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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by the Most Reverend Paul J. Swain, bishop of the Sioux Falls Catholic Diocese, Sioux Falls, SD.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, we thank You for the many blessings You have bestowed upon us and our country, especially those of personal freedom and self-government. Continue to watch over and guide Members of this Senate and all who serve in public office, a high calling with grave responsibilities that affect the lives of so many. May they seek the common good with civility and charity, assuring that these blessings are secured for future generations.

Protect those who defend these blessings around the world and reassure their families who worry about them. Be with those who are suffering this day in any way, especially from forces imposed upon them, including persecution and violence. As each of us seeks to do what is right and just, may we do so by looking out for those around us and looking up for inspiration and guidance.

May You continue to bless this land of the free and home of the brave which, thanks to those who have gone before, is also a magnificent beacon of hope.

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.

The PRESIDING OFFICER (Mr. ROUNDS). The senior Senator from South Dakota.

Mr. THUNE. I thank the Presiding Officer.

WELCOMING THE GUEST CHAPLAIN

Mr. THUNE. Mr. President, I rise to welcome Bishop Swain to the U.S. Senate. On behalf of myself, my colleague from South Dakota who is currently presiding over the Senate, and thousands of grateful believers in South Dakota, I thank Bishop Swain for his service to our Lord and to our communities of faith.

Bishop Swain was sworn in as the eighth bishop of the Catholic Diocese of Sioux Falls in late 2006, but his journey of faith and service to his country began far before that. Paul Joseph Swain was born in Newark, NY, and is one of eight children.

After graduating from Northern Ohio University with a degree in history and earning his master's at the University of Wisconsin, Bishop Swain joined the Air Force as an intelligence officer. He served our Nation in the Vietnam war, where he earned a Bronze Star.

Bishop Swain should feel right at home on the floor of the U.S. Senate because after serving in Vietnam, he tried his hand in politics. He completed his law degree and went on to work on the campaign and in the administration of Gov. Lee Sherman Dreyfus, who served as the Governor of Wisconsin until 1983.

After a short stint in politics, Bishop Swain answered a much higher calling. He was received into the Catholic Church, graduated divinity school in 1988, and entered the priesthood. Years of dedicated pastoral work ensued in the Diocese of Madison, WI, and a decade ago we were truly blessed when Pope Benedict named him bishop of Sioux Falls.

On the day of his ordination, Archbishop Flynn gave the homily at high

mass. He noticed that as successors to the apostles, the service of bishops is to spread the word of God and promote the sanctity of their flock. Bishop Swain has never forgotten that counsel. He understands that the church has a role to play in the public square, particularly on moral issues. He never shies away from the challenges facing the poor and disenfranchised, and he never hesitates to stand for values that protect life and family. He is a pillar of our community and a spiritual leader to over 100,000 Catholics in East River, SD.

Bishop Swain's episcopal motto is to "Give praise to the Lord." Today we are giving praise for Bishop Swain's unwavering devotion to the word of the Lord and to the service of His people.

I thank the bishop for joining us today.

Mr. President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 2666

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

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2666) to prohibit the Federal Communications Commission from regulating the rates charged for broadband Internet access service.

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.

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



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S2351

ENERGY POLICY MODERNIZATION BILL

Mr. McCONNELL. Mr. President, this week we have seen what can be accomplished on behalf of the American people with a Senate that is back to work under the Republican majority.

We just passed two broad bipartisan bills aimed at protecting consumers and modernizing our energy policies, respectively, and both bills take important steps to bolster national security as well.

The passage of the Energy Policy Modernization Act yesterday marks the first broad energy legislation to move through the Senate since the Bush administration. In the years since that time, our country “has gone from fearing oil and gas shortages to becoming the leading producer of both fuels” as one paper put it.

It is clear this energy legislation is much needed when it comes to bringing our aging infrastructure and policies in line with current and future demands.

I thank the Energy Committee chair, Senator MURKOWSKI, and the ranking member, Senator CANTWELL, for working to advance this legislation. It is important for our country. It will help Americans save more energy, produce more energy, and pay less for energy. To paraphrase Senator MURKOWSKI, it is another example of how the Senate is back to work.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. McCONNELL. Mr. President, let us continue that work today. The Republican-led Senate has made important strides to get the legislative process functioning again. We know the impact that can have on restoring the appropriations process. We also know cooperation is going to be important as we move forward.

It was good to see our Democratic colleagues yesterday, recently pledging cooperation in the appropriations process, writing that this “is a win-win opportunity, and we should seize it together.”

I have been pleased to see the headway that has already been made by the Appropriations Committee. The committee has held dozens of hearings so far and, later this morning, members will mark up 2 more of the 12 funding bills, adding to the two the committee has already reported out unanimously. We will continue floor consideration of one of those unanimously endorsed measures today: the energy security and water infrastructure funding bill.

The legislation before us includes provisions that impact each of our States. It will support our waterway infrastructure, boost energy innovation, and promote American competitiveness. It will strengthen national security and support our nuclear security program. It will also reduce wasteful spending.

I appreciate the leadership of Senators ALEXANDER and FEINSTEIN on this

bill and recognize the hard work and research that have gone into it. I also appreciate the Appropriations chairman, Senator COCHRAN, for working with Senator MIKULSKI to move these appropriations bills through committee and to the floor. This is a responsible bipartisan bill. It invests in the future of American energy and waterways. It will keep our country safe. So let's continue working today to advance it.

APPALACHIAN REGIONAL COMMISSION

Mr. McCONNELL. Mr. President, on one final matter, I want to take a minute to say something about an amendment yesterday that would have defunded regional commissions such as the Appalachian Regional Commission, or ARC.

While I did not support that effort, it did raise some important questions about the direction of ARC. I have been a long supporter of the Appalachian Regional Commission, the only government agency whose main purpose is to help poor and disadvantaged communities in the Appalachian region. However, I am deeply concerned that after 50 years, ARC's focus has become clouded.

For instance, ARC's internal guidelines cap at 30 percent the amount of area development funds that can be used in the most impoverished areas of Appalachia. It seems utterly illogical to me that at a government agency, whose mission should be to alleviate poverty, 70 percent of the funds go to counties that are not among the poorest.

What does ARC stand for if not to help the poorest areas of Appalachia? Is ARC a specialized agency with a coherent mission or is it just another Federal bureaucracy that simply allocates funds among 13 selected States regardless of the need?

I hope the vote last night will serve as a wake-up call for management at the ARC—a wake-up call that it is time for the agency to reform itself and focus on the counties that most need assistance.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF JESSICA ROSENWORCEL

Mr. REID. Mr. President, it is difficult for me to be here to talk about what I am going to talk about because I believe that the Senate operates only when there is trust among the Members of this body.

A man whom I served with whom I have such great respect for, and that is former Republican Majority Leader Bob Dole, said:

I knew that nothing else I did would matter very much if I ever forfeited the trust of my colleagues. As we all learn around here, if you don't keep your word, it doesn't make much difference what agenda you try to advance.

The trust which Senator Dole spoke of has been broken. The Republican leader McCONNELL broke his word to me.

In December of 2014, the Republican leader and the Senator from South Dakota, Mr. THUNE, came to me on the floor, asking if I would agree to confirming a Republican Commissioner to the Federal Communications Commission. That man's name is Michael O'Rielly, and he had worked for Jon Kyl and JOHN CORNYN. Of course, CORNYN is still here and Kyl left. I have great respect for Jon Kyl, being from my neighboring State of Arizona.

So I said that this is kind of an unusual request, since everyone knows that two leaders, when we have a Commission we are going to staff with our selections, he and I have a right to do that, and we always pair them—a Democrat, a Republican, and a Democrat and a Republican. We pair them together.

So I said to my friend from South Dakota and my friend from Kentucky that doesn't sound like the right thing to do for me, but they talked a while longer, and my heart said do it, my head said don't. My heart won, and I relented, after having made an arrangement, an agreement with them that we would go ahead and do O'Rielly right then; that I would agree to do that provided that when the new Congress convened in less than a month, we would take care of the Democrat. Her name is Jessica Rosenworcel. That was our agreement. That is how we would pair one Republican with a Democrat, as is our custom.

But—and I repeat—I said: I agree, we will go ahead and do him now. He didn't have a job, so I was told, and so he could do that. They promised me they would confirm Rosenworcel the next Congress. I wasn't there alone. I had my staff with me. So it is not me saying one thing. I don't think anyone denies the conversation. I didn't have to agree to this. I did it because the Republican leader said he would do his part and get her confirmed.

I am sorry to report to the world, to the Senate, I was wrong. Over the last 16 months, the Republican leader has refused to fulfill his commitment. He hasn't kept his word. Republicans assumed control of the Senate in January 2015. I waited patiently for the Republican leader and Senator THUNE to keep their word regarding Rosenworcel's nomination.

To his credit—JOHN THUNE and I have served here a long time. I know him well. I worked against him once and was successful. I worked against him a second time and wasn't successful. He beat my dear friend Tom Daschle, but he is a fine man. He and I used the gym together in the House. To his credit,