing in this divided, polarized political environment we are in, with, I believe, a 39-to-1 vote in the conference committee for a bill that combines both the House and the Senate product. This is really landmark education legislation that will help parents and local communities take control of their children's education instead of ceding to the Federal Government. Certainly, this bill is another win for the American people.

Where I come from, people like the fact that we essentially have repealed the common core mandate, that we have eliminated the Federal Government as a national school board, and that we have sent the power back where it belongs, which is to parents and teachers and local school districts, and ceded more of that authority from here in Washington, DC, back to them.

I could continue with this list of legislative accomplishments by noting that the Chamber has also passed legislation that replaced the flawed Medicare payment system for physicians. This is the notorious doc fix. This is another example where for years and years we passed temporary patches and never solved the underlying problem. But Congress did, and I think that is another thing we can be proud of, along with the first budget passed since 2009, and there is more I could add to the list. But my point is there is a difference in the new 114th Congress, and elections do make a difference. We have worked together on a bipartisan basis where we can make progress to solve problems for the American people during this first year of the 114th Congress. A lot of this is due to the steady leadership of the majority leader, the Senator from Kentucky, and all the hard work our colleagues have put in to make this such a productive year.

So we are on track to continue with this momentum into the new year, and with just another week or so of work to do before we break for the holidays, I think we can take some pride in these accomplishments but yet know that there is a lot more we have to do, not only for the remainder of this year but into next year as well.

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

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

#### NOMINATION OF TRAVIS R. McDONOUGH

Mr. CORKER. Madam President, I rise today to support the confirmation of a fellow Chattanooga, Travis R. McDonough, who has been nominated to serve as U.S. district court judge for the Eastern District of Tennessee. I have known Travis personally for

many years, and I have full confidence that he will serve the people of Tennessee honorably if confirmed to the Federal bench.

Travis is well known in Chattanooga as a civic leader and has earned broad respect in our community. He most recently served as chief of staff and counselor to the mayor, having previously served as a partner at the law firm of Miller & Martin, where he specialized in criminal and white-collar litigation. A Truman scholar, he received his undergraduate degree from Sewanee and his law degree from Vanderbilt University.

We had a number of conversations, as you can imagine, during his confirmation process, and he has assured me he will be a fair and independent judge. I wholeheartedly support his nomination and encourage my colleagues to support his confirmation.

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

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

#### TRIBUTE TO KENNETH E. MANNELLA

Mr. HATCH. Mr. President, I wish to join my friend and Finance Committee colleague, Ranking Member WYDEN, in offering appreciation to a dedicated public servant, Mr. Kenneth E. Mannella, who has worked steadily for the American people at the Social Security Administration and will soon pursue activities in retirement.

Ken Mannella joined the Social Security Administration in 1996 as a legislative analyst with the Office of Legislation for Congressional Affairs. Currently, he serves as an associate commissioner for the Office of Congressional Affairs.

Before joining the Social Security Administration, Ken worked for 8 years for Governor William Donald Schaefer of Maryland. In Governor Schaefer's final terms, Ken Mannella was director of the Maryland National Relations Office, where he worked with Congress to obtain Federal assistance to help Maryland pursue its priorities. Prior to his work in Maryland, Ken worked for the U.S. Senate for 10 years on the staff of Senator Richard Schweiker and for Senator Charles Mathias as counsel on the Patents, Copyrights, and Trademarks Subcommittee of the Senate Judiciary Committee.

You don't have a career working with the Senate and in congressional relations for as long as Ken has been at it unless you are really good at what you do. And that has been our experience with Ken; he has excelled at developing

relations that facilitate useful flows of information and ideas between whom he represents and Congress. It would be hard to find anyone who would not agree that Ken is always an honest broker and always there to help if you need it.

I appreciate Ken's work with Congress, and I know that my good friend Senator WYDEN does as well. We wish him all the very best as he moves on to pursue what lies ahead for him and genuinely appreciate the work he has done with Congress, for the Social Security Administration, and—of most importance—for beneficiaries of the Social Security programs.

#### RECOGNIZING THE 150TH ANNIVERSARY OF CAVE CITY

Mr. McCONNELL. Mr. President, today, in the United States Senate, I wish to commemorate the sesquicentennial of the founding of Cave City, KY. Next year in 2016, 150 years will have passed since Cave City was first incorporated in 1866.

Located in the south central region of the Commonwealth, Cave City is proud to be known worldwide as the home of Mammoth Cave, the world's longest known cave system with more than 400 miles explored underground. It is one of the oldest tourist attractions in the United States.

Cave City may only have about 2,500 residents, but more than 2 million visitors flock to Mammoth Cave National Park every year. Cave City is proud to host so many visitors from across the globe and present to them their special brand of Kentucky hospitality and charm.

Cave City is not only the gateway to Mammoth Cave, but also home to fine shops and restaurants, privately owned caves open for tours, and many other tourist attractions and places of interest. It is the zip line capital of Kentucky, with three zip line tours close to town. And the Cave City Convention Center is one of the premier meeting and convention venues in the region.

The year 2016 will be a busy year for Cave City. Not only is it the 150th anniversary of the town's founding, it is also the 200th anniversary of the earliest known organized tours being given at Mammoth Cave, the 100th anniversary of the National Park Service, and the 75th anniversary of the establishment of Mammoth Cave National Park.

Therefore, I ask my Senate colleagues to join me in recognizing that 2016 is the 150th anniversary of the incorporation of Cave City and in extending a heartfelt congratulations to the people of Cave City as they celebrate this important milestone. I am proud to be their voice here in the Senate as Cave City represents the very best of what Kentucky has to offer our Nation and the world.

TRIBUTE TO TED BEATTIE

Mr. DURBIN. Mr. President, I wish to take a few moments to acknowledge Ted A. Beattie, president and chief executive officer of the Shedd Aquarium in Chicago, IL. Earlier this year, Ted announced that he would be retiring from the world's largest indoor aquarium in late 2016.

The Shedd Aquarium is home to 32,500 fish habitats and attracts more than 2 million people every year. It is an educational and cultural treasure in Chicago—and the most popular family and tourist attraction in the city.

Under Ted Beattie's leadership, the Shedd Aquarium was Chicago's top attended paid cultural attraction for 17 of the last 21 years, welcoming more than 33 million guests. It is an extraordinary accomplishment. After a 35-year affiliation with Shedd, Ted is leaving this beloved institution in good shape. Since joining Shedd in 1994 as the third president and CEO in the aquarium's history, here are just some of his many accomplishments: Ted developed and opened six permanent exhibits, only the second expansion since the aquarium opened its doors in 1930. He created eight special exhibits, the latest being "Amphibians," opening next May, and established the Daniel P. Haerther Center for Conservation and Research, which has grown to include 18 global field research programs. Ted also oversaw the addition of Shedd's onsite animal hospital and lab facilities housed in the A. Watson Armour III Center for Aquatic Animal Health and Welfare.

Throughout his time at Shedd, Ted Beattie demonstrated an exceptional ability to engage and inspire the next generation. As president, Ted opened a teen learning lab, a free, collaborative space for teens—developed by teens—to enhance critical thinking skills while exploring environmental interests and science.

Prior to joining Shedd, Ted Beattie served as director for both the Knoxville Zoo and Fort Worth Zoo and held positions at the Chicago Zoological Society's Brookfield Zoo and Cincinnati Zoo & Botanical Garden. During his tenure as president of the Association of Zoos and Aquariums, AZA, he spent 15 years teaching management courses as part of AZA's professional management schools and received AZA's highest award for professional excellence—the R. Marlin Perkins Award for Professional Excellence.

Time and time again, Ted found creative ways to get around obstacles and make good things happen for Shedd and other zoos and aquariums across the country. I know this is not the final chapter for Ted Beattie. He will continue to be a passionate advocate for conversation and educational initiatives through the Penny Beattie Leadership Fund, a professional development scholarship program established in honor of Ted's late wife.

I congratulate Ted Beattie on his distinguished career and thank him for

dedicating a large part of his career to the Shedd Aquarium and the people of Chicago. It has been a pleasure to support his work, and I wish him all the best in the next chapter of his life.

RECOGNIZING CENTERTON  
ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Centerton Elementary School of Martinsville, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Centerton Elementary School continues to be one of the best performing Indiana schools. It was first named a National Blue Ribbon School in 2008 and has been named an Indiana Four Star School for 18 out of the last 20 years.

In 2014, Centerton Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by approximately 5 percent to 97 percent. Mathematics scores increased to 97 percent and above for third through fifth grades.

Centerton Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. At Centerton, staff members collaborate to pinpoint and address individual students' needs. In addition, Centerton staff and students' families work together to teach and instill values that develop strong character including responsibility, goal setting, commitment, and communication. With some of the highest English and mathematics scores in Indiana, Centerton Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Centerton Elementary School principal, Debbie Lipps, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Centerton Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING FARMERSVILLE  
ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Farmersville Elementary School of Mount Vernon,

IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Farmersville Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School multiple times.

In 2014, Farmersville Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by more than 5 percent to 99 percent. Mathematics scores increased to approximately 97 percent and above for third through fifth grades.

Farmersville Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Farmersville staff and students' families work together to teach and instill values that develop strong character including responsibility, goal setting, commitment, and communication. With some of the highest English and mathematics scores in Indiana, Farmersville Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge Farmersville Elementary School principal Dr. Elizabeth Johns, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Farmersville Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING MEMORIAL  
ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today, I wish to applaud Memorial Elementary School of Valparaiso, Indiana for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Memorial Elementary School continues to be one of the best performing

schools in the State of Indiana. It has been named an Indiana Four Star School multiple times.

In 2014, Memorial Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by nearly 2 percent to 96.7 percent. Mathematics scores increased to 98 percent combined for third through fifth grades.

Memorial Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Memorial staff, students, and students' families work together to teach and instill values that develop strong character and HEART: honesty, effort, attitude, respect, and teamwork. With some of the highest English and mathematics scores in Indiana, Memorial Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Memorial Elementary School principal, Debra Misecko, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Memorial Elementary School, and I wish the students and staff continued success in the future.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DR. EUGENE MCKAY

• Mr. BOOZMAN. Mr. President, I wish to honor today Chancellor Eugene McKay of Arkansas State University-Beebe. Chancellor McKay will be retiring at the end of December after nearly half a century of dedication to education, the university, and the State of Arkansas.

Chancellor McKay has been a fixture at ASU-Beebe since 1966. He started as a professor of English and French, became vice chancellor of academic affairs and, in 1994, was named chancellor.

During his time with ASU-Beebe, Chancellor McKay oversaw an extensive campus renovation and expansion. Under his leadership, enrollment nearly tripled, and the ASU-Beebe campus had the highest student success rate of any Arkansas institution of higher education.

His passion helped improve higher education across Arkansas. In 1999, he founded ASU-Heber Springs, and he worked with ASU-Newport to become a stand-alone institution in 2001.

Chancellor McKay's dedication to his community extended beyond the campus. In addition to serving on the Arkansas Community College Board, he also served with the Beebe Chamber of Commerce, the Beebe Economic Development Commission, and United Way of White County, to name a few.

Retirement won't slow him down. Chancellor McKay plans to continue to challenge himself by taking yoga and mathematics classes.

I congratulate Chancellor McKay for his outstanding achievements in education and thank him for his service to ASU-Beebe and the countless students he impacted. I was proud to support his efforts to foster growth at the university and help make his vision for a campus emergency alert system a reality. I greatly appreciate his commitment to the university and higher education and wish him continued success in all of his endeavors. ASU-Beebe has benefited greatly from his leadership and dedication.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8. An act to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 8. An act to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; to the Committee on Energy and Natural Resources.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2359. A bill to restore Second Amendment rights in the District of Columbia.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2109. A bill to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes (Rept. No. 114-173).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

\* Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army.

\* John Conger, of Maryland, to be a Principal Deputy Under Secretary of Defense.

\* Stephen P. Welby, of Maryland, to be an Assistant Secretary of Defense.

\* Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy.

Marine Corps nomination of Lt. Gen. John E. Wissler, to be Lieutenant General.

Navy nomination of Rear Adm. Clinton F. Faison III, to be Vice Admiral.

Army nomination of Maj. Gen. Nadja Y. West, to be Lieutenant General.

Army nomination of Col. Edward E. Hildreth III, to be Brigadier General.

Army nominations beginning with Colonel Jennifer G. Buckner and ending with Colonel Patrick B. Roberson, which nominations were received by the Senate and appeared in the Congressional Record on November 16, 2015.

Air Force nominations beginning with Col. Blake A. Gettys and ending with Col. Karen E. Mansfield, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nominations beginning with Col. Todd M. Branden and ending with Col. Fermin A. Rubio, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nominations beginning with Col. David M. Bakos and ending with Col. Gregory S. Woodrow, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015. (minus 1 nominee: Col. Clifford N. James)

Air Force nomination of Brig. Gen. Edward P. Maxwell, to be Major General.

Air Force nominations beginning with Brig. Gen. Robert C. Bolton and ending with Brig. Gen. Wayne A. Zimmet, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nomination of Maj. Gen. John D. Bansemer, to be Lieutenant General.

Air Force nomination of Col. Russell A. Muncy, to be Brigadier General.

Air Force nomination of Col. Patricia N. Beyer, to be Brigadier General.

Air Force nomination of Col. Christopher W. Lentz, to be Brigadier General.

Air Force nominations beginning with Col. Lee Ann T. Bennett and ending with Col. Tracey A. Siems, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Brig. Gen. John C. Thomson III, to be Major General.

Army nomination of Brig. Gen. Sylvia R. Crockett, to be Major General.

Air Force nominations beginning with Col. Kenneth T. Bibb, Jr. and ending with Col. Michael P. Winkler, which nominations were

received by the Senate and appeared in the Congressional Record on November 30, 2015.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS 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 nominations beginning with Bryan K. Allen and ending with Garrick H. Yokoe, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of James D. Ferguson, to be Major.

Army nominations beginning with Kelvin L. Brown and ending with Paul L. Wagner II, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Daesoo Lee and ending with Brian D. Ray, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Wayne W. Santos, to be Colonel.

Army nomination of Anthony J. Fadell, to be Colonel.

Army nomination of Ricardo Alonsojournet, to be Colonel.

Army nomination of Jeffrey M. Sloan, to be Colonel.

Army nominations beginning with Andrew C. Dillon and ending with Andre R. Holder, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Rebecca R. Tomsyck, to be Colonel.

Army nomination of Everett S. P. Spain, to be Colonel.

Army nomination of Shane R. Reeves, to be Lieutenant Colonel.

Army nominations beginning with David E. Bentzel and ending with Brian U. T. Kim, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Teresa L. Brining and ending with Richard A. Villarreal, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Kevin R. Bass and ending with D003940, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Kimberlie A. Biever and ending with Pamela M. Wulf, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with David Barrett and ending with Jennifer S. Zucker, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with David W. Laws and ending with John E. Swanberg, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of William A. Altmire, to be Colonel.

Army nomination of Jesus J. T. Nufable, to be Colonel.

Army nominations beginning with Ruben Bermudezpagán and ending with Todd W.

Schaffer, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Joshua A. Carlisle, to be Lieutenant Colonel.

Army nomination of William C. Moorhouse, to be Lieutenant Colonel.

Army nomination of Gregg T. Olsow, to be Lieutenant Colonel.

Army nomination of Roger S. Giraud, to be Colonel.

Army nomination of Steven M. Wilke, to be Colonel.

Navy nomination of Kenneth C. Collins II, to be Captain.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(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 Ms. MURKOWSKI (for herself and Ms. CANTWELL) (by request):

S. 2360. A bill to improve the administration of certain programs in the insular areas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. NELSON, Ms. AYOTTE, and Ms. CANTWELL):

S. 2361. A bill to enhance airport security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON:

S. 2362. A bill to amend the Immigration and Nationality Act to provide enhanced security measures for the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Ms. AYOTTE):

S.J. Res. 27. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes; to the Committee on Agriculture, Nutrition, and Forestry.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. CAPITO):

S. Res. 329. A resolution expressing the sense of the Senate regarding an agreement reached at the United Nations Climate Change Conference held in Paris in December 2015; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. CARDIN, Mr. KAINE, and Mr. PERDUE):

S. Res. 330. A resolution congratulating the Tunisian National Dialogue Quartet for winning the 2015 Nobel Peace Prize; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 330

At the request of Mr. HELLER, the name of the Senator from New Jersey

(Mr. BOOKER) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 569

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 574

At the request of Mr. SCOTT, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 624

At the request of Mr. BROWN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive co-insurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 885

At the request of Ms. WARREN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 979

At the request of Mr. COTTON, his name was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1152

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1152, a bill to make permanent the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2002

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2002, a bill to strengthen our mental health system and improve public safety.

S. 2075

At the request of Mr. BROWN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2075, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage and to express the sense of the Senate that the resulting revenue loss should be offset.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Maine (Mr. KING), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2196

At the request of Mr. CASEY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT) and the Senator from

Ohio (Mr. BROWN) were added as cosponsors of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2292

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2344

At the request of Mr. COTTON, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2357

At the request of Mr. WHITEHOUSE, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2357, a bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. CON. RES. 25

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution expressing the sense of Congress that the President should submit the Paris climate change agreement to the Senate for its advice and consent.

S. RES. 113

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 113, a resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend the issuance of, and the

United States Postal Service should issue, a commemorative stamp in honor of the holiday of Diwali.

S. RES. 189

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 189, a resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia.

S. RES. 199

At the request of Mr. THUNE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 326

At the request of Mr. JOHNSON, the names of the Senator from Utah (Mr. HATCH), the Senator from Florida (Mr. RUBIO) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. Res. 326, a resolution celebrating the 135th anniversary of diplomatic relations between the United States and Romania.

S. RES. 327

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 327, a resolution condemning violence that targets healthcare for women.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself and Ms. CANTWELL) (by request):

S. 2360. A bill to improve the administration of certain programs in the insular areas, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise with Senator CANTWELL of Washington State to introduce the Omnibus Territories Act of 2015, which relates to the U.S. territory of American Samoa, as well as the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau—collectively known as the Freely Associated States. Sections 2 and 3 of the legislation are introduced at the request of the administration and section 4 at the request of the governments of the three Freely Associated States.

Section 2 would permit the use of resettlement and relocation funds provided to the people of Bikini Atoll to be used within or outside of the Republic of the Marshall Islands. As a result of nuclear weapons testing by the United States in the northern islands and atolls of the Marshall Islands, Congress, through Public Law 97-257 in 1982, provided the people of Bikini Atoll a relocation and resettlement trust fund to be used by the people of Bikini to resettle from their traditional homeland of Bikini Atoll to other islands within the Marshall Islands. Currently, most members of the

community live on the islands of Kili and Ejit. Today, however, the people on these islands have limited living space, lack suitable sustainable resources to provide water and food for their population, and they are exposed to tidal flooding on an increasingly frequent basis. Under current Federal law, citizens of the Freely Associated States, including the people of Bikini, are able to enter into, reside, work, and study in the United States as nonimmigrants without visas. This section would allow the people of Bikini to use the resettlement and relocation trust funds for relocation and resettlement outside of the Marshall Islands, whether in the United States or elsewhere, if they so choose.

Section 3 seeks to improve air service capabilities in American Samoa. There are currently no U.S. airlines that provide flight service within American Samoa between the islands of Tutuila and Manu'a. The U.S. Department of Transportation has granted a foreign air carrier emergency service capability to provide this service, but that designation must be renewed every thirty days under statutory requirement. This section would amend current statute to allow for a foreign carrier to operate between the islands of Tutuila and Manu'a without the need for an emergency service capability designation.

Section 4 would amend the REAL ID Act of 2005, Public Law 109-13, to allow citizens of the Freely Associated States to document their lawful resident status in the United States in conformance with the Compacts of Free Association between the United States and each of these three nations. Section 141 of the Compact of Free Association Amendments Act of 2003, Public Law 108-188, and the law that implemented the Compact of Free Association with Palau, Public Law 101-219, permits citizens of the FAS to enter into the United States to lawfully engage in occupations and establish residence as nonimmigrants. However, the REAL ID Act of 2005 did not provide a means for FAS citizens to document their lawful status in the United States. As a consequence, FAS citizens are denied anything more than a temporary ID valid only for one year, resulting in practical difficulties in their ability to maintain employment and engage in other lawful activities where they reside. Giving FAS citizens the ability to document their lawful status and obtain a State-issued driver's license or identification card would facilitate employment and provide more stability and certainty as they engage in lawful activity as legal residents in the United States.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 329—EX-PRESSING THE SENSE OF THE SENATE REGARDING AN AGREEMENT REACHED AT THE UNITED NATIONS CLIMATE CHANGE CONFERENCE HELD IN PARIS IN DECEMBER 2015

Mr. INHOFE (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 329

Whereas on May 9, 1992, the Senate gave the advice and consent of the Senate regarding the United Nations Framework Convention on Climate Change, with annexes, done at New York May 9, 1992, and entered into force March 21, 1994 (referred to in this preamble as the "Convention"), a treaty that was intended to address the global emissions of greenhouse gases;

Whereas the Convention was ratified under the express limitation "that a decision by the Conference of the Parties to adopt targets and timetables would have to be submitted to the Senate for its advice and consent.";

Whereas after the Convention entered into force, parties began negotiating a subsidiary agreement to contain binding greenhouse gas emissions reductions, which resulted in the Kyoto Protocol to the United Nations Framework Convention on Climate Change, done at Kyoto on December 10, 1997;

Whereas the United States is not a party to the Kyoto Protocol;

Whereas the Clinton Administration did not submit the Kyoto Protocol to the Senate for the advice and consent of the Senate;

Whereas on July 25, 1997, the Senate agreed to S. Res. 98 of the 105th Congress by a vote of 95 to 0; and

Whereas the parties to the Convention operating under the Durban Platform for Enhanced Action will convene in Paris in December 2015 to replace the Kyoto Protocol with "a protocol, another legal instrument or an agreed outcome with legal force" aimed at limiting greenhouse gas emissions: Now, therefore, be it

*Resolved*, That—

(1) it is the sense of the Senate that any protocol, amendment, extension, or other agreement relating to the United Nations Framework Convention on Climate Change, with annexes, done at New York May 9, 1992, and entered into force March 21, 1994, shall have no force or effect in the United States and no funds shall be authorized in support of that protocol, amendment, extension, or other agreement, including for the Green Climate Fund, until that protocol, amendment, extension, or other agreement has been submitted to Senate for advice and consent, if that protocol, amendment, extension, or other agreement—

(A) fulfills mitigation commitments through existing and future regulations that would put our national industries at a disadvantage compared to the industries of developing countries;

(B) includes a financial commitment that will not go into effect without subsequent congressional legislation or authorization;

(C) represents an agreement to be overseen by an international administrative entity covering a wide range of topics, including mitigation, adaptation, finance, technology transfer, capacity building, transparency, implementation, and compliance; or

(D) establishes a mechanism to assess contributions or commitments for future compliance; and

(2) the Senate directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the President.

SENATE RESOLUTION 330—CONGRATULATING THE TUNISIAN NATIONAL DIALOGUE QUARTET FOR WINNING THE 2015 NOBEL PEACE PRIZE

Mr. COONS (for himself, Mr. CARDIN, Mr. KAINE, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 330

Whereas on October 10, 2015, the Norwegian Nobel Committee (referred to in this Resolution as "the Committee") awarded the Tunisian National Dialogue Quartet (referred to in this Resolution as "the Quartet") the 2015 Nobel Peace Prize for its work in building on the promise of the 2011 Jasmine Revolution and preventing Tunisia's democratic transition from descending into violence in 2013;

Whereas the Jasmine Revolution in January 2011 was the spark that led to the Arab Spring protests across the Middle East and North Africa, ultimately leading to the departure of President Zine El Abidine Ben Ali and the end of his authoritarian rule;

Whereas the Quartet is a coalition of 4 civil society organizations: The Tunisian General Labor Union; The Tunisian Confederation of Industry, Trade, and Handicrafts; The Tunisian Human Rights League; and The Tunisian Order of Lawyers;

Whereas the Quartet offered a path away from violence, political assassinations, and civil unrest by promoting mediation and a peaceful political process led by civil society actors committed to the rule of law and human rights;

Whereas an elected National Constituent Assembly adopted a new, progressive constitution in early 2014, and Tunisia held peaceful and fair elections in late 2014, formally ending a series of transitional governments;

Whereas in response to the March 18, 2015 terrorist attack on the Bardo National Museum that killed 21 people, Tunisian citizens and political leaders have reaffirmed their commitment to dialogue, pluralism, and democracy;

Whereas a terrorist attack on July 26, 2015 on a beach in the town of Sousse, left 38 people, including 30 British nationals, dead, and dealt a blow to tourism in Tunisia, an important industry upon which the Tunisian economy depends;

Whereas President Barack Obama stated on October 9, 2015, "With the Quartet's support, Tunisians voted in free elections, forged a new constitution that upholds human rights and equality for all people, including women and minorities, and formed a national unity government, including secular and Islamist parties, showing that democracy and Islam can indeed thrive together.";

Whereas Secretary of State John Kerry stated on October 9, 2015, "The Tunisian model of inclusivity and respecting fundamental freedoms of all its citizens is the best answer to the violence and extremist ideologies that have torn apart other countries in the region";

Whereas Tunisian President Beji Caid Essebsi stated on October 9, 2015, that the Nobel Peace Prize signified "a tribute not only to the Quartet and its organizations but

is also a crowning of the principle of consensual solutions adopted by Tunisia”;

Whereas the Norwegian Nobel Committee stated on October 10, 2015, “The broad-based national dialogue that the Quartet succeeded in establishing countered the spread of violence in Tunisia . . . the prize is intended as an encouragement to the Tunisian people, who despite major challenges have laid the groundwork for a national fraternity which the Committee hopes will serve as an example to be followed by other countries”;

Whereas Tunisia continues to face serious threats to its security from violent extremist groups operating within Tunisia as well as in neighboring countries;

Whereas a terrorist attack on November 24, 2015 on Tunisia’s Presidential Guard killed 12 people and represents another effort to undermine democracy and stability in Tunisia;

Whereas Tunisia faces economic challenges, including high inflation and high unemployment, especially among young Tunisians;

Whereas the United States is committed to continuing a strong economic partnership with Tunisia as it undertakes reforms to transform its economy to meet the aspirations of all of its citizens;

Whereas the United States and Tunisia have enjoyed friendly relations for more than 200 years;

Whereas in accordance with the United States-Tunisia Strategic Partnership, both countries are dedicated to working together to promote economic development and business opportunities in Tunisia, education for the advancement of long-term development in Tunisia, and increased security cooperation to address common threats in Tunisia and across the region;

Whereas in July 2015, President Obama designated Tunisia a Major Non-NATO Ally;

Whereas Tunisia is a member of the Global Coalition to Counter the Islamic State of Iraq and the Levant (ISIL);

Whereas at the second United States-Tunisia Strategic Dialogue in November 2015, Secretary Kerry reaffirmed the historic friendship and growing strategic partnership between the United States and Tunisia and praised the role of civil society organizations in Tunisia’s democratic transition;

Whereas the United States Government allocated approximately \$580,000,000 in foreign assistance during fiscal years 2011 through 2014, which is 10 ten times the bilateral assistance appropriated for Tunisia during the previous 4 fiscal years;

Whereas the President’s Budget Request for fiscal year 2016 included a substantial increase in bilateral assistance to support Tunisia’s democratic transition;

Whereas it is in America’s interest to see that a pluralist democracy and a vibrant economy develop in Tunisia;

Whereas the United States should provide a level of funding to strongly assist and reinforce Tunisia’s transition to democracy, stability, and prosperity;

Now, therefore, be it  
*Resolved*, That the Senate—

(1) congratulates the Tunisian National Dialogue Quartet on winning the 2015 Nobel Peace Prize;

(2) commends the leaders of The Tunisian General Labor Union; The Tunisian Confederation of Industry, Trade, and Handicrafts; The Tunisian Human Rights League; and The Tunisian Order of Lawyers for negotiating solutions to political crises;

(3) commends Tunisian political leaders for their willingness to compromise and work together in the interest of the Tunisian people;

(4) encourages the Government of Tunisia to build upon its successes and move swiftly

to implement necessary political and economic reforms that will benefit the Tunisian people and consolidate Tunisia’s democratic transition; and

(5) reaffirms the commitment of the United States to support the Government of Tunisia and its people as they continue on the path to democracy and fulfill their desire for a stable and prosperous country.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2920. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2393, to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2920.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2393, to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. \_\_\_\_ . REPEAL OF DUPLICATIVE MANDATORY INSPECTION PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CORKER. Mr. President, I ask unanimous consent that following disposition of the McDonough nomination, the Senate proceed to the consideration of the following nominations: Calendar Nos. 373 and 374; that the Senate vote on the nominations en bloc without intervening action or debate; that following the disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session.

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

#### ORDERS FOR TUESDAY, DECEMBER 8, 2015

Mr. CORKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it ad-

journal until 10 a.m., Tuesday, December 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the conference report to accompany S. 1177; finally, that notwithstanding rule XXII, the cloture vote with respect to the conference report to accompany S. 1177 occur at 11:30 a.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. CORKER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned after the resumption of legislative session, following the disposition of the Etim nomination.

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

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate.

Mr. LEAHY. Mr. President, today we will vote on the nomination of Travis McDonough to be a Federal district judge in the Eastern District of Tennessee. He was nominated over a year ago, and his nomination was voted out of the Judiciary Committee by unanimous voice vote nearly 5 months ago. Despite having the support of his home State Republican Senators, Mr. McDonough’s nomination has nevertheless been held up by Republican leadership for no good reason.

I will further note that, while Mr. McDonough's vote is long overdue, Republican leadership has skipped over Judge Luis Felipe Restrepo—who is ahead of Mr. McDonough on the Executive Calendar. I recall Republican leadership promising regular order when they took over the majority, so they should explain how skipping over a consensus and eminently qualified nominee with bipartisan support is following regular order.

Judge Restrepo was nominated to a judicial emergency vacancy in the third circuit over a year ago. If confirmed, he would be the first ever Hispanic judge from Pennsylvania on the third circuit. Judge Restrepo has the strong support of the Hispanic National Bar Association and has bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY. Senator TOOMEY has said not only that he strongly supports Judge Restrepo's confirmation, but that he also recommended him to the President. I cannot explain why Senate Republicans are not allowing Judge Restrepo to be confirmed today.

As we approach the end of the year, the Senate Republican majority is coming closer and closer to matching the record for confirming the fewest number of judicial nominees in more than half a century. While most Senators I have served with over the last 40 years would shudder at this fact, the current Republican leadership seems content to accomplish as little as possible when it comes to confirming nominees to our third branch of government.

In the 11 months that Republicans have controlled the Senate, only 11 judges will have received a confirmation vote, including today. When Senate Democrats were in the majority during the seventh year of the Bush Presidency, we had already confirmed 36 judges by this point. We should take action right now and hold confirmation votes on the 19 other judicial nominees pending on the floor. Confirming the remaining 19 nominees would fulfill a basic duty of the Senate and would result in a total of 30 judicial nominees confirmed this year. That number is still short of the 36 nominees that Senate Democrats confirmed at the same point of the George W. Bush administration, but it would mark a significant effort by this Senate to reduce vacancies. There is no reason not to do this. All 19 of the nominees were voted out of the Judiciary Committee by voice vote, but Republicans still refuse to bring them up for a vote.

This obstruction has resulted in needless delays for hard-working Americans who seek justice in our Federal courts. Currently pending on the Senate floor are nominees who would fill judicial emergency vacancies in Pennsylvania, Tennessee, Minnesota, New Jersey, Iowa, New York, and California. Senate Republicans have not responded to the urgent needs of those States to the detriment of their own constituents.

Throughout his tenure, President Obama has worked with Senators to have the Federal judiciary better reflect the people they serve. Today there are more women and minorities than ever before on the Federal bench. This is an accomplishment that helps ensure the public's confidence in their court system. Unfortunately, that meaningful progress has slowed down under the Senate's Republican control. Today, several nominees of color with outstanding qualifications are being held up for no good reason, including Judge Luis Felipe Restrepo.

Senate Republicans are also holding up four exceptional African-American district court nominees and an exceptional Hispanic district court nominee. Two of the African-American nominees—Waverly Crenshaw and Edward Stanton—have been nominated to district court positions in Tennessee. Both have the support of their home State Republican Senators and were unanimously approved by the Judiciary Committee by voice vote; yet they continue to wait for the majority leader to schedule their votes. The three other nominees of color being held up—Wilhelmina Wright to the District of Minnesota, and John Vazquez and Julien Neals to the District of New Jersey—are all nominated to judicial emergency vacancies. They also all have the support of their home State Senators and were voted out of the Judiciary Committee by voice vote.

In addition to the article III nominees, five nominees to the U.S. Court of Federal Claims, who were all nominated more than a year ago, continue to be held up by a single Republican Senator—the junior Senator of Arkansas. The Court of Federal Claims has been referred to as “the People's Court” because it allows citizens to seek prompt justice against our government. Of the five nominees, one is a Cuban American who has devoted his entire career to public service at the U.S. Department of Justice; another is an African-American woman who spent over two decades serving as a judge advocate general and as a military judge. All five were voted out of the Judiciary Committee by unanimous voice vote, but Senator COTTON continues to object to any of them receiving an up-or-down vote. He claims to have concerns with the caseload, but a recent letter from the chief judge of the Court of Federal Claims to the Judiciary Committee has indicated that only one of the nine senior judges is willing to be recalled for full-time duty, and the other three would only agree to be recalled on a limited basis. Moreover, the court's overall caseload has increased 9 percent over the last year. There are no good reasons for Senator COTTON to continue blocking these nominees. They deserve to have their confirmation votes scheduled. Senators can vote for or against them, but they should not be denied a simple up-or-down vote.

In a letter dated December 2, 2015, from the American Bar Association to

Majority Leader MCCONNELL, the president of the ABA states that “our courts are unfortunately worse off today than they were at the start of this Congress.” The letter urges the majority leader to schedule votes on the confirmation of all the article III judicial nominees currently pending on the Executive Calendar. I ask unanimous consent that a copy of this letter be printed in the RECORD at the conclusion of my remarks.

The process of confirming judges is about ensuring that the American people have a fully functioning judiciary. Because of Republican obstruction, judicial vacancies have increased by more than 50 percent since they took over the majority, and caseloads are piling up in courts throughout the country. Judicial emergencies have more than doubled since the beginning of this year.

I am concerned that the Republican leadership's refusal to confirm judicial nominations this year is undermining the judicial branch and harming the American people who seek justice. I urge Senate Republicans to conclude this year by showing leadership and by scheduling confirmation votes on the remaining judicial nominees pending on the Executive Calendar.

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

AMERICAN BAR ASSOCIATION,  
*Chicago, IL, December 2, 2015.*

Hon. MITCH MCCONNELL,  
*Senate Majority Leader, Capitol Building, Washington, DC.*

Hon. HARRY REID,  
*Senate Democratic Leader, Capitol Building, Washington, DC.*

DEAR MAJORITY LEADER MCCONNELL AND DEMOCRATIC LEADER REID: On behalf of the American Bar Association, I write to urge you to schedule votes on the confirmation of 15 nominees pending on the Senate floor before the Senate recesses for the year. Seven of the pending nominees have the backing of their Republican home-state senators and all 15 have been reported out of the Senate Judiciary Committee by unanimous voice votes. Most importantly, if confirmed, nine of the pending nominees would fill vacancies that have been declared judicial emergencies by the Administrative Office of the U.S. Courts. Courts with emergency vacancies have too few judges to handle their workload effectively and deliver timely justice.

Regardless of how one views confirmation data comparisons among recent presidents or the fact that the vacancy rate has not reached crisis proportion, our courts are unfortunately worse off today than they were at the start of this Congress. There are 22 more vacancies (with three more in the pipeline this month) and more than twice the number of judicial emergencies today than there were this past January. In some of our courts with judicial emergencies, litigants have to put their businesses or private lives on hold indefinitely while waiting for their day in court. This is unnecessary and unfair.

Action on the 15 pending nominees has proceeded slowly to date. Most of them received their nominations over 200 days ago and had to wait over 4 months to be voted out of committee without objection.

Even though we appreciate the Senate's full agenda and the short amount of time remaining in the session, we urge you to give

every pending nominee a floor vote before you leave for your recess. Absent legitimate concerns over a nominee's qualifications, we believe that this can best be accomplished over the next few weeks by voting on multiple nominees at a time.

We know from the daily experience of our more than 400,000 members that vacancies must be filled promptly so that courts have the resources to deliver timely, impartial justice. By putting politics aside, an opportunity is provided for the Senate to use its time in the next two weeks to afford considerable relief to the federal courts.

Thank you for the opportunity to present the views of the American Bar Association.

Sincerely,

PAULETTE BROWN,  
*President.*

The PRESIDING OFFICER. The Senator from Oregon.

EMBRACING ALL RELIGIONS

Mr. MERKLEY. Mr. President, earlier today Donald Trump called for the United States to ban all Muslims from entering our Nation. This is the single worst idea I have heard from any Presidential candidate, ever. It is inconsistent with our American values. It is inconsistent with our national history.

The Nation has looked back on events in our past—for example, the Chinese Exclusion Act or the internment of Japanese American citizens—and realized it was a huge mistake to make one significant group our enemy. It is inconsistent with the vision of our Constitution, in which all came to the United States seeking to escape persecution and to be able to practice whichever religion they chose. The Founders of the United States did not seek to make our Nation one in which only a single religion could be practiced. They did not seek to establish one religion as a preeminent religion. They instead wanted a safe haven where people could worship as they pleased, which is the heart of our First Amendment.

This idea is wrong and wrongheaded. It is wrong in the context that we are not at war with Islam. In fact, we are working in partnership with Islamic nations to take on a terrorist group known as ISIS. It is wrong in that all patriotic Americans of every religion are working together to take on this terrorist group known as ISIS. In addition to being wrong, it is wrongheaded in that making Islam the enemy is playing straight out of ISIS's playbook, which wants to create a war between America and Islam. In that sense, this type of irresponsible statement endangers our national security rather than strengthens it.

So let others stand up and embrace our citizens of every religion and recognize the partnership we are in together to take on terrorist forces, that we are working in partnership with a variety of nations that have a whole variety of religions, including Islam, to take on the terrorist force known as ISIS.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in a few minutes we will be voting on the

President's nominee to fill a vacancy in the Eastern District of Tennessee. Mr. McDonough is well known to me and is well known to my colleague, Senator CORKER.

Mr. McDonough received his undergraduate degree from Sewanee before going on to law school at Vanderbilt. He was a member of a prominent Chattanooga law firm, Miller & Martin. He was chief of staff to Chattanooga's mayor. He is a well-qualified man. We are fortunate that he is willing to serve, and we are fortunate the President nominated him. I urge my colleagues to vote for him.

I yield the floor.

Mr. President, I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the McDonough nomination?

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 332 Ex.]

YEAS—89

Alexander	Ernst	Merkley
Ayotte	Feinstein	Mikulski
Baldwin	Fischer	Murkowski
Barrasso	Flake	Murphy
Bennet	Franken	Murray
Blumenthal	Gardner	Nelson
Booker	Gillibrand	Paul
Boozman	Grassley	Perdue
Boxer	Hatch	Peters
Brown	Heinrich	Portman
Burr	Heitkamp	Reed
Cantwell	Heller	Reid
Capito	Hirono	Risch
Cardin	Hoeven	Rounds
Carper	Inhofe	Sasse
Casey	Johnson	Schatz
Cassidy	Kaine	Schumer
Cochran	King	Scott
Collins	Klobuchar	Sessions
Coons	Lankford	Shaheen
Corker	Leahy	Shelby
Cornyn	Lee	Stabenow
Cotton	Manchin	Sullivan
Crapo	Markey	Tester
Daines	McCain	Thune
Donnelly	McCaskill	Tillis
Durbin	McConnell	Udall
Enzi	Menendez	

Vitter	Warren	Wicker
Warner	Whitehouse	Wyden

NOT VOTING—11

Blunt	Isakson	Rubio
Coats	Kirk	Sanders
Cruz	Moran	Toomey
Graham	Roberts	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations, which the clerk will report.

The legislative clerk read the nominations of Kenneth Damian Ward, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons; and Linda I. Etim, of Wisconsin, to be an Assistant Administrator of the United States Agency for International Development.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Ward and Etim nominations en bloc?

The nominations were confirmed en bloc.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:05 p.m., adjourned until Tuesday, December 8, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

CHARLOTTE P. KESSLER, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018. (REAPPOINTMENT)  
ESPERANZA EMILY SPALDING, OF OREGON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2020, VICE LEE GREENWOOD, TERM EXPIRED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARCELA ESCOBARI, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE MARK FEIERSTEIN, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 7, 2015:

THE JUDICIARY

TRAVIS RANDALL MCDONOUGH, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.

DEPARTMENT OF STATE

KENNETH DAMIAN WARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE

RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

LINDA I. ETIM, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.