United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, WEDNESDAY, JANUARY 7, 2015 No. 2

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. THOMPSON of Pennsylvania).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 7, 2015.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

POLICY CHANGES TOWARD CUBA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to strongly oppose the December 17 announcement by President Obama on policy changes toward the Cuban Communist regime. The Cuban regime from day one was planning on using Alan Gross as a pawn to receive concessions from the Obama administration, and their strategy worked.

In April 2013, when asked about a possible swap for Mr. Gross, Secretary Kerry testified before Congress that ''We have refused to do that because there is no equivalency. Alan Gross is wrongly imprisoned, and we are not going to trade as if it is a spy for a spy.'' That turned out to not be true.

President Obama unilaterally pardoned three convicted Cuban spies. These spies were responsible for the deaths of three American citizens and one U.S. resident, Carlos Costa, Armando Alejandre, Mario de la Pena, and Pablo Morales, whose Brothers to the Rescue planes were unjustly shot down over international air space on direct orders of the Castro brothers.

To make matters worse, we learned that the U.S. Government used resources to facilitate the artificial insemination of one of the wives of the Cuban spies. Good grief. So the White House ignores the fact that these innocent U.S. pilots were not able to have their own families, but rewards one of the persons responsible for their deaths.

Not only did the dictatorship achieve the return of five convicted spies, it was also able to attain major concessions from our President in order to support Cuba's struggling economy.

Cuba's largest supporters, Russia and Venezuela, are struggling due to their own fiscal crises, so the Castro brothers needed a bailout from a new source; and, sadly, they found one with President Obama.

By increasing tourism travel on the island, the Obama administration will be injecting millions of dollars into the pockets of the Castro brothers. The Cuban police state runs the hotels.

Let's examine the President's announcement very closely. First, the President claims that these new policy changes will empower the Cuban people. Well, the pro-democracy advocates on the island have stated that the changes will help their oppressor, not the people of Cuba.

Second, the issue is not only impacting the people of Cuba, it also poses a greater threat to U.S. national security interests. Cuba is a designated state sponsor of terrorism and is an avowed enemy of the United States.

With these concessions by the administration, the Castro brothers will use some of their new economic stream to invest more funds into their espionage activities, activities that are aimed against our Nation. With the ability to garner more intelligence against the U.S., the Castro brothers are likely to hit the black market and sell this intelligence to the highest bidder. This is not a theory; it is a fact.

One example of this fact is the case of Ana Belen Montes. She was a convicted Cuban spy who worked for our U.S. Defense Intelligence Agency, collecting information for Castro so that it can be sold to our enemies.

Third, the human rights situation on the island has not changed one bit. The President says that he got Raul Castro to agree to the release of 53 political prisoners, prisoners who should never have been in jail in the first place, yet the White House will not release the names of these 53 political prisoners. Why not? What do they have to hide? Plus what good is it for the Castro brothers to release these 53 when he doesn't stop capturing and detaining other prisoners, which he will?

What has been happening in Cuba lately in these past few weeks? Well, according to reports, more than 80 Cubans have been detained. The Cuban coast guard sank a boat recently in international waters that was carrying over 30 people, causing the deaths of some of them on board. Hezbollah celebrated President Obama's announcement after a meeting with the Cuban Ambassador to Lebanon.

Mr. Speaker, this misguided policy of the President will have serious implications for the United States and sends a signal to our enemies that we will cave and we will surrender at every

turn. We in the Congress must do everything we can to prevent this disastrous policy from going into effect.

This is a bad deal for U.S. national security and for the Cuban opposition, and it is a sweetheart deal for the repressive Cuban regime.

INFRASTRUCTURE FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there is always a great deal of excitement surrounding a new Congress and a new year. One area that has been very encouraging is the focus on rebuilding and renewing America. That was where we left off in the last Congress, frustrated by an inability to produce a 6-year reauthorization, largely because of an inability for Congress to address meaningfully how it would be funded. This continues a struggle of almost two decades, as we have not increased the gas tax or developed a viable, sustainable, adequate alternative.

It is widely recognized that America is falling apart and falling behind. Our infrastructure, once the envy of the world, now has put us at a second-tier status, with America at risk of falling ever further behind.

The deplorable state of our infrastructure is actually costing Americans far more to endure the damage to their cars and the delays to their lives through congestion than simply funding an alternative and fixing it.

It is encouraging that the administration and people in both parties, in both Chambers, might be prepared to address the issue anew. There are some short-term stopgap solutions which would nowhere near solve the problem but nudge us in the right direction.

In the Senate there is bipartisan interest in and openness to a comprehensive solution including the gas tax. Senators BOB CORKER and his partner CHRIS MURPHY have been champions. Senator TOM CARPER continues his leadership and advocacy for the gas tax solution. Senator JOHN THUNE, a key Republican leader, has signaled his openness to the gas tax, which is the simplest, most logical, and most effective solution.

Even the problematic proposal to use dynamic scoring to evaluate budget proposals could make a difference for the prospect of solving this huge problem for America if it would be applied in the spirit of dynamic scoring.

The Standard & Poor's research report, ''U.S. Infrastructure Investment: A Chance to Reap More Than We Sow,'' pointed out the overwhelming economic impact in terms of jobs created, economic benefits that actually exceeded the direct amount invested, and long-term deficit reduction of $200 million for every $1.2 billion invested. This should be one of the easiest economic decisions we ever make.

In an era of low interest rates, gasoline prices falling dramatically, when there are still hundreds of thousands of people ready to go to work at family wage jobs rebuilding this country, the economic case has never been stronger.

By all means, let's evaluate all of the proposals. Let's expand the discussion. Let's look at the leadership of States around the country that are stepping up to do their part. State, local, and private investment all have a role to play, to be sure, but recognize that the 25 percent of infrastructure funding that comes from the Federal Government plays a critical role. Let this Congress give America a solution that is sustainable, not one that would put us back in the same fix in a year or two or even sooner.

Let's have a revenue source that is dedicated so that we can begin on longer-term projects that demand multimodal, multistate, multiyear solutions and that is large enough to give us a long overdue 6-year comprehensive reauthorization. Stable, dedicated, big enough to do the job—this is a test that the new Congress and administration should meet to revitalize our economy and rebuild and renew this great country.

At a time of dramatically falling oil and gas prices, when the public is suffering from Congress dithering on our transportation and other infrastructure needs, there will never be a better time to heed the advice of President Ronald Reagan 33 years ago in his Thanksgiving Day radio address to the country to raise the gas tax and put Americans to work fixing the problem that has only gotten worse. It was good advice then. It is good advice today.

MENTAL HEALTH REFORMS NEEDED

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Madam Speaker, sadly, each day we read sensationalized headlines that boggle the mind, but here is the rest of the story. In New York, headlines read a 30-year-old man has been charged with killing his father who founded a hedge fund because his allowance had been cut.

The rest of the story? He had been in a mental health decline for years. A friend told the press, clearly their son had serious mental illness. There were stories about strange things that he had been doing in the past few years, really erratic behavior. Another newspaper reports the man was off his medication.

In Florida, headlines read a 22-year-old man cut off his mother's head with an ax last week because of her nagging about daily chores.

The rest of the story? This man had been diagnosed with schizophrenia and had been involuntarily held under the State's civil commitment law but released. Despite his illness and past commitments, he was no longer in treatment because Florida, like most States, requires a person to be imminently homicidal or suicidal for treatment.

In Pennsylvania a former marine killed his ex-wife and five of her family members last month because of ''family issues.''

The rest of the story? The marine had been evaluated and cleared of having suicidal or homicidal tendencies by a Department of Veterans Affairs psychiatrist just days before, a decision we now see was wrong.

Each week there are half a dozen new reports that demand more than a sensationalized headline because the rest of the story tells the real story. Severe mental illness is a brain disease; it is not an attitude or a lifestyle choice. Psychosis, schizophrenia, and other serious mental illnesses involve disruption in typical brain functioning which translates into a very specific set of disturbing behaviors. This is not a condemnation of the mentally ill nor a criticism of those who have severe brain disorders.

Hallucinations, voices, visions, and paranoia lead to actions that aren't grounded in reasoned choices. For those who don't have a brain disease it is hard to understand, and it is unnerving to think about, but when we understand that behaviors are symptomatic of what is occurring in the brain, we can address them without judgment, just like other medical diseases and other lifesaving treatments.

The distorted reasoning why an individual acts out in a violent manner or takes the lives of innocent victims on a mass scale are complex and not as simple as a response to a mother's nagging. Sadly, in all cases I mentioned today, the families knew there was something wrong with their mentally ill loved one but they were ignored and frustrated or turned away by a broken system of State and Federal laws that create walls and barriers instead of access to care.

Parents know there is a problem, and even when they have the resources to get a child help, the family efforts are thwarted by this broken system, and they are not getting effective, evidence-based treatment. And communities rarely have the appropriate programs, resources, and doctors to deal with the most severe cases.

In the face of this growing crisis, we must approach serious mental illness as a medical emergency that engages a community and medical response to help people and families trapped in this system that is misguided, in denial, and disconnected.

We can change this tragic pattern, and that is why I will be reintroducing the Helping Families in Mental Health Crisis Act.

□ 1015

My legislation makes sure the most severely mentally ill have access to

treatment. It fixes the shortage of psychiatric beds. It clarifies and simplifies HIPAA privacy laws. It reforms Federal programs to focus on programs that research shows work, not feel-good fads. It helps patients who aren't able to understand their need for treatment get meaningful care.

We know that, for example, 50 percent of people with schizophrenia suffer from something called anosognosia—they are not even aware that they have problems—and this leads to noncompliance with treatment and helps to explain why 40 percent of Americans with serious mental illness don't get any treatment.

Anosognosia occurs most frequently when schizophrenia or a bipolar disorder affects portions of the frontal lobe, resulting in impaired executive function. The patients are neurologically unable to comprehend that their delusions or hallucinations are not real.

This is different than denial; this is a change in the wiring of the brain. We need to understand and respect that. The Helping Families in Mental Health Crisis Act also ensures there is accountability for how public health dollars are being spent.

We owe it to the 10 million Americans with a serious mental illness and the 5 million who are not with treatment to take meaningful action to fix the chaotic patchwork of programs and laws that make it impossible to get meaningful medical care until it is too late to do anything beyond mourning.

Each day, I receive countless letters and telephone calls from parents across the country who must courageously battle a broken system when trying to help a loved one in mental health crisis. I admire their courage, their compassion, and their passion. Let their struggles be our motivation to take action of our own now.

As I said, I will soon be reintroducing my Helping Families in Mental Health Crisis Act, and I welcome all Members interested in joining me in this quest to work together as we reintroduce this to make sure we get treatment before tragedy.

STATEHOOD FOR PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Madam Speaker, as the new Congress begins its work on behalf of the American people, I rise to address my colleagues about an issue of national importance, namely Puerto Rico's quest to discard its status as a U.S. territory and to become a U.S. State.

Puerto Rico has been a territory since 1898. If Puerto Rico does not desire to remain a territory, it can follow one of two paths. The territory can become a State or it can become a sovereign nation, either fully independent from the U.S. or with a compact of free association with the U.S. that either nation can terminate. If Puerto Rico becomes a nation, future generations of island residents would not be American citizens.

My constituents have made countless contributions to the United States in times of peace and war, serving in every military conflict since World War I. They fight today in Afghanistan and other dangerous locations in the same units as young men and women from States such as Florida, Texas, and New Mexico. Many of them have made the ultimate sacrifice in battle. When they do, their casket is flown back to this country draped in the American flag.

It takes a special kind of patriotism to fight for a nation that you love, but one that does not treat you equally. Although Puerto Rico is home to more American citizens than 21 States, my constituents cannot vote for President, are not represented in the Senate, and have one nonvoting delegate in the House. Moreover, territory status gives Congress license to treat Puerto Rico worse than the States, and Congress often uses that license.

Everyone, other than apologists for the status quo, comprehends that territory status is the root cause of the economic crisis in Puerto Rico. As a result of the structural problems this status has created, residents of Puerto Rico are relocating to the States in staggering numbers.

I know it breaks their hearts to leave behind the island they love, but most see no other option; yet through the clouds, a bright sun is emerging. The people of Puerto Rico have finally said, ''No more.'' They have come to the conclusion that they deserve a status that is both democratic and dignified.

They will no longer tolerate being second-class citizens. They do not want special treatment; rather, they demand equal treatment, nothing more but nothing less.

The will of the Puerto Rican people was expressed in a 2012 referendum sponsored by the Puerto Rico Government. There, a majority of my constituents expressed their opposition to territory status.

Statehood received more votes than territory status, and statehood received far more votes than independence or free association, proving that Puerto Rico has no desire to weaken the bonds forged with the United States over nearly 12 decades. In short, statehood is now the predominant force in Puerto Rico.

At my urging and in response to this landmark referendum, the Obama administration proposed and Congress approved an appropriation of $2.5 million to fund the first federally-sponsored vote in Puerto Rico's history with the stated goal of resolving the status issue.

I have proposed that the funding be used to hold a simple, federally sponsored yes-or-no vote on whether Puerto Rico should be admitted as a State, just as Alaska and Hawaii did. This approach would yield a definitive result that nobody could reasonably question, and it has broad congressional support, since a bill I introduced last Congress that embodies this approach had 131 cosponsors and led to the filing of an identical Senate companion bill.

All that remains is for the Governor of Puerto Rico to schedule the vote; yet a year has passed, and we have seen only inertia and indecision, all talk and no action.

For my part, I will continue to press for action both in San Juan and in Washington, D.C., using any strategy and technique that will advance the statehood cause.

Since none of my colleagues in this Chamber representing States would accept territory status for their constituents, I know they will understand that I will not accept it for my constituents either.

PENNSYLVANIA OFFICE OF RURAL HEALTH PRESENTS THE 2014 RURAL HEALTH AWARDS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize one individual and one organization from Pennsylvania's Fifth Congressional District that during the past year made substantial contributions to rural health in support of the communities our hospitals and caregivers serve each and every day.

The Pennsylvania Office of Rural Health, which is funded by the Federal Office of Rural Health Policy, the Pennsylvania Department of Health, and the Pennsylvania State University, is a public partnership designed to expand data-driven health care outcomes for rural communities.

Each year, the Pennsylvania Office of Rural Health's ''Rural Health Awards'' recognize individuals and organizations in the Commonwealth that have gone above and beyond in their respective field or program and made significant improvements towards improving health outcomes.

Mr. Daniel Blough, chief executive officer of the Punxsutawney Area Hospital in Punxsutawney, Pennsylvania, received the 2014 State Rural Health Leader of the Year Award. Mr. Blough was recognized for 28 years of dedicated service to the health and well-being of the residents in and around Punxsutawney, which is located in Jefferson County, Pennsylvania.

As a founding Pennsylvania member and president of the Pennsylvania Mountains Healthcare Alliance, a collaboration of 18 rural hospitals, Mr. Blough's leadership served to strengthen clinical outcomes for residents throughout the region.

Additionally, the Total HEALTH Program at the Dickinson Center, Incorporated, in St. Marys, Pennsylvania, which is also located in the

Fifth District, received the 2014 Rural Health Program of the Year Award.

The Total HEALTH Program, a regional collaboration of health service providers encompassing Penn Highlands-Elk, Dickinson Center, Incorporated, and an independent physician in Elk County, aims to provide primary and behavioral health care services to individuals with physical, mental, and behavioral health needs.

Total HEALTH received the recognition for innovative programming in Elk, Cameron, and McKean Counties that resulted in both improved patient coordination and clinical outcomes.

Madam Speaker, I offer my thanks, my congratulations, and my praise to Mr. Daniel Blough of the Punxsutawney Area Hospital and the professionals and the staff represented through the Total HEALTH Program for their commitment to strengthening and improving the quality of care in the communities of our region.

THE CONCERNS OF THE NINTH CONGRESSIONAL DISTRICT OF TEXAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Madam Speaker, I am honored to stand here today as a Member of the Congress of the United States of America, and I am grateful to my constituents for allowing me to serve in this capacity.

My district is a very diverse one. It contains the greatest medical center in the world, the Houston Medical Center, and it contains the first domed stadium, the Astrodome. We speak more than 80 different languages, and the ballot in the Ninth Congressional District in the State of Texas is printed in English, Spanish, Vietnamese, and Chinese. We are indeed a very diverse district.

My constituents are constituents not unlike those across the length and breadth of this country. There are issues of concern to them. I want to assure my constituents that as we move into the 114th Congress, I will be pushing legislation that will be important: the LAW Act, the Living American Wage Act. We have filed this bill before, and we will file it again in this Congress.

The LAW Act indexes the minimum wage to poverty. It is our belief that anyone who works full time should not live below the poverty line. People should be able to work their way out of poverty.

The LAW Act indexes the minimum wage to poverty such that when the poverty level rises, the minimum wage will also elevate, such that people who are working for minimum wage will continue to live above the poverty line.

As an aside, I spoke to a person who is working at the wage that is paid to the persons who wait tables, the wait staff, $2.13 an hour; and one of the things that was called to my attention was that these persons—good people, hardworking people—don't always make a lot with these tips that are supposed to supplement their income.

I have been told that as little as $8 in one day in tips were being made by one of my constituents, so I am concerned not only about the $7.25 an hour, the minimum wage, but also about the $2.13 an hour. I also supported H.R. 1010, which was filed in the last Congress, and it also indexed the minimum wage, not to poverty, but it did index the minimum wage.

I will be concerned about comprehensive immigration reform because in my district, I have a good many persons who are the sons and daughters of immigrants who came here not of their own volition. Many of them came and discovered that they were not American citizens after graduating from high school.

I support what the President has done with his executive order. I have to support what he has done with his executive order, given that I am the beneficiary of the greatest executive order ever written: the Emancipation Proclamation. It did not free the slaves, but it did pave the way for the passage of the 13th Amendment.

I am honored to say that I support what the President has done, but we still must have comprehensive immigration reform because there is much more to be done. With millions of people living in the shadows, we need to know who is in the country, and we also need to make sure those who are in the country pay their fair share of taxes, that they are a part of the infrastructure that elevates the country—the economic infrastructure—and to do this, we need comprehensive immigration reform.

I am also concerned very much about our veterans. This is why in the last Congress, we passed the language that was in the HAVEN Act in the defense authorization bill.

Senator JACK REED, thank you so much. Senator JACK REED helped to get that through the Senate, and that language got through the Senate because Senator REED was there. Senator REED, we are eternally grateful, and I think a good many veterans are too.

Twenty million dollars was made available to veterans to help those who are low-income veterans who are injured in some way, such that they cannot use their facilities in their homes as they would without that disability. Counters are lowered, bathrooms are made accessible, and ramps are installed.

Senator REED, thank you for helping us to get this $20 million, which will be matched by NGOs who will perform this service and help our veterans.

Finally, we are concerned about law enforcement. I respect law enforcement. I support law enforcement. What happened to these peace officers in New York was dastardly done. The dastard that did it is a person that we can never ever in any way glorify. The people who commit crimes ought to be punished, and I support punishment for people who commit crimes.

I also support having a system that prevents our law enforcement officers from being falsely accused. I believe that a camera on an officer can make a difference, and I am honored to say that my colleague, the Honorable EMANUEL CLEAVER, and I are working together on bills that we have filed to bring them together, so that we can help our law enforcement avoid specious accusations and make sure that they have the evidence of what actually occurred.

God bless my constituents and the United States of America.

□ 1030

SERVING THE AMERICAN PEOPLE

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, as we come to begin this new opportunity of service to the American people, clearly we want to emphasize to them that we take this responsibility seriously and, as well, that we know that we represent our constituents. These are districts that are between thousands of people that are in our congressional districts, but we realize that the broader sense of what we do is to represent our Nation and the values and needs of the American people.

Over the last 2 days, as we begin this legislative process, I have been concerned about two issues in particular that I believe do not, if you will, provide for the overall sensitivity to the American people. We were discussing a major financial services bill that will be coming up. Many elements are in this bill, but I want our constituents and, more importantly, our colleagues to realize that you have a bill that will diminish what we call the Volcker rule.

What that is is a protection to make sure if banks want to dibble and dabble in risky ventures or risky investments, that they do so with the money that is private and separate from money that is protected by the FDIC. That is your savings accounts. That is the money you socked away. In the instance of this legislation, they want to take that protection away so that banks can dibble and dabble in accounts that are protected by the FDIC, meaning that you pay for mistakes; you pay for collapse; you pay for the wrong decisions that are made; and you lose. I don't want the American people to lose.

It is something that has touched my heart because I represent a vast amount of constituents: those who are quite well-endowed, if you will, quite wealthy, such as major corporations and neighbors and others who are doing quite well; and then, of course, I represent children and widows who are dependent on something called SSI, or those who are disabled who are dependent on SSI. And I cannot, for the life of

me, understand why we would pass legislation that would, in essence, indicate that we are not going to continue supporting SSI, in fact, that we may call for either the elimination or the decreasing of benefits under SSI.

Do we realize, does this Republican leadership realize, that those who receive SSI are the most vulnerable, the poorest, the children who are in great need, the sick who are in great need, people who have worked and who have fallen upon times in which they need that kind of support? Why would we, in the thinking of representing the core of American values, lifting all people, believing in the equality of all, why would we do this? And so my voice is going to be heard loudly and clearly. I call upon, as my Democratic colleagues have so aptly noted, that we raise our voices and that we get in the way and that we stop this kind of intrusion on those who cannot, in some instances, speak for themselves.

I want to rise today as well to acknowledge my deepest sympathy to the people of France for the heinous and tragic incident which has just occurred. When I left, there were 12 dead, including two police officers in the line of duty. We pray for their families, and we stand up against this vile act of franchise terrorism.

As a member of the Homeland Security Committee, I am grateful to serve on that committee with the ranking member, Mr. THOMPSON, and Chairman MCCAUL. I hope that we can work in a bipartisan manner to confront this kind of dangerous terrorism, recognizing that we do not label people by their faith, but we label them by their actions.

Might I also say that I express, again, on the floor, a sympathy for the tragic execution of the NYPD law enforcement officers. We do not stand for that. That individual has been determined to be disturbed, crazed, and does not represent any value of America. We offer our deepest sympathy to those shot recently in the line of duty. Hopefully we will continue working in the Judicial Committee to look at the criminal justice system that really involves a whole number of elements, such as the grand jury system, the special prosecutor system, the constant traffic stops in many instances that are done on a racially profiled scenario, and the uplifting of training and community-oriented policing.

Mr. Speaker, we can do all of these things if we work together, but I did not come to this Congress to undermine the criminal justice system or to undermine people who are in need.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 34 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

We thank You for the joy, excitement, and ceremony of yesterday when the 114th Congress convened. It was a celebration of the ongoing American experiment of participatory democracy.

Today begins, if not in full force, the work of the Congress when the difficulties facing our Nation, and some communities especially, come into focus. We ask again an abundance of Your wisdom for the Members of the people's House.

May we be forever grateful for the blessings our Nation enjoys and appropriately generous with what we have to help those among us who are in need.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

SWEARING IN OF MEMBERS-ELECT

The SPEAKER. Will the Representatives-elect please present themselves in the well.

Mr. CROWLEY of New York, Mr. ENGEL of New York, Mr. HIGGINS of New York, Mrs. LOWEY of New York, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. MEEKS of New York, Ms. MENG of New York, Mr. NADLER of New York, Mr. RANGEL of New York, Mr. TONKO of New York, and Ms. VELÁZQUEZ of New York appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now Members of the 114th Congress.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 6, 2015.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Mr. Robert Reeves, Deputy Clerk, and Mr. Kirk D. Boyle, Legal Counsel, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 114th Congress or until modified by me.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

HIRE OUR HEROES ACT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the President's takeover of our Nation's health care system burdens small businesses and veterans seeking jobs. ObamaCare's employer mandate hurts small businesses' ability to hire employees while veterans already face a tough job market.

I am grateful the House yesterday passed the Hire More Heroes Act, a bipartisan bill to exempt veterans who already receive health care benefits through the VA and TRICARE from being counted in the number that must receive employer coverage.

This policy change encourages businesses to hire veterans and provides relief to employers to create jobs. I appreciate South Carolina Attorney General Bob Livingston working with Colonel Ronnie Taylor on Operation Palmetto Employment to reduce veteran unemployment from 16 to 3 percent.

Potential for employment should not be restricted by the failures of ObamaCare, and I am grateful one of the first votes of the 114th Congress supports veterans and creates jobs.

Also, God bless our troops, and the President, by his actions, must never forget September the 11th in the global war on terrorism. Our sympathy to America's first ally, France, on the terrorist attack today in Paris.

PORT NEGOTIATIONS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise today to express my hopes that the negotiations between the Pacific Maritime Association and our dock workers will improve quickly with the help of a Federal mediator.

Resolving differences between the ILWU and the PMA is essential to the United States' economy because our west coast ports support 5 million jobs across the country and handle two-thirds of all America's trade. This represents 12.5 percent of our GDP.

Port workers have been without a contract for 7 months under tense and uncertain conditions. Reaching a fair agreement is urgent for workers and their families, for communities, for our businesses that depends on goods moving through these ports, and indeed for our Nation's prosperity.

As cochair of the bipartisan Port Caucus, along with my colleague TED POE, I will do all I can to help our ports operate smoothly and keep Americans working.

BALANCED BUDGET AMENDMENT

(Mr. ROUZER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUZER. Mr. Speaker, it doesn't take an accountant to figure out that our path of more spending and more debt must change. Our national debt has increased by more than $7 trillion over the past 6 years, now totaling more than $18 trillion.

That is why I am proud to cosponsor H.J. Res. 1 and H.J. Res. 2. Both of these bills would amend the Constitution to require a balanced budget. Families across North Carolina and America are required to live within their means, and they expect Washington to do the same.

I came here with a clear mission: work to get a balanced budget and do my best to reduce the size and scope of government, so that our small businesses and farm families can grow and create jobs.

On behalf of the fine citizens of the Seventh Congressional District of North Carolina, I am proud to be a cosponsor of both of these resolutions, and I encourage my colleagues in both the House and the Senate to join me in this effort.

NEW CONGRESS REPRESENTS A NEW OPPORTUNITY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, yesterday, the 114th Congress of the United States convened for the first time. This new Congress represents a new opportunity to get to work on the priorities of the American people.

We have a responsibility over the next 2 years to work together in a bipartisan way to create jobs, grow the economy, expand access to affordable education, and keep our communities safe.

Last night, Democrats offered a new legislative package to grow the economy by creating better infrastructure and bigger paychecks for hardworking Americans. Unfortunately, House Republicans voted to block action on this important legislation.

I am hopeful that this year we can cast aside partisan differences and work together to expand opportunities for hardworking Americans and their families.

This month, I will be meeting with Rhode Islanders all across my home State to hear about their priorities as I develop my legislative work plan for the 114th Congress.

By working together, I believe we can find common ground to make this Congress more productive than the last, accomplish the work that we were sent here to do, and create a brighter future for the people we serve.

BALANCED BUDGET AMENDMENT

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIQUIN. Mr. Speaker, for generations, the hardworking families of Maine's Second District have balanced their checkbooks at the kitchen table. It is time our Federal Government does the same.

A balanced budget amendment to our Constitution will finally force Washington to live within its means. This discipline will help end wasteful spending and enable our government to start paying down our $18 trillion national debt.

That will give job creators the confidence to expand their companies and to start new ones. More jobs, more freedom, less government dependency, that is what we all want for our kids.

Amending our Constitution will not be easy or quick, but we can start the process right now. With every Member of Congress supporting this crucial jobs bill, an institutional discipline to spend no more than we collect in taxes from American families is the commonsense, right thing to do. It will help ensure the financial security for our kids and our grandkids, and it will create jobs.

USA WARRIORS ICE HOCKEY PROGRAM

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, one of my greatest privileges as a Congressman has been spending time with some of our country's wounded veterans through the USA Warriors Ice Hockey program. USA Warriors provides education, training, motivation, and encouragement for U.S. military members who have been injured while serving.

The same qualities that made them successful in the military—teamwork, perseverance, and determination—make them inspiring competitors on the ice.

Recently, I played with the Warriors and the Chicago Blackhawks at a practice at Nationals Park before the Winter Classic. Last week was particularly moving because the Warriors paid tribute to Clint Reif, Chicago Blackhawks' assistant equipment manager, who passed away on December 21st, by wearing ''CR'' stickers on their helmets.

Clint was responsible for getting the Warriors new equipment when they skated with the Blackhawks last season at Soldier Field, and many of the Warriors considered Clint an extended member of their team. This simple gesture was a fitting tribute to Clint and an extraordinary testament to these veterans who have given us all so much.

My thoughts and prayers are with the Reif family and the entire Chicago Blackhawks organization during these difficult times.

LAUREN HILL

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Mr. Speaker, today, I rise to honor a remarkable young woman from Indiana's Sixth Congressional District, 19-year-old Lauren Hill.

Last year, this Lawrenceburg native was diagnosed with DIPG, a terminal form of brain cancer. Since then, Lauren has become a national symbol of courage and hope for those impacted by this terrible disease.

This selfless young woman inspired the Nation last November by fulfilling her dream of playing in an NCAA basketball game, despite having an inoperable brain tumor. Lauren not only played, but scored 4 points for the Mount St. Joseph's Lions.

She then set an ambitious goal: to raise $1 million for DIPG research before the end of 2014. During a telethon on Tuesday, December 30th, she surpassed that goal.

I commend Lauren for her continued courage and applaud the steps she has taken to find a cure for pediatric brain cancer.

Lauren, you make your community, your State, and your country proud.

□ 1215

MARRIAGE EQUALITY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, yesterday, Florida became the 36th State to

legalize marriage equality. Now more than 70 percent of Americans live in a State where sexual orientation does not dictate who can be married.

Our Nation was founded on basic principles of freedom and equality, and no law should discriminate against individuals on the basis of who they are. We have come a long way since 2004 when Massachusetts became a pioneering State in the fight for marriage equality. But the fight is not over.

I am a proud to be an original cosponsor of the Respect for Marriage Act, reintroduced in the House yesterday. This legislation will allow same-sex couples to receive equal and fair treatment under Federal law regardless of their State's marriage laws.

As we begin the 114th Congress, I look forward to working with my colleagues in the House to make sure that we have laws in place to end discrimination toward individuals, regardless of their gender, race, religious background, sexual orientation, or gender identity.

FIRST RESPONDER APPRECIATION WEEK

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, this week is Florida's First Responder Appreciation Week. Every day, law enforcement, firefighters, and EMTs put their lives on the line to keep our communities safe.

Sadly, in my district, Tarpon Springs police officer Charles ''Charlie K'' Kondek was shot and killed right before Christmas as he patrolled the streets on the midnight shift while the rest of us slept securely in our homes.

There is no such thing as a typical day for first responders. On average, an officer dies in the line of duty every 58 hours—150 deaths per year.

This week, and every day, we should be thankful for the first responders serving our communities. Let us never forget the sacrifices of Officer Kondek and others who have fallen in the line of duty. These brave officers and their families are in our prayers. They are remembered.

VOTING RIGHTS OF THE DISTRICT OF COLUMBIA

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, yesterday, in their first votes of the 114th Congress, the majority used their first vote to eliminate the vote in the Committee of the Whole of the residents of your Nation's Capital. That vote on some, but certainly not all, matters had been approved by the Federal courts. The District of Columbia has used this vote in three Congresses, but not when Republicans controlled.

With their large majority, Republicans showed themselves to be small in principle when they voted to eliminate the vote of D.C. citizens, who pay the highest Federal taxes per capita in the Nation.

HONORING DAVID FRANK GEER

(Mr. DENHAM asked and was given permission to address the House for 1 minute.)

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved leader in the Modesto community. Former Modesto City Council member David ''Dave'' Frank Geer died at the age of 72 on Sunday, December 28.

He followed in his father's footsteps and became a paratrooper in the United States Army and served for many years in the Reserves after Active Duty. For 27 years, Dave worked at Lawrence Livermore National Laboratory for the U.S. Department of Energy and the Nuclear Security Administration. He was a Federal security police officer with a Q level security clearance.

In 2009, Dave decided to get more active in politics and ran for the Modesto City Council District Two. He won handily. He was a strong advocate for his largely Latino district, which includes some of Modesto's poorest neighborhoods, which he lived in for more than a quarter century. He understood politics without being political. He did his homework on issues facing the city. And while he treated people with respect, he did not shy away from asking very tough questions.

In addition to serving on the city council, he was involved in many aspects of our community. And he was very involved with many of us in addressing all problems, not just from a city perspective, but from a county, from a State, and from a Federal perspective. Dave Geer was a man who was very involved in his community and wanted to strengthen his Nation. He will be missed. We will miss his leadership.

Mr. Speaker, please join me in honoring and recognizing Dave Geer for his unwavering leadership and many accomplishments and contributions. He had a long history of service to his Nation and community, and he had a genuine love for the people, community, and Nation he worked so hard for.

HONORING STEPHANIE RILEY

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise to honor Lieutenant Colonel Stephanie Riley of the New Hampshire National Guard, a courageous Granite Stater who recently passed away after a long battle with cancer. In addition to her work as an occupational nurse for the Army and her dedicated service to the National Guard, Steph touched so many lives with her energy and compassion.

Steph leaves behind a wonderful husband, Shawn, and two terrific kids, Shane and Sammie, as well as countless friends and admirers all across New Hampshire. She was a tireless advocate for veterans, serving as secretary of our State's Veterans Advisory Council. She was devoted to the next generation of leaders.

When Steph was diagnosed with cancer, she refused to be discouraged. She was open about her disease, fighting on behalf of cancer research. I had the honor of walking with her on her team, Steph Strong, in an event to raise cancer awareness. As always, she was kind and vivacious, joking with friends and family. I consider myself very lucky to have been her friend. Steph was a wonderful, brave Granite Stater.

STANDING AGAINST CASTRO REGIME

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, President Obama's statement that he will reestablish diplomatic relations with the communist regime in Cuba takes away leverage that could have been used once that island nation one day begins to move towards democracy and freedom. But the Castro brothers have taken no such steps, nor will they. Raul Castro already stated that he will not change anything about his regime. That was Castro's official response to President Obama's unilateral concessions.

The U.S. has given away the store, and it has not helped the Cuban opposition at all.

Is there freedom of expression in Cuba now? No.

Are there political parties in Cuba? No, just one party, the Communist Party.

Is there freedom of assembly, freedom of the press, respect for human rights? No, no, and no.

Will President Obama's sellout help bring about such freedoms? No. Quite the opposite, Mr. Speaker. It will provide an economic lifeline to the decrepit regime.

The President has stated that he has asked for an official U.S. Embassy and a U.S. Ambassador to Cuba. This would lend legitimacy to a dictatorship that continues to pose a threat to U.S. national security.

Let's work to stop this reckless and unwarranted action. Let's stand with the Cuban opposition and not with the Castro regime.

CRAIG BIGGIO VOTED INTO BASEBALL HALL OF FAME

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, Houstonians and baseball fans

all across the country today are celebrating. The Houston Astros have their first person into the Hall of Fame, Craig Biggio. He is called the greatest Astro because, for his 20-year career, he spent his total time with the Houston Astros. We have a number of other players in the Hall of Fame, but they didn't spend their entire career with the Astros.

The Houston Astro franchise started in 1962, 52 years ago, as the Colt .45s. In 1965, they changed the name to the Houston Astros and played in the Astrodome for many years. Now they play at Minute Maid Park. The famed Astrodome is still there, although we need to refurbish it. But it is historic.

The Astros organization and Houstonians today are celebrating Craig Biggio, who was a great mentor to a lot of baseball players. Mr. Hustle, as he was known in the Houston area, is now a member of the Hall of Frame.

OPPOSING UNILATERAL EXECUTIVE ACTIONS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, over the last few weeks, many people have expressed genuine concerns about the appropriations bill that passed Congress in December. Unfortunately, many Washington-based special interest groups are confusing the matter with incomplete and sometimes false messages aimed more at fundraising for themselves than uniting behind our shared goal of stopping President Obama's executive overreach on immigration.

I am vehemently opposed to the President's unilateral executive actions granting amnesty to millions of illegal aliens. It is the responsibility of Congress to pursue reforms and ensure that a strong immigration policy is devised.

By extending funding for the Department of Homeland Security only through February 2015, the House and Senate are prepared to confront the President's unparalleled power grab without the threat of a looming, government-wide shutdown, and we will do everything we can to stop his destructive actions.

OUR LEGISLATIVE AGENDA

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of a Democratic legislative agenda that would improve our Nation's infrastructure and focus on job creation and support of the American people.

Instead of taking backward steps and undermining existing law that protects and helps our fellow Americans, we must concentrate on fair wages, scientific advancement, and allowing individuals to access health security. We must begin to work on reauthorizing the highway trust fund immediately, moving beyond the all-too-familiar recurring nightmare of short-term, piecemeal highway reauthorizations.

Instead of providing giveaways to special interest groups, we must strengthen protections in public health, the environment, food safety, and consumer safety for hardworking Americans. We must support access to quality, affordable health insurance for millions of Americans instead of slowly chipping away provisions of the Affordable Care Act. And Congress must think in the long term by leading efforts to curb climate change.

SHARED ENDEAVOR ON COMMON GROUND

(Mr. CONNOLLY asked and was given permission to address the House for 1 minute.)

Mr. CONNOLLY. Mr. Speaker, I welcome you and all of our colleagues back for the start of the 114th Congress. I was encouraged by Speaker BOEHNER's remarks yesterday calling for all of us to begin this shared endeavor on common ground. I couldn't agree more. As someone who comes from local government, I know firsthand the music that can be made when elected leaders allow their commitments to improve the quality of life for our neighbors to guide their actions rather than partisan ideology.

My predecessor in this Chamber was also a veteran of local government. And although we had our share of partisan differences, we both like to say that we belong to the same party, the party of getting things done, a moniker to which this new Congress should aspire.

Without question, there will be rigorous battle of ideas, and we should expect nothing less in the arena of elected leadership. But at the end of the day, our constituents expect us to resolve those differences, to accomplish something on their behalf rather than on behalf of our respective parties.

Mr. Speaker, when a final tally is taken of this Congress, I hope we do prove the pessimists wrong and show we were a Congress that got things done.

□ 1230

AMERICAN PEOPLE ARE BEING MISLED AS TO THE CONSEQUENCES OF COMPANY BONUSES

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, yesterday, from these microphones, there was more than one occasion when my colleagues would argue that somehow giving a bonus of $1 million to the business owner or a chief executive officer of a company would somehow go untaxed; that because the company got a tax deduction that that somehow spread the burden of that across all of America.

What was left out of the conversation each and every time was the fact that the recipient of that bonus—this individual—actually puts that on their tax return and pays it at a much higher rate. In fact, that $1 million would probably be taxed at the 43 percent rate—or 39.6, plus the add-ons that are in place.

So, over and over again yesterday the American people were misled as to the consequences of getting bonuses or paying chief executive officers. It does not go untaxed simply because the company gets a tax deduction. That employee has to put that on their tax return and pay the appropriate taxes on that.

I just wanted to set the record straight on yesterday's misguided comments with respect to how individuals who create businesses and grow those businesses are compensated, and the misinformation that that somehow is a negative impact on the rest of us.

BEGINNING OF A NEW CONGRESS

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, this week marks the beginning of a new Congress, and with it comes a new chance to move past the bickering that has characterized the last 2 years. Sadly, the leadership of the House seems poised to let that opportunity go to waste.

Since the election, we have heard that one potential area of agreement would be tax reform. That would be great. I would welcome the chance to improve our deeply flawed Tax Code. And yet, the very first act of this Congress will make it much harder for any reform bill to get bipartisan support.

That is because House leadership has quite literally changed the rules of the game, allowing them to pick and choose which tax bills the congressional budget will be giving favorable treatment.

Mr. Speaker, I am optimistic that we can move past the dysfunction of the last few years, but changing the rules of the game isn't a signal that we are heading in the right direction.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2015

Mr. NEUGEBAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 26) to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 26

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Terrorism Risk Insurance Program Reauthorization Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—EXTENSION OF TERRORISM INSURANCE PROGRAM

Sec. 101. Extension of Terrorism Insurance Program.
Sec. 102. Federal share.
Sec. 103. Program trigger.
Sec. 104. Recoupment of Federal share of compensation under the program.
Sec. 105. Certification of acts of terrorism; consultation with Secretary of Homeland Security.
Sec. 106. Technical amendments.
Sec. 107. Improving the certification process.
Sec. 108. GAO study.
Sec. 109. Membership of Board of Governors of the Federal Reserve System.
Sec. 110. Advisory Committee on Risk-Sharing Mechanisms.
Sec. 111. Reporting of terrorism insurance data.
Sec. 112. Annual study of small insurer market competitiveness.

TITLE II—NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS REFORM

Sec. 201. Short title.
Sec. 202. Reestablishment of the National Association of Registered Agents and Brokers.

TITLE III—BUSINESS RISK MITIGATION AND PRICE STABILIZATION

Sec. 301. Short title.
Sec. 302. Margin requirements.
Sec. 303. Implementation.

TITLE I—EXTENSION OF TERRORISM INSURANCE PROGRAM

SEC. 101. EXTENSION OF TERRORISM INSURANCE PROGRAM.

Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2020''.

SEC. 102. FEDERAL SHARE.

Section 103(e)(1)(A) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by inserting ''and beginning on January 1, 2016, shall decrease by 1 percentage point per calendar year until equal to 80 percent'' after ''85 percent''.

SEC. 103. PROGRAM TRIGGER.

Subparagraph (B) of section 103(e)(1) (15 U.S.C. 6701 note) is amended in the matter preceding clause (i)—

(1) by striking ''a certified act'' and inserting ''certified acts'';

(2) by striking ''such certified act'' and inserting ''such certified acts''; and

(3) by striking ''exceed'' and all that follows through clause (ii) and inserting the following: ''exceed—

''(i) $100,000,000, with respect to such insured losses occurring in calendar year 2015;

''(ii) $120,000,000, with respect to such insured losses occurring in calendar year 2016;

''(iii) $140,000,000, with respect to such insured losses occurring in calendar year 2017;

''(iv) $160,000,000, with respect to such insured losses occurring in calendar year 2018;

''(v) $180,000,000, with respect to such insured losses occurring in calendar year 2019; and

''(vi) $200,000,000, with respect to such insured losses occurring in calendar year 2020 and any calendar year thereafter.''.

SEC. 104. RECOUPMENT OF FEDERAL SHARE OF COMPENSATION UNDER THE PROGRAM.

Section 103(e) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by amending paragraph (6) to read as follows:

''(6) INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (7), the insurance marketplace aggregate retention amount shall be the lesser of—

''(i) $27,500,000,000, as such amount is revised pursuant to this paragraph; and

''(ii) the aggregate amount, for all insurers, of insured losses during such calendar year.

''(B) REVISION OF INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

''(i) PHASE-IN.—Beginning in the calendar year of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the amount set forth under subparagraph (A)(i) shall increase by $2,000,000,000 per calendar year until equal to $37,500,000,000.

''(ii) FURTHER REVISION.—Beginning in the calendar year that follows the calendar year in which the amount set forth under subparagraph (A)(i) is equal to $37,500,000,000, the amount under subparagraph (A)(i) shall be revised to be the amount equal to the annual average of the sum of insurer deductibles for all insurers participating in the Program for the prior 3 calendar years, as such sum is determined by the Secretary under subparagraph (C).

''(C) RULEMAKING.—Not later than 3 years after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the Secretary shall—

''(i) issue final rules for determining the amount of the sum described under subparagraph (B)(ii); and

''(ii) provide a timeline for public notification of such determination.''; and

(2) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for each of the periods referred to in subparagraphs (A) through (E) of paragraph (6)''; and

(ii) in clause (i), by striking ''for such period'';

(B) by striking subparagraph (B) and inserting the following:

''(B) [Reserved.]'';

(C) in subparagraph (C)—

(i) by striking ''occurring during any of the periods referred to in any of subparagraphs (A) through (E) of paragraph (6), terrorism loss risk-spreading premiums in an amount equal to 133 percent'' and inserting '', terrorism loss risk-spreading premiums in an amount equal to 140 percent''; and

(ii) by inserting ''as calculated under subparagraph (A)'' after ''mandatory recoupment amount''; and

(D) in subparagraph (E)(i)—

(i) in subclause (I)—

(I) by striking ''2010'' and inserting ''2017''; and

(II) by striking ''2012'' and inserting ''2019'';

(ii) in subclause (II)—

(I) by striking ''2011'' and inserting ''2018'';

(II) by striking ''2012'' and inserting ''2019''; and

(III) by striking ''2017'' and inserting ''2024''; and

(iii) in subclause (III)—

(I) by striking ''2012'' and inserting ''2019''; and

(II) by striking ''2017'' and inserting ''2024''.

SEC. 105. CERTIFICATION OF ACTS OF TERRORISM; CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.

Paragraph (1)(A) of section 102 (15 U.S.C. 6701 note) is amended in the matter preceding clause (i), by striking ''concurrence with the Secretary of State'' and inserting ''consultation with the Secretary of Homeland Security''.

SEC. 106. TECHNICAL AMENDMENTS.

The Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in section 102—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(ii) in the matter preceding clause (i) (as so redesignated), by striking ''An entity has'' and inserting the following:

''(A) IN GENERAL.—An entity has''; and

(iii) by adding at the end the following new subparagraph:

''(B) RULE OF CONSTRUCTION.—An entity, including any affiliate thereof, does not have 'control' over another entity, if, as of the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the entity is acting as an attorney-in-fact, as defined by the Secretary, for the other entity and such other entity is a reciprocal insurer, provided that the entity is not, for reasons other than the attorney-in-fact relationship, defined as having 'control' under subparagraph (A).'';

(B) in paragraph (7)—

(i) by striking subparagraphs (A) through (F) and inserting the following:

''(A) the value of an insurer's direct earned premiums during the immediately preceding calendar year, multiplied by 20 percent; and'';

(ii) by redesignating subparagraph (G) as subparagraph (B); and

(iii) in subparagraph (B), as so redesignated by clause (ii)—

(I) by striking ''notwithstanding subparagraphs (A) through (F), for the Transition Period or any Program Year'' and inserting ''notwithstanding subparagraph (A), for any calendar year''; and

(II) by striking ''Period or Program Year'' and inserting ''calendar year'';

(C) by striking paragraph (11); and

(D) by redesignating paragraphs (12) through (16) as paragraphs (11) through (15), respectively; and

(2) in section 103—

(A) in subsection (b)(2)—

(i) in subparagraph (B), by striking '', purchase,''; and

(ii) in subparagraph (C), by striking '', purchase,'';

(B) in subsection (c), by striking ''Program Year'' and inserting ''calendar year'';

(C) in subsection (e)—

(i) in paragraph (1)(A), as previously amended by section 102—

(I) by striking ''the Transition Period and each Program Year through Program Year 4 shall be equal to 90 percent, and during Program Year 5 and each Program Year thereafter'' and inserting ''each calendar year'';

(II) by striking the comma after ''80 percent''; and

(III) by striking ''such Transition Period or such Program Year'' and inserting ''such calendar year'';

(ii) in paragraph (2)(A), by striking ''the period beginning on the first day of the Transition Period and ending on the last day of Program Year 1, or during any Program Year thereafter'' and inserting ''a calendar year''; and

(iii) in paragraph (3), by striking ''the period beginning on the first day of the Transition Period and ending on the last day of Program Year 1, or during any other Program Year'' and inserting ''any calendar year''; and

(D) in subsection (g)(2)—

(i) by striking ''the Transition Period or a Program Year'' each place that term appears and inserting ''the calendar year'';

(ii) by striking ''such period'' and inserting ''the calendar year''; and

(iii) by striking ''that period'' and inserting ''the calendar year''.

SEC. 107. IMPROVING THE CERTIFICATION PROCESS.

(a) DEFINITIONS.—As used in this section—

(1) the term ''act of terrorism'' has the same meaning as in section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note);

(2) the term ''certification process'' means the process by which the Secretary determines whether to certify an act as an act of terrorism under section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note); and

(3) the term ''Secretary'' means the Secretary of the Treasury.

(b) STUDY.—Not later than 9 months after the date of enactment of this Act, the Secretary shall conduct and complete a study on the certification process.

(c) REQUIRED CONTENT.—The study required under subsection (a) shall include an examination and analysis of—

(1) the establishment of a reasonable timeline by which the Secretary must make an accurate determination on whether to certify an act as an act of terrorism;

(2) the impact that the length of any timeline proposed to be established under paragraph (1) may have on the insurance industry, policyholders, consumers, and taxpayers as a whole;

(3) the factors the Secretary would evaluate and monitor during the certification process, including the ability of the Secretary to obtain the required information regarding the amount of projected and incurred losses resulting from an act which the Secretary would need in determining whether to certify the act as an act of terrorism;

(4) the appropriateness, efficiency, and effectiveness of the consultation process required under section 102(1)(A) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) and any recommendations on changes to the consultation process; and

(5) the ability of the Secretary to provide guidance and updates to the public regarding any act that may reasonably be certified as an act of terrorism.

(d) REPORT.—Upon completion of the study required under subsection (a), the Secretary shall submit a report on the results of such study to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(e) RULEMAKING.—Section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

''(D) TIMING OF CERTIFICATION.—Not later than 9 months after the report required under section 107 of the Terrorism Risk Insurance Program Reauthorization Act of 2015 is submitted to the appropriate committees of Congress, the Secretary shall issue final rules governing the certification process, including establishing a timeline for which an act is eligible for certification by the Secretary on whether an act is an act of terrorism under this paragraph.''.

SEC. 108. GAO STUDY.

(a) STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall complete a study on the viability and effects of the Federal Government—

(1) assessing and collecting upfront premiums on insurers that participate in the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) (hereafter in this section referred to as the ''Program''), which shall include a comparison of practices in international markets to assess and collect premiums either before or after terrorism losses are incurred; and

(2) creating a capital reserve fund under the Program and requiring insurers participating in the Program to dedicate capital specifically for terrorism losses before such losses are incurred, which shall include a comparison of practices in international markets to establish reserve funds.

(b) REQUIRED CONTENT.—The study required under subsection (a) shall examine, but shall not be limited to, the following issues:

(1) UPFRONT PREMIUMS.—With respect to upfront premiums described in subsection (a)(1)—

(A) how the Federal Government could determine the price of such upfront premiums on insurers that participate in the Program;

(B) how the Federal Government could collect and manage such upfront premiums;

(C) how the Federal Government could ensure that such upfront premiums are not spent for purposes other than claims through the Program;

(D) how the assessment and collection of such upfront premiums could affect take-up rates for terrorism risk coverage in different regions and industries and how it could impact small businesses and consumers in both metropolitan and non-metropolitan areas;

(E) the effect of collecting such upfront premiums on insurers both large and small;

(F) the effect of collecting such upfront premiums on the private market for terrorism risk reinsurance; and

(G) the size of any Federal Government subsidy insurers may receive through their participation in the Program, taking into account the Program's current post-event recoupment structure.

(2) CAPITAL RESERVE FUND.—With respect to the capital reserve fund described in subsection (a)(2)—

(A) how the creation of a capital reserve fund would affect the Federal Government's fiscal exposure under the Terrorism Risk Insurance Program and the ability of the Program to meet its statutory purposes;

(B) how a capital reserve fund would impact insurers and reinsurers, including liquidity, insurance pricing, and capacity to provide terrorism risk coverage;

(C) the feasibility of segregating funds attributable to terrorism risk from funds attributable to other insurance lines;

(D) how a capital reserve fund would be viewed and treated under current Financial Accounting Standards Board accounting rules and the tax laws; and

(E) how a capital reserve fund would affect the States' ability to regulate insurers participating in the Program.

(3) INTERNATIONAL PRACTICES.—With respect to international markets referred to in paragraphs (1) and (2) of subsection (a), how other countries, if any—

(A) have established terrorism insurance structures;

(B) charge premiums or otherwise collect funds to pay for the costs of terrorism insurance structures, including risk and administrative costs; and

(C) have established capital reserve funds to pay for the costs of terrorism insurance structures.

(c) REPORT.—Upon completion of the study required under subsection (a), the Comptroller General shall submit a report on the results of such study to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(d) PUBLIC AVAILABILITY.—The study and report required under this section shall be made available to the public in electronic form and shall be published on the website of the Government Accountability Office.

SEC. 109. MEMBERSHIP OF BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—The first undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 241) is amended by inserting after the second sentence the following: ''In selecting members of the Board, the President shall appoint at least 1 member with demonstrated primary experience working in or supervising community banks having less than $10,000,000,000 in total assets.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act and apply to appointments made on and after that effective date, excluding any nomination pending in the Senate on that date.

SEC. 110. ADVISORY COMMITTEE ON RISK-SHARING MECHANISMS.

(a) FINDING; RULE OF CONSTRUCTION.—

(1) FINDING.—Congress finds that it is desirable to encourage the growth of nongovernmental, private market reinsurance capacity for protection against losses arising from acts of terrorism.

(2) RULE OF CONSTRUCTION.—Nothing in this Act, any amendment made by this Act, or the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) shall prohibit insurers from developing risk-sharing mechanisms to voluntarily reinsure terrorism losses between and among themselves.

(b) ADVISORY COMMITTEE ON RISK-SHARING MECHANISMS.—

(1) ESTABLISHMENT.—The Secretary of the Treasury shall establish and appoint an advisory committee to be known as the ''Advisory Committee on Risk-Sharing Mechanisms'' (referred to in this subsection as the ''Advisory Committee'').

(2) DUTIES.—The Advisory Committee shall provide advice, recommendations, and encouragement with respect to the creation and development of the nongovernmental risk-sharing mechanisms described under subsection (a).

(3) MEMBERSHIP.—The Advisory Committee shall be composed of 9 members who are directors, officers, or other employees of insurers, reinsurers, or capital market participants that are participating or that desire to participate in the nongovernmental risk-sharing mechanisms described under subsection (a), and who are representative of the affected sectors of the insurance industry, including commercial property insurance, commercial casualty insurance, reinsurance, and alternative risk transfer industries.

SEC. 111. REPORTING OF TERRORISM INSURANCE DATA.

Section 104 (15 U.S.C. 6701 note) is amended by adding at the end the following new subsection:

''(h) REPORTING OF TERRORISM INSURANCE DATA.—

''(1) AUTHORITY.—During the calendar year beginning on January 1, 2016, and in each calendar year thereafter, the Secretary shall require insurers participating in the Program to submit to the Secretary such information regarding insurance coverage for terrorism losses of such insurers as the Secretary considers appropriate to analyze the effectiveness of the Program, which shall include information regarding—

''(A) lines of insurance with exposure to such losses;

''(B) premiums earned on such coverage;

''(C) geographical location of exposures;

''(D) pricing of such coverage;

''(E) the take-up rate for such coverage;

''(F) the amount of private reinsurance for acts of terrorism purchased; and

''(G) such other matters as the Secretary considers appropriate.

''(2) REPORTS.—Not later than June 30, 2016, and every other June 30 thereafter, the Secretary shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

''(A) an analysis of the overall effectiveness of the Program;

''(B) an evaluation of any changes or trends in the data collected under paragraph (1);

''(C) an evaluation of whether any aspects of the Program have the effect of discouraging or impeding insurers from providing commercial property casualty insurance coverage or coverage for acts of terrorism;

''(D) an evaluation of the impact of the Program on workers' compensation insurers; and

''(E) in the case of the data reported in paragraph (1)(B), an updated estimate of the total amount earned since January 1, 2003.

''(3) PROTECTION OF DATA.—To the extent possible, the Secretary shall contract with an insurance statistical aggregator to collect the information described in paragraph (1), which shall keep any nonpublic information confidential and provide it to the Secretary in an aggregate form or in such other form or manner that does not permit identification of the insurer submitting such information.

''(4) ADVANCE COORDINATION.—Before collecting any data or information under paragraph (1) from an insurer, or affiliate of an insurer, the Secretary shall coordinate with the appropriate State insurance regulatory authorities and any relevant government agency or publicly available sources to determine if the information to be collected is available from, and may be obtained in a timely manner by, individually or collectively, such entities. If the Secretary determines that such data or information is available, and may be obtained in a timely matter, from such entities, the Secretary shall obtain the data or information from such entities. If the Secretary determines that such data or information is not so available, the Secretary may collect such data or information from an insurer and affiliates.

''(5) CONFIDENTIALITY.—

''(A) RETENTION OF PRIVILEGE.—The submission of any non-publicly available data and information to the Secretary and the sharing of any non-publicly available data with or by the Secretary among other Federal agencies, the State insurance regulatory authorities, or any other entities under this subsection shall not constitute a waiver of, or otherwise affect, any privilege arising under Federal or State law (including the rules of any Federal or State court) to which the data or information is otherwise subject.

''(B) CONTINUED APPLICATION OF PRIOR CONFIDENTIALITY AGREEMENTS.—Any requirement under Federal or State law to the extent otherwise applicable, or any requirement pursuant to a written agreement in effect between the original source of any nonpublicly available data or information and the source of such data or information to the Secretary, regarding the privacy or confidentiality of any data or information in the possession of the source to the Secretary, shall continue to apply to such data or information after the data or information has been provided pursuant to this subsection.

''(C) INFORMATION-SHARING AGREEMENT.—Any data or information obtained by the Secretary under this subsection may be made available to State insurance regulatory authorities, individually or collectively through an information-sharing agreement that—

''(i) shall comply with applicable Federal law; and

''(ii) shall not constitute a waiver of, or otherwise affect, any privilege under Federal or State law (including any privilege referred to in subparagraph (A) and the rules of any Federal or State court) to which the data or information is otherwise subject.

''(D) AGENCY DISCLOSURE REQUIREMENTS.—Section 552 of title 5, United States Code, including any exceptions thereunder, shall apply to any data or information submitted under this subsection to the Secretary by an insurer or affiliate of an insurer.''.

SEC. 112. ANNUAL STUDY OF SMALL INSURER MARKET COMPETITIVENESS.

Section 108 (15 U.S.C. 6701 note) is amended by adding at the end the following new subsection:

''(h) STUDY OF SMALL INSURER MARKET COMPETITIVENESS.—

''(1) IN GENERAL.—Not later than June 30, 2017, and every other June 30 thereafter, the Secretary shall conduct a study of small insurers (as such term is defined by regulation by the Secretary) participating in the Program, and identify any competitive challenges small insurers face in the terrorism risk insurance marketplace, including—

''(A) changes to the market share, premium volume, and policyholder surplus of small insurers relative to large insurers;

''(B) how the property and casualty insurance market for terrorism risk differs between small and large insurers, and whether such a difference exists within other perils;

''(C) the impact of the Program's mandatory availability requirement under section 103(c) on small insurers;

''(D) the effect of increasing the trigger amount for the Program under section 103(e)(1)(B) on small insurers;

''(E) the availability and cost of private reinsurance for small insurers; and

''(F) the impact that State workers compensation laws have on small insurers and workers compensation carriers in the terrorism risk insurance marketplace.

''(2) REPORT.—The Secretary shall submit a report to the Congress setting forth the findings and conclusions of each study required under paragraph (1).''.

TITLE II—NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS REFORM

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Association of Registered Agents and Brokers Reform Act of 2015''.

SEC. 202. REESTABLISHMENT OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS.

(a) IN GENERAL.—Subtitle C of title III of the Gramm-Leach-Bliley Act (15 U.S.C. 6751 et seq.) is amended to read as follows:

"Subtitle C—National Association of Registered Agents and Brokers

"SEC. 321. NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS.

''(a) ESTABLISHMENT.—There is established the National Association of Registered Agents and Brokers (referred to in this subtitle as the 'Association').

''(b) STATUS.—The Association shall—

''(1) be a nonprofit corporation;

''(2) not be an agent or instrumentality of the Federal Government;

''(3) be an independent organization that may not be merged with or into any other private or public entity; and

''(4) except as otherwise provided in this subtitle, be subject to, and have all the powers conferred upon, a nonprofit corporation by the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29–301.01 et seq.) or any successor thereto.

"SEC. 322. PURPOSE.

''The purpose of the Association shall be to provide a mechanism through which licensing, continuing education, and other nonresident insurance producer qualification requirements and conditions may be adopted and applied on a multi-state basis without affecting the laws, rules, and regulations, and preserving the rights of a State, pertaining to—

''(1) licensing, continuing education, and other qualification requirements of insurance producers that are not members of the Association;

''(2) resident or nonresident insurance producer appointment requirements;

''(3) supervising and disciplining resident and nonresident insurance producers;

''(4) establishing licensing fees for resident and nonresident insurance producers so that there is no loss of insurance producer licensing revenue to the State; and

''(5) prescribing and enforcing laws and regulations regulating the conduct of resident and nonresident insurance producers.

"SEC. 323. MEMBERSHIP.

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—Any insurance producer licensed in its home State shall, subject to paragraphs (2) and (4), be eligible to become a member of the Association.

''(2) INELIGIBILITY FOR SUSPENSION OR REVOCATION OF LICENSE.—Subject to paragraph (3), an insurance producer is not eligible to become a member of the Association if a State insurance regulator has suspended or revoked the insurance license of the insurance producer in that State.

''(3) RESUMPTION OF ELIGIBILITY.—Paragraph (2) shall cease to apply to any insurance producer if—

''(A) the State insurance regulator reissues or renews the license of the insurance producer in the State in which the license was suspended or revoked, or otherwise terminates or vacates the suspension or revocation; or

''(B) the suspension or revocation expires or is subsequently overturned by a court of competent jurisdiction.

''(4) CRIMINAL HISTORY RECORD CHECK REQUIRED.—

''(A) IN GENERAL.—An insurance producer who is an individual shall not be eligible to become a member of the Association unless the insurance producer has undergone a criminal history record check that complies with regulations prescribed by the Attorney General of the United States under subparagraph (K).

''(B) CRIMINAL HISTORY RECORD CHECK REQUESTED BY HOME STATE.—An insurance producer who is licensed in a State and who has undergone a criminal history record check during the 2-year period preceding the date of submission of an application to become a member of the Association, in compliance with a requirement to undergo such criminal history record check as a condition for such licensure in the State, shall be deemed to have undergone a criminal history record check for purposes of subparagraph (A).

''(C) CRIMINAL HISTORY RECORD CHECK REQUESTED BY ASSOCIATION.—

''(i) IN GENERAL.—The Association shall, upon request by an insurance producer licensed in a State, submit fingerprints or other identification information obtained from the insurance producer, and a request for a criminal history record check of the insurance producer, to the Federal Bureau of Investigation.

''(ii) PROCEDURES.—The board of directors of the Association (referred to in this subtitle as the 'Board') shall prescribe procedures for obtaining and utilizing fingerprints or other identification information and criminal history record information, including the establishment of reasonable fees to defray the expenses of the Association in connection with the performance of a criminal history record check and appropriate safeguards for maintaining confidentiality and security of the information. Any fees charged pursuant to this clause shall be separate and distinct from those charged by the Attorney General pursuant to subparagraph (I).

''(D) FORM OF REQUEST.—A submission under subparagraph (C)(i) shall include such fingerprints or other identification information as is required by the Attorney General concerning the person about whom the criminal history record check is requested, and a statement signed by the person authorizing the Attorney General to provide the information to the Association and for the Association to receive the information.

''(E) PROVISION OF INFORMATION BY ATTORNEY GENERAL.—Upon receiving a submission under subparagraph (C)(i) from the Association, the Attorney General shall search all criminal history records of the Federal Bureau of Investigation, including records of the Criminal Justice Information Services Division of the Federal Bureau of Investigation, that the Attorney General determines appropriate for criminal history records corresponding to the fingerprints or other identification information provided under subparagraph (D) and provide all criminal history record information included in the request to the Association.

''(F) LIMITATION ON PERMISSIBLE USES OF INFORMATION.—Any information provided to the Association under subparagraph (E) may only—

''(i) be used for purposes of determining compliance with membership criteria established by the Association;

''(ii) be disclosed to State insurance regulators, or Federal or State law enforcement agencies, in conformance with applicable law; or

''(iii) be disclosed, upon request, to the insurance producer to whom the criminal history record information relates.

''(G) PENALTY FOR IMPROPER USE OR DISCLOSURE.—Whoever knowingly uses any information provided under subparagraph (E) for a purpose not authorized in subparagraph (F), or discloses any such information to anyone not authorized to receive it, shall be fined not more than $50,000 per violation as determined by a court of competent jurisdiction.

''(H) RELIANCE ON INFORMATION.—Neither the Association nor any of its Board members, officers, or employees shall be liable in any action for using information provided under subparagraph (E) as permitted under subparagraph (F) in good faith and in reasonable reliance on its accuracy.

''(I) FEES.—The Attorney General may charge a reasonable fee for conducting the search and providing the information under subparagraph (E), and any such fee shall be collected and remitted by the Association to the Attorney General.

''(J) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as—

''(i) requiring a State insurance regulator to perform criminal history record checks under this section; or

''(ii) limiting any other authority that allows access to criminal history records.

''(K) REGULATIONS.—The Attorney General shall prescribe regulations to carry out this paragraph, which shall include—

''(i) appropriate protections for ensuring the confidentiality of information provided under subparagraph (E); and

''(ii) procedures providing a reasonable opportunity for an insurance producer to contest the accuracy of information regarding the insurance producer provided under subparagraph (E).

''(L) INELIGIBILITY FOR MEMBERSHIP.—

''(i) IN GENERAL.—The Association may, under reasonably consistently applied standards, deny membership to an insurance producer on the basis of criminal history record information provided under subparagraph (E), or where the insurance producer has been subject to disciplinary action, as described in paragraph (2).

''(ii) RIGHTS OF APPLICANTS DENIED MEMBERSHIP.—The Association shall notify any insurance producer who is denied membership on the basis of criminal history record information provided under subparagraph (E) of the right of the insurance producer to—

''(I) obtain a copy of all criminal history record information provided to the Association under subparagraph (E) with respect to the insurance producer; and

''(II) challenge the denial of membership based on the accuracy and completeness of the information.

''(M) DEFINITION.—For purposes of this paragraph, the term 'criminal history record check' means a national background check of criminal history records of the Federal Bureau of Investigation.

''(b) AUTHORITY TO ESTABLISH MEMBERSHIP CRITERIA.—The Association may establish membership criteria that bear a reasonable relationship to the purposes for which the Association was established.

''(c) ESTABLISHMENT OF CLASSES AND CATEGORIES OF MEMBERSHIP.—

''(1) CLASSES OF MEMBERSHIP.—The Association may establish separate classes of membership, with separate criteria, if the Association reasonably determines that performance of different duties requires different levels of education, training, experience, or other qualifications.

''(2) BUSINESS ENTITIES.—The Association shall establish a class of membership and membership criteria for business entities. A business entity that applies for membership shall be required to designate an individual Association member responsible for the compliance of the business entity with Association standards and the insurance laws, standards, and regulations of any State in which the business entity seeks to do business on the basis of Association membership.

''(3) CATEGORIES.—

''(A) SEPARATE CATEGORIES FOR INSURANCE PRODUCERS PERMITTED.—The Association may establish separate categories of membership for insurance producers and for other persons or entities within each class, based on the types of licensing categories that exist under State laws.

''(B) SEPARATE TREATMENT FOR DEPOSITORY INSTITUTIONS PROHIBITED.—No special categories of membership, and no distinct membership criteria, shall be established for members that are depository institutions or for employees, agents, or affiliates of depository institutions.

''(d) MEMBERSHIP CRITERIA.—

''(1) IN GENERAL.—The Association may establish criteria for membership which shall include standards for personal qualifications, education, training, and experience. The Association shall not establish criteria that unfairly limit the ability of a small insurance producer to become a member of the Association, including imposing discriminatory membership fees.

''(2) QUALIFICATIONS.—In establishing criteria under paragraph (1), the Association shall not adopt any qualification less protective to the public than that contained in the National Association of Insurance Commissioners (referred to in this subtitle as the 'NAIC') Producer Licensing Model Act in effect as of the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2015, and shall consider the highest levels of insurance producer qualifications established under the licensing laws of the States.

''(3) ASSISTANCE FROM STATES.—

''(A) IN GENERAL.—The Association may request a State to provide assistance in investigating and evaluating the eligibility of a prospective member for membership in the Association.

''(B) AUTHORIZATION OF INFORMATION SHARING.—A submission under subsection (a)(4)(C)(i) made by an insurance producer licensed in a State shall include a statement signed by the person about whom the assistance is requested authorizing—

''(i) the State to share information with the Association; and

''(ii) the Association to receive the information.

''(C) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as requiring or authorizing any State to adopt new or additional requirements concerning the licensing or evaluation of insurance producers.

''(4) DENIAL OF MEMBERSHIP.—The Association may, based on reasonably consistently applied standards, deny membership to any State-licensed insurance producer for failure to meet the membership criteria established by the Association.

''(e) EFFECT OF MEMBERSHIP.—

''(1) AUTHORITY OF ASSOCIATION MEMBERS.—Membership in the Association shall—

''(A) authorize an insurance producer to sell, solicit, or negotiate insurance in any State for which the member pays the licensing fee set by the State for any line or lines of insurance specified in the home State license of the insurance producer, and exercise all such incidental powers as shall be necessary to carry out such activities, including claims adjustments and settlement to the extent permissible under the laws of the State, risk management, employee benefits advice, retirement planning, and any other insurance-related consulting activities;

''(B) be the equivalent of a nonresident insurance producer license for purposes of authorizing the insurance producer to engage in the activities described in subparagraph (A) in any State where the member pays the licensing fee; and

''(C) be the equivalent of a nonresident insurance producer license for the purpose of subjecting an insurance producer to all laws, regulations, provisions or other action of any State concerning revocation, suspension, or other enforcement action related to the

ability of a member to engage in any activity within the scope of authority granted under this subsection and to all State laws, regulations, provisions, and actions preserved under paragraph (5).

''(2) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Nothing in this subtitle shall be construed to alter, modify, or supercede any requirement established by section 1033 of title 18, United States Code.

''(3) AGENT FOR REMITTING FEES.—The Association shall act as an agent for any member for purposes of remitting licensing fees to any State pursuant to paragraph (1).

''(4) NOTIFICATION OF ACTION.—

''(A) IN GENERAL.—The Association shall notify the States (including State insurance regulators) and the NAIC when an insurance producer has satisfied the membership criteria of this section. The States (including State insurance regulators) shall have 10 business days after the date of the notification in order to provide the Association with evidence that the insurance producer does not satisfy the criteria for membership in the Association.

''(B) ONGOING DISCLOSURES REQUIRED.—On an ongoing basis, the Association shall disclose to the States (including State insurance regulators) and the NAIC a list of the States in which each member is authorized to operate. The Association shall immediately notify the States (including State insurance regulators) and the NAIC when a member is newly authorized to operate in one or more States, or is no longer authorized to operate in one or more States on the basis of Association membership.

''(5) PRESERVATION OF CONSUMER PROTECTION AND MARKET CONDUCT REGULATION.—

''(A) IN GENERAL.—No provision of this section shall be construed as altering or affecting the applicability or continuing effectiveness of any law, regulation, provision, or other action of any State, including those described in subparagraph (B), to the extent that the State law, regulation, provision, or other action is not inconsistent with the provisions of this subtitle related to market entry for nonresident insurance producers, and then only to the extent of the inconsistency.

''(B) PRESERVED REGULATIONS.—The laws, regulations, provisions, or other actions of any State referred to in subparagraph (A) include laws, regulations, provisions, or other actions that—

''(i) regulate market conduct, insurance producer conduct, or unfair trade practices;

''(ii) establish consumer protections; or

''(iii) require insurance producers to be appointed by a licensed or authorized insurer.

''(f) BIENNIAL RENEWAL.—Membership in the Association shall be renewed on a biennial basis.

''(g) CONTINUING EDUCATION.—

''(1) IN GENERAL.—The Association shall establish, as a condition of membership, continuing education requirements which shall be comparable to the continuing education requirements under the licensing laws of a majority of the States.

''(2) STATE CONTINUING EDUCATION REQUIREMENTS.—A member may not be required to satisfy continuing education requirements imposed under the laws, regulations, provisions, or actions of any State other than the home State of the member.

''(3) RECIPROCITY.—The Association shall not require a member to satisfy continuing education requirements that are equivalent to any continuing education requirements of the home State of the member that have been satisfied by the member during the applicable licensing period.

''(4) LIMITATION ON THE ASSOCIATION.—The Association shall not directly or indirectly offer any continuing education courses for insurance producers.

''(h) PROBATION, SUSPENSION AND REVOCATION.—

''(1) DISCIPLINARY ACTION.—The Association may place an insurance producer that is a member of the Association on probation or suspend or revoke the membership of the insurance producer in the Association, or assess monetary fines or penalties, as the Association determines to be appropriate, if—

''(A) the insurance producer fails to meet the applicable membership criteria or other standards established by the Association;

''(B) the insurance producer has been subject to disciplinary action pursuant to a final adjudicatory proceeding under the jurisdiction of a State insurance regulator;

''(C) an insurance license held by the insurance producer has been suspended or revoked by a State insurance regulator; or

''(D) the insurance producer has been convicted of a crime that would have resulted in the denial of membership pursuant to subsection (a)(4)(L)(i) at the time of application, and the Association has received a copy of the final disposition from a court of competent jurisdiction.

''(2) VIOLATIONS OF ASSOCIATION STANDARDS.—The Association shall have the power to investigate alleged violations of Association standards.

''(3) REPORTING.—The Association shall immediately notify the States (including State insurance regulators) and the NAIC when the membership of an insurance producer has been placed on probation or has been suspended, revoked, or otherwise terminated, or when the Association has assessed monetary fines or penalties.

''(i) CONSUMER COMPLAINTS.—

''(1) IN GENERAL.—The Association shall—

''(A) refer any complaint against a member of the Association from a consumer relating to alleged misconduct or violations of State insurance laws to the State insurance regulator where the consumer resides and, when appropriate, to any additional State insurance regulator, as determined by standards adopted by the Association; and

''(B) make any related records and information available to each State insurance regulator to whom the complaint is forwarded.

''(2) TELEPHONE AND OTHER ACCESS.—The Association shall maintain a toll-free number for purposes of this subsection and, as practicable, other alternative means of communication with consumers, such as an Internet webpage.

''(3) FINAL DISPOSITION OF INVESTIGATION.—State insurance regulators shall provide the Association with information regarding the final disposition of a complaint referred pursuant to paragraph (1)(A), but nothing shall be construed to compel a State to release confidential investigation reports or other information protected by State law to the Association.

''(j) INFORMATION SHARING.—The Association may—

''(1) share documents, materials, or other information, including confidential and privileged documents, with a State, Federal, or international governmental entity or with the NAIC or other appropriate entity referred to paragraphs (3) and (4), provided that the recipient has the authority and agrees to maintain the confidentiality or privileged status of the document, material, or other information;

''(2) limit the sharing of information as required under this subtitle with the NAIC or any other non-governmental entity, in circumstances under which the Association determines that the sharing of such information is unnecessary to further the purposes of this subtitle;

''(3) establish a central clearinghouse, or utilize the NAIC or another appropriate entity, as determined by the Association, as a central clearinghouse, for use by the Association and the States (including State insurance regulators), through which members of the Association may disclose their intent to operate in 1 or more States and pay the licensing fees to the appropriate States; and

''(4) establish a database, or utilize the NAIC or another appropriate entity, as determined by the Association, as a database, for use by the Association and the States (including State insurance regulators) for the collection of regulatory information concerning the activities of insurance producers.

''(k) EFFECTIVE DATE.—The provisions of this section shall take effect on the later of—

''(1) the expiration of the 2-year period beginning on the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2015; and

''(2) the date of incorporation of the Association.

''SEC. 324. BOARD OF DIRECTORS.

''(a) ESTABLISHMENT.—There is established a board of directors of the Association, which shall have authority to govern and supervise all activities of the Association.

''(b) POWERS.—The Board shall have such of the powers and authority of the Association as may be specified in the bylaws of the Association.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Board shall consist of 13 members who shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th Congress, of whom—

''(A) 8 shall be State insurance commissioners appointed in the manner provided in paragraph (2), 1 of whom shall be designated by the President to serve as the chairperson of the Board until the Board elects one such State insurance commissioner Board member to serve as the chairperson of the Board;

''(B) 3 shall have demonstrated expertise and experience with property and casualty insurance producer licensing; and

''(C) 2 shall have demonstrated expertise and experience with life or health insurance producer licensing.

''(2) STATE INSURANCE REGULATOR REPRESENTATIVES.—

''(A) RECOMMENDATIONS.—Before making any appointments pursuant to paragraph (1)(A), the President shall request a list of recommended candidates from the States through the NAIC, which shall not be binding on the President. If the NAIC fails to submit a list of recommendations not later than 15 business days after the date of the request, the President may make the requisite appointments without considering the views of the NAIC.

''(B) POLITICAL AFFILIATION.—Not more than 4 Board members appointed under paragraph (1)(A) shall belong to the same political party.

''(C) FORMER STATE INSURANCE COMMISSIONERS.—

''(i) IN GENERAL.—If, after offering each currently serving State insurance commissioner an appointment to the Board, fewer than 8 State insurance commissioners have accepted appointment to the Board, the President may appoint the remaining State insurance commissioner Board members, as required under paragraph (1)(A), of the appropriate political party as required under subparagraph (B), from among individuals who are former State insurance commissioners.

''(ii) LIMITATION.—A former State insurance commissioner appointed as described in

clause (i) may not be employed by or have any present direct or indirect financial interest in any insurer, insurance producer, or other entity in the insurance industry, other than direct or indirect ownership of, or beneficial interest in, an insurance policy or annuity contract written or sold by an insurer.

''(D) SERVICE THROUGH TERM.—If a Board member appointed under paragraph (1)(A) ceases to be a State insurance commissioner during the term of the Board member, the Board member shall cease to be a Board member.

''(3) PRIVATE SECTOR REPRESENTATIVES.—In making any appointment pursuant to subparagraph (B) or (C) of paragraph (1), the President may seek recommendations for candidates from groups representing the category of individuals described, which shall not be binding on the President.

''(4) STATE INSURANCE COMMISSIONER DEFINED.—For purposes of this subsection, the term 'State insurance commissioner' means a person who serves in the position in State government, or on the board, commission, or other body that is the primary insurance regulatory authority for the State.

''(d) TERMS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the term of service for each Board member shall be 2 years.

''(2) EXCEPTIONS.—

''(A) 1-YEAR TERMS.—The term of service shall be 1 year, as designated by the President at the time of the nomination of the subject Board members for—

''(i) 4 of the State insurance commissioner Board members initially appointed under paragraph (1)(A), of whom not more than 2 shall belong to the same political party;

''(ii) 1 of the Board members initially appointed under paragraph (1)(B); and

''(iii) 1 of the Board members initially appointed under paragraph (1)(C).

''(B) EXPIRATION OF TERM.—A Board member may continue to serve after the expiration of the term to which the Board member was appointed for the earlier of 2 years or until a successor is appointed.

''(C) MID-TERM APPOINTMENTS.—A Board member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of the Board member was appointed shall be appointed only for the remainder of that term.

''(3) SUCCESSIVE TERMS.—Board members may be reappointed to successive terms.

''(e) INITIAL APPOINTMENTS.—The appointment of initial Board members shall be made no later than 90 days after the date of enactment of the National Association of Registered Agents and Brokers Reform Act of 2015.

''(f) MEETINGS.—

''(1) IN GENERAL.—The Board shall meet—

''(A) at the call of the chairperson;

''(B) as requested in writing to the chairperson by not fewer than 5 Board members; or

''(C) as otherwise provided by the bylaws of the Association.

''(2) QUORUM REQUIRED.—A majority of all Board members shall constitute a quorum.

''(3) VOTING.—Decisions of the Board shall require the approval of a majority of all Board members present at a meeting, a quorum being present.

''(4) INITIAL MEETING.—The Board shall hold its first meeting not later than 45 days after the date on which all initial Board members have been appointed.

''(g) RESTRICTION ON CONFIDENTIAL INFORMATION.—Board members appointed pursuant to subparagraphs (B) and (C) of subsection (c)(1) shall not have access to confidential information received by the Association in connection with complaints, investigations, or disciplinary proceedings involving insurance producers.

''(h) ETHICS AND CONFLICTS OF INTEREST.—The Board shall issue and enforce an ethical conduct code to address permissible and prohibited activities of Board members and Association officers, employees, agents, or consultants. The code shall, at a minimum, include provisions that prohibit any Board member or Association officer, employee, agent or consultant from—

''(1) engaging in unethical conduct in the course of performing Association duties;

''(2) participating in the making or influencing the making of any Association decision, the outcome of which the Board member, officer, employee, agent, or consultant knows or had reason to know would have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the person or a member of the immediate family of the person;

''(3) accepting any gift from any person or entity other than the Association that is given because of the position held by the person in the Association;

''(4) making political contributions to any person or entity on behalf of the Association; and

''(5) lobbying or paying a person to lobby on behalf of the Association.

''(i) COMPENSATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no Board member may receive any compensation from the Association or any other person or entity on account of Board membership.

''(2) TRAVEL EXPENSES AND PER DIEM.—Board members may be reimbursed only by the Association for travel expenses, including per diem in lieu of subsistence, at rates consistent with rates authorized for employees of Federal agencies under subchapter I of chapter 57 of title 5, United States Code, while away from home or regular places of business in performance of services for the Association.

''SEC. 325. BYLAWS, STANDARDS, AND DISCIPLINARY ACTIONS.

''(a) ADOPTION AND AMENDMENT OF BYLAWS AND STANDARDS.—

''(1) PROCEDURES.—The Association shall adopt procedures for the adoption of bylaws and standards that are similar to procedures under subchapter II of chapter 5 of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(2) COPY REQUIRED TO BE FILED.—The Board shall submit to the President, through the Department of the Treasury, and the States (including State insurance regulators), and shall publish on the website of the Association, all proposed bylaws and standards of the Association, or any proposed amendment to the bylaws or standards of the Association, accompanied by a concise general statement of the basis and purpose of such proposal.

''(3) EFFECTIVE DATE.—Any proposed bylaw or standard of the Association, and any proposed amendment to the bylaws or standards of the Association, shall take effect, after notice under paragraph (2) and opportunity for public comment, on such date as the Association may designate, unless suspended under section 329(c).

''(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to subject the Board or the Association to the requirements of subchapter II of chapter 5 of title 5, United States Code (commonly known as the 'Administrative Procedure Act').

''(b) DISCIPLINARY ACTION BY THE ASSOCIATION.—

''(1) SPECIFICATION OF CHARGES.—In any proceeding to determine whether membership shall be denied, suspended, revoked, or not renewed, or to determine whether a member of the Association should be placed on probation (referred to in this section as a 'disciplinary action') or whether to assess fines or monetary penalties, the Association shall bring specific charges, notify the member of the charges, give the member an opportunity to defend against the charges, and keep a record.

''(2) SUPPORTING STATEMENT.—A determination to take disciplinary action shall be supported by a statement setting forth—

''(A) any act or practice in which the member has been found to have been engaged;

''(B) the specific provision of this subtitle or standard of the Association that any such act or practice is deemed to violate; and

''(C) the sanction imposed and the reason for the sanction.

''(3) INELIGIBILITY OF PRIVATE SECTOR REPRESENTATIVES.—Board members appointed pursuant to section 324(c)(3) may not—

''(A) participate in any disciplinary action or be counted toward establishing a quorum during a disciplinary action; and

''(B) have access to confidential information concerning any disciplinary action.

''SEC. 326. POWERS.

''In addition to all the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, the Association shall have the power to—

''(1) establish and collect such membership fees as the Association finds necessary to impose to cover the costs of its operations;

''(2) adopt, amend, and repeal bylaws, procedures, or standards governing the conduct of Association business and performance of its duties;

''(3) establish procedures for providing notice and opportunity for comment pursuant to section 325(a);

''(4) enter into and perform such agreements as necessary to carry out the duties of the Association;

''(5) hire employees, professionals, or specialists, and elect or appoint officers, and to fix their compensation, define their duties and give them appropriate authority to carry out the purposes of this subtitle, and determine their qualification;

''(6) establish personnel policies of the Association and programs relating to, among other things, conflicts of interest, rates of compensation, where applicable, and qualifications of personnel;

''(7) borrow money; and

''(8) secure funding for such amounts as the Association determines to be necessary and appropriate to organize and begin operations of the Association, which shall be treated as loans to be repaid by the Association with interest at market rate.

''SEC. 327. REPORT BY THE ASSOCIATION.

''(a) IN GENERAL.—As soon as practicable after the close of each fiscal year, the Association shall submit to the President, through the Department of the Treasury, and the States (including State insurance regulators), and shall publish on the website of the Association, a written report regarding the conduct of its business, and the exercise of the other rights and powers granted by this subtitle, during such fiscal year.

''(b) FINANCIAL STATEMENTS.—Each report submitted under subsection (a) with respect to any fiscal year shall include audited financial statements setting forth the financial position of the Association at the end of such fiscal year and the results of its operations (including the source and application of its funds) for such fiscal year.

''SEC. 328. LIABILITY OF THE ASSOCIATION AND THE BOARD MEMBERS, OFFICERS, AND EMPLOYEES OF THE ASSOCIATION.

''(a) IN GENERAL.—The Association shall not be deemed to be an insurer or insurance

producer within the meaning of any State law, rule, regulation, or order regulating or taxing insurers, insurance producers, or other entities engaged in the business of insurance, including provisions imposing premium taxes, regulating insurer solvency or financial condition, establishing guaranty funds and levying assessments, or requiring claims settlement practices.

''(b) LIABILITY OF BOARD MEMBERS, OFFICERS, AND EMPLOYEES.—No Board member, officer, or employee of the Association shall be personally liable to any person for any action taken or omitted in good faith in any matter within the scope of their responsibilities in connection with the Association.

''SEC. 329. PRESIDENTIAL OVERSIGHT.

''(a) REMOVAL OF BOARD.—If the President determines that the Association is acting in a manner contrary to the interests of the public or the purposes of this subtitle or has failed to perform its duties under this subtitle, the President may remove the entire existing Board for the remainder of the term to which the Board members were appointed and appoint, in accordance with section 324 and with the advice and consent of the Senate, in accordance with the procedures established under Senate Resolution 116 of the 112th Congress, new Board members to fill the vacancies on the Board for the remainder of the terms.

''(b) REMOVAL OF BOARD MEMBER.—The President may remove a Board member only for neglect of duty or malfeasance in office.

''(c) SUSPENSION OF BYLAWS AND STANDARDS AND PROHIBITION OF ACTIONS.—Following notice to the Board, the President, or a person designated by the President for such purpose, may suspend the effectiveness of any bylaw or standard, or prohibit any action, of the Association that the President or the designee determines is contrary to the purposes of this subtitle.

''SEC. 330. RELATIONSHIP TO STATE LAW.

''(a) PREEMPTION OF STATE LAWS.—State laws, regulations, provisions, or other actions purporting to regulate insurance producers shall be preempted to the extent provided in subsection (b).

''(b) PROHIBITED ACTIONS.—

''(1) IN GENERAL.—No State shall—

''(A) impede the activities of, take any action against, or apply any provision of law or regulation arbitrarily or discriminatorily to, any insurance producer because that insurance producer or any affiliate plans to become, has applied to become, or is a member of the Association;

''(B) impose any requirement upon a member of the Association that it pay fees different from those required to be paid to that State were it not a member of the Association; or

''(C) impose any continuing education requirements on any nonresident insurance producer that is a member of the Association.

''(2) STATES OTHER THAN A HOME STATE.—No State, other than the home State of a member of the Association, shall—

''(A) impose any licensing, personal or corporate qualifications, education, training, experience, residency, continuing education, or bonding requirement upon a member of the Association that is different from the criteria for membership in the Association or renewal of such membership;

''(B) impose any requirement upon a member of the Association that it be licensed, registered, or otherwise qualified to do business or remain in good standing in the State, including any requirement that the insurance producer register as a foreign company with the secretary of state or equivalent State official;

''(C) require that a member of the Association submit to a criminal history record check as a condition of doing business in the State; or

''(D) impose any licensing, registration, or appointment requirements upon a member of the Association, or require a member of the Association to be authorized to operate as an insurance producer, in order to sell, solicit, or negotiate insurance for commercial property and casualty risks to an insured with risks located in more than one State, if the member is licensed or otherwise authorized to operate in the State where the insured maintains its principal place of business and the contract of insurance insures risks located in that State.

''(3) PRESERVATION OF STATE DISCIPLINARY AUTHORITY.—Nothing in this section may be construed to prohibit a State from investigating and taking appropriate disciplinary action, including suspension or revocation of authority of an insurance producer to do business in a State, in accordance with State law and that is not inconsistent with the provisions of this section, against a member of the Association as a result of a complaint or for any alleged activity, regardless of whether the activity occurred before or after the insurance producer commenced doing business in the State pursuant to Association membership.

''SEC. 331. COORDINATION WITH FINANCIAL INDUSTRY REGULATORY AUTHORITY.

''The Association shall coordinate with the Financial Industry Regulatory Authority in order to ease any administrative burdens that fall on members of the Association that are subject to regulation by the Financial Industry Regulatory Authority, consistent with the requirements of this subtitle and the Federal securities laws.

''SEC. 332. RIGHT OF ACTION.

''(a) RIGHT OF ACTION.—Any person aggrieved by a decision or action of the Association may, after reasonably exhausting available avenues for resolution within the Association, commence a civil action in an appropriate United States district court, and obtain all appropriate relief.

''(b) ASSOCIATION INTERPRETATIONS.—In any action under subsection (a), the court shall give appropriate weight to the interpretation of the Association of its bylaws and standards and this subtitle.

''SEC. 333. FEDERAL FUNDING PROHIBITED.

''The Association may not receive, accept, or borrow any amounts from the Federal Government to pay for, or reimburse, the Association for, the costs of establishing or operating the Association.

''SEC. 334. DEFINITIONS.

''For purposes of this subtitle, the following definitions shall apply:

''(1) BUSINESS ENTITY.—The term 'business entity' means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

''(2) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

''(3) HOME STATE.—The term 'home State' means the State in which the insurance producer maintains its principal place of residence or business and is licensed to act as an insurance producer.

''(4) INSURANCE.—The term 'insurance' means any product, other than title insurance or bail bonds, defined or regulated as insurance by the appropriate State insurance regulatory authority.

''(5) INSURANCE PRODUCER.—The term 'insurance producer' means any insurance agent or broker, excess or surplus lines broker or agent, insurance consultant, limited insurance representative, and any other individual or entity that sells, solicits, or negotiates policies of insurance or offers advice, counsel, opinions or services related to insurance.

''(6) INSURER.—The term 'insurer' has the meaning as in section 313(e)(2)(B) of title 31, United States Code.

''(7) PRINCIPAL PLACE OF BUSINESS.—The term 'principal place of business' means the State in which an insurance producer maintains the headquarters of the insurance producer and, in the case of a business entity, where high-level officers of the entity direct, control, and coordinate the business activities of the business entity.

''(8) PRINCIPAL PLACE OF RESIDENCE.—The term 'principal place of residence' means the State in which an insurance producer resides for the greatest number of days during a calendar year.

''(9) STATE.—The term 'State' includes any State, the District of Columbia, any territory of the United States, and Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the Northern Mariana Islands.

''(10) STATE LAW.—

''(A) IN GENERAL.—The term 'State law' includes all laws, decisions, rules, regulations, or other State action having the effect of law, of any State.

''(B) LAWS APPLICABLE IN THE DISTRICT OF COLUMBIA.—A law of the United States applicable only to or within the District of Columbia shall be treated as a State law rather than a law of the United States.''.

(b) TECHNICAL AMENDMENT.—The table of contents for the Gramm-Leach-Bliley Act is amended by striking the items relating to subtitle C of title III and inserting the following new items:

''Subtitle C—National Association of Registered Agents and Brokers

''Sec. 321. National Association of Registered Agents and Brokers.
''Sec. 322. Purpose.
''Sec. 323. Membership.
''Sec. 324. Board of directors.
''Sec. 325. Bylaws, standards, and disciplinary actions.
''Sec. 326. Powers.
''Sec. 327. Report by the Association.
''Sec. 328. Liability of the Association and the Board members, officers, and employees of the Association.
''Sec. 329. Presidential oversight.
''Sec. 330. Relationship to State law.
''Sec. 331. Coordination with financial industry regulatory authority.
''Sec. 332. Right of action.
''Sec. 333. Federal funding prohibited.
''Sec. 334. Definitions.''.

TITLE III—BUSINESS RISK MITIGATION AND PRICE STABILIZATION

SEC. 301. SHORT TITLE.

This title may be cited as the ''Business Risk Mitigation and Price Stabilization Act of 2015''.

SEC. 302. MARGIN REQUIREMENTS.

(a) COMMODITY EXCHANGE ACT AMENDMENT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii), including the initial and variation margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii), shall not apply to a swap in which a counterparty qualifies for an exception under section 2(h)(7)(A), or an exemption issued under section 4(c)(1) from the requirements of section 2(h)(1)(A)

for cooperative entities as defined in such exemption, or satisfies the criteria in section 2(h)(7)(D).''.

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–10(e)), as added by section 764(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a security-based swap in which a counterparty qualifies for an exception under section 3C(g)(1) or satisfies the criteria in section 3C(g)(4).''.

SEC. 303. IMPLEMENTATION.

The amendments made by this title to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. NEUGEBAUER) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material for the RECORD on H.R. 26, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NEUGEBAUER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for those of you watching at home today, this is not a C–SPAN rerun. I stand before you today to discuss the Terrorism Risk Insurance Program Reauthorization Act, a bill that passed this House 417–7 at the end of the previous Congress.

This bill is a result of long and difficult bicameral and bipartisan negotiations. But for whatever reason, the previous Senate decided that it was more important to go home a couple of days earlier rather than reauthorize the TRIA program. As a result, the program expired at the end of the year.

So, today, the House will act on this important piece of legislation once again. Doing so will provide certainty to the terrorism risk insurance market and ensure that the American economy remains resilient against the threat of terrorism.

Congress passed the Terrorism Risk Insurance Act of 2002 in the aftermath of 9/11. It was intended to provide a 2-year transition period in which the market participants could develop resources that would enable them to offer private terrorism insurance coverage once the program expired. For various reasons, that transition has not taken hold.

Throughout the last 2 years, my subcommittee learned how evolved the terrorism risk insurance marketplace has become since the last reauthorization. Since the advent of TRIA in 2002, markets have stabilized, risk management practices have improved, terrorism risk modeling and underwriting has advanced, and the price of terrorism risk coverage has actually declined by 70 percent.

But we have also learned that this evolution of TRIA has failed to keep up with marketplace realities. In fact, the program remains largely unchanged over the last 12 years. This has hindered the growth of private market participation in terrorism risk insurance and resulted in a bad deal for the taxpayers.

The bill before us today is an effort to recognize and to keep pace with the market developments of the terrorism risk insurance marketplace over the past decade. The bill strengthens taxpayer protections without altering the program's fundamental functions, brings greater certainty and stability to the terrorism risk market, and lays a foundation for a more robust private market for terrorism risk.

With regard to the taxpayer protection, the program's trigger doubles from $100 million to $200 million. It also decreases the Federal share of insurers' losses from 85 percent to 80 percent and enhances the taxpayer repayment requirements. And for the first time, we will have meaningful data on the program to increase accountability and transparency.

To provide certainty, the program is extended for 6 years but makes no changes for the first year so that the market will have time to adjust. It also clarifies it streamlines the terrorism certification process so that policyholders are better protected.

Most importantly, the bill today creates a framework that will allow for a more healthy private market terrorism risk over time that slowly replaces taxpayer-funded reinsurance with private sector capital.

Finally, the bill before us today includes some bipartisan reforms that will help boost the economy and job opportunities for all Americans. These Dodd-Frank fixes will help America's hardworking farmers, ranchers, and business owners. They did not cause the financial crisis, and they deserve immediate relief.

I am also proud of the inclusion of the reestablishment of the National Association of Registered Agents and Brokers, or NARAB, which is an efficient and effective way to enable insurance agents and brokers to be licensed on a multistate basis while retaining essential State regulatory authority.

I thank Chairman HENSARLING for trusting me to reform this important program, and I urge my colleagues to vote ''yes'' on H.R. 26.

I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 26, the TRIA Reauthorization Act of 2015. This bill passed in the last Congress overwhelmingly 417–7.

I first want to thank Speaker BOEHNER and Leader PELOSI for acting so quickly to reauthorize the Terrorism Risk Insurance Act, or TRIA. Unfortunately, this critical program expired on January 1, and unless Congress swiftly reauthorizes TRIA, our economy will be dangerously exposed if we have another terrorist attack.

In fact, one of the financial rating agencies—Fitch—has said that if Congress doesn't reauthorize TRIA by the end of January, they are going to start downgrading companies and major construction projects, which would hurt the American economy. The other rating agencies have made equally strong statements about the importance to reauthorize TRIA.

Already, companies are having trouble getting terrorism insurance, and many companies that had terrorism insurance have now lost it because there were clauses written into their policies that said if TRIA is not there they do not have the insurance coverage.

I also want to thank very much Chairman HENSARLING and Chairman NEUGEBAUER, as well as Ranking Member WATERS and the Democrats on the Financial Services Committee, for their very hard work on this bill, which represents a true bipartisan compromise. I especially want to thank my colleagues from New York, PETER KING and Senator SCHUMER, who have worked very hard on this bill, which is critical to the State of New York, and I would say every State in our Union.

I believe that this compromise will ensure that terrorism insurance remains available and at affordable prices. This has always been the purpose of TRIA, and I believe that this bill will accomplish that goal.

After the last terrorist attack on our homeland—9/11—insurers realized that they couldn't accurately model for terrorism risk—it was simply too unpredictable—and the market for terrorism insurance completely shut down. Without terrorism insurance, all construction stopped in New York City. We couldn't build anything, and thousands and thousands of jobs were lost.

In response, Congress came together in a bipartisan way and passed TRIA, which provides a government backstop for terrorism insurance. The goal of TRIA was to make terrorism insurance both available and affordable, and that is exactly what it has done. This has come at no additional expense whatsoever or cost to the taxpayer.

Initially, the House TRIA bill raised the trigger for the government's backstop by a whopping 500 percent from

$100 million to $500 million. This would have forced small- and medium-sized insurers out of the market entirely and would have actually reduced the amount of terrorism insurance available to American businesses.

I was strongly opposed to increasing the trigger to $500 million because it would make terrorism insurance unavailable and unaffordable to businesses all across this country.

Fortunately, this compromise bill will only raise the trigger for the government backstop from $100 million to $200 million. This modest increase will ensure that small- and medium-sized insurers are not forced out of the market entirely, while also protecting taxpayers, and I fully support this compromise approach.

This bill also slightly increases the amount that the government recoups from the industry after TRIA is triggered, which will ensure that taxpayers are fully repaid for TRIA if it is needed.

Importantly, the compromise does not include the so-called bifurcation proposal, which would have treated nuclear, biological, chemical, and radiological attacks differently from other so-called conventional attacks. This made no sense whatsoever, and this compromise sensibly drops this proposal entirely. A terrorist attack is a terrorist attack.

Finally, I am pleased that the bill reauthorizes TRIA for a full 6 years. This will provide much needed certainty to businesses across the country as they expand and create more American jobs. Support for reauthorization of TRIA is deep and it is strong in the business community across this country.

Mr. Speaker, I enter into the RECORD a letter from 28 different business stakeholders strongly supporting the reauthorization and the need for TRIA.

DEAR REPRESENTATIVE: American businesses strongly support H.R. 26—the Terrorism Risk Insurance Program Reauthorization Act of 2015. This bill is the same as the TRIA legislation that passed the House by a bipartisan vote of 417–7 on December 10, 2014. Our coalition represents a diverse and broad majority of business stakeholders. We urge you to SUPPORT the bill when it is considered under suspension of the rules this week.

The Terrorism Risk Insurance Act is vital to the millions of businesses, job creators, and workers across the country reliant on TRIA to secure terrorism insurance and protect our economic growth. Following the attacks of September 11, 2001, Congress created TRIA to address a void in the marketplace, foster economic stability, and provide certainty to for-profit and non-profit entities across the country. For the past dozen years, the United States has relied on TRIA as a fiscally responsible terrorism risk management plan to protect taxpayers and our national security and stability.

It is critical that Congress act immediately to keep our terrorism insurance protection program in place. We urge your support of this important bill.

Sincerely,

American Association of Managing General Agents (AAMGA),
American Gaming Association (AGA),
American Hotel & Lodging Association (AH&LA),
American Insurance Association (AIA),
American Land Title Association (ALTA),
American Society of Workers Compensation Professionals (AmCOMP),
Associated Builders and Contractors (ABC),
California Insurance Wholesalers Association (CIWA),
CCIM Institute,
Coalition to Insure Against Terrorism (CIAT),
Council of Insurance Agents and Brokers (CIAB),
CRE Finance Council (CREFC),
Financial Services Roundtable (FSR),
Independent Insurance Agents & Brokers of America (Big ''I'').
Institute of Real Estate Management (IREM),
Mortgage Bankers Association (MBA),
National Apartment Association (NAA),
National Association of Home Builders (NAHB),
National Association of Mutual Insurance Companies (NAMIC),
National Association of Real Estate Investment Trusts (NAREIT),
National Association of REALTORS® (NAR),
National Multifamily Housing Council (NMHC),
Property Casualty Insurers Association of America (PCI),
Reinsurance Association of America (RAA),
Texas Surplus Lines Association (TSLA),
The Real Estate Roundtable (The Roundtable),
The Risk and Insurance Management Society (RIMS),
U.S. Chamber of Commerce.

Mrs. CAROLYN B. MALONEY of New York. The bill also includes the NARAB bill—the National Association of Registered Agents and Brokers—which has passed this Congress multiple times, many, many times, and this would merely recognize insurance brokers and agents licensed in other States across this country, increasing efficiency and saving and reducing costs for these businesses.

I urge my colleagues to vote for TRIA because it is the right thing to do for America, and I reserve the balance of my time.

Mr. NEUGEBAUER. Mr. Speaker, I enter into the RECORD an exchange of letters between the Financial Services Committee and the House Agriculture Committee.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 7, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 26, Terrorism Risk Insurance Program Reauthorization Act of 2015.

As you know, provisions of H.R. 26 are within the jurisdiction of the Committee on Agriculture. In order to expedite floor consideration of the bill, the Committee on Agriculture will forgo action on H.R. 26. Further, the Committee will not oppose the bill's consideration on the suspension calendar. This is also being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 26, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 7, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY: Thank you for your letter of even date herewith regarding H.R. 26, the Terrorism Risk Insurance Program Reauthorization Act of 2015.

I am most appreciative of your decision to forego consideration of H.R. 26 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Agriculture is in no way waiving its jurisdiction over any subject matter contained in the bill that falls within its jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 26.

Sincerely,

JEB HENSARLING,
Chairman.

Mr. NEUGEBAUER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), my neighbor to the south, our new committee chairman for the House Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, I thank Mr. NEUGEBAUER for yielding.

I rise today in support of H.R. 26, a bill to extend the expiration date of the Terrorism Risk Insurance Act.

I want to thank my good friend and vice chairman of the Agriculture Committee, RANDY NEUGEBAUER, for his work in shepherding this bill to the floor again.

I would also like to thank him and Chairman HENSARLING for fighting hard to include the Business Risk Mitigation and Price Stabilization Act as title III of today's bill. The House Committee on Agriculture, along with the Financial Services Committee, has made moving this legislation a priority.

Despite the lengthy title, the Business Risk Mitigation and Price Stabilization Act is not a complicated bill. It fulfills the promise that this body made to our farmers, ranchers, and small businesses when Dodd-Frank was drafted and signed into law that end users would not be treated as financial firms.

□ 1245

Yet regulators have narrowly interpreted the exemptions in the black letter of the law, forcing some businesses to leave capital idle in margin accounts, rather than investing in new production and creating jobs.

Forcing businesses to post margin not only ties up capital, but also makes it more expensive for firms to

utilize the risk management tools that they need to protect their businesses from uncertainty.

Today's bill clarifies in statute that Congress meant what it said when it exempted end users from margin and clearing requirements. Specifically, it ensures that those businesses which are exempt from clearing their hedges are also exempt from margining those hedges.

This well-reasoned legislation has broad bipartisan support. As a stand-alone bill, the House overwhelmingly supported it last year in June by a vote of 411–12. Since then, we have passed it four more times—and if we pass it today, a fifth time—which means we will keep doing it until we get it right.

I am hopeful that with today's vote, we can finally offer farmers, ranchers, and businesses the relief we promised them almost 5 years ago.

Again, I thank Chairman HENSARLING and Chairman NEUGEBAUER for including the Business Risk Mitigation and Price Stabilization Act in today's bill, and I urge my colleagues to support H.R. 26.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 7, 2014.

MR. SPEAKER: I am pleased to see the inclusion H.R. 634, Business Risk Mitigation and Price Stability Act, from the 113th Congress as Title III of the Terrorism Risk Insurance Program Reauthorization Act. This language, which was also included as Subtitle of Title III of H.R. 4413, Customer Protection and End-User Relief Act, from the 113th Congress provides an important protection to end-users from costly margining requirements that will divert much needed capital away from job creation.

In support of this title, I would like to request that the pertinent portions of the Committee on Agriculture report to accompany H.R. 4413 be included in the appropriate place in the Congressional Record.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

TITLE 3—END USER RELIEF

SUBTITLE A—END-USER EXEMPTION FROM MARGIN REQUIREMENTS

Section 311—End-user margin requirements

Section 311 amends Section 4s(e) of the Commodity Exchange Act (CEA) as added by Section 731 of the Dodd-Frank Act to provide an explicit exemption from margin requirements for swap transactions involving end-users that qualify for the clearing exception under 2(h)(7)(A).

''End-users'' are thousands of companies across the United States who utilize derivatives to hedge risks associated with their day-to-day operations, such as fluctuations in the prices of raw materials. Because these businesses do not pose systemic risk, Congress intended that the Dodd-Frank Act provide certain exemptions for end-users to ensure they were not unduly burdened by new margin and capital requirements associated with their derivatives trades that would hamper their ability to expand and create jobs.

Indeed, Title VII of the Dodd-Frank Act includes an exemption for non-financial end-users from centrally clearing their derivatives trades. This exemption permits end-users to continue trading directly with a counterparty, (also known as trading ''bilaterally,'' or over-the-counter (OTC)) which means their swaps are negotiated privately between two parties and they are not executed and cleared using an exchange or clearinghouse. Generally, it is common for non-financial end-users, such as manufacturers, to avoid posting cash margin for their OTC derivative trades. End-users generally will not post margin because they are able to negotiate such terms with their counterparties due to the strength of their own balance sheet or by posting non-cash collateral, such as physical property. End-users typically seek to preserve their cash and liquid assets for reinvestment in their businesses. In recognition of this common practice, the Dodd-Frank Act included an exemption from margin requirements for end-users for OTC trades.

Section 731 of the Dodd-Frank Act (and Section 764 with respect to security-based swaps) requires margin requirements be applied to swap dealers and major swap participants for swaps that are not centrally cleared. For swap dealers and major swap participants that are banks, the prudential banking regulators (such as the Federal Reserve or Federal Deposit Insurance Corporation) are required to set the margin requirements. For swap dealers and major swap participants that are not banks, the CFTC is required to set the margin requirements. Both the CFTC and the banking regulators have issued their own rule proposals establishing margin requirements pursuant to Section 731.

Following the enactment of the Dodd-Frank Act in July of 2010, uncertainty arose regarding whether this provision permitted the regulators to impose margin requirements on swap dealers when they trade with end-users, which could then result in either a direct or indirect margin requirement on end-users. Subsequently, Senators Blanche Lincoln and Chris Dodd sent a letter to then-Chairmen Barney Frank and Collin Peterson on June 30, 2010, to set forth and clarify congressional intent, stating:

The legislation does not authorize the regulators to impose margin on end-users, those exempt entities that use swaps to hedge or mitigate commercial risk. If regulators raise the costs of end-user transactions, they may create more risk. It is imperative that the regulators do not unnecessarily divert working capital from our economy into margin accounts, in a way that would discourage hedging by end-users or impair economic growth.

In addition, statements in the legislative history of section 731 (and Section 764) suggests that Congress did not intend, in enacting this section, to impose margin requirements on nonfinancial end-users engaged in hedging activities, even in cases where they entered into swaps with swap entities.

In the CFTC's proposed rule on margin, it does not require margin for uncleared swaps when non-bank swap dealers transact with non-financial end-users. However, the prudential banking regulators proposed rules would require margin be posted by non-financial end-users above certain established thresholds when they trade with swap dealers that are banks. Many of end-users' transactions occur with swap dealers that are banks, so the banking regulators' proposed rule is most relevant, and therefore of most concern, to end-users.

By the prudential banking regulators' own terms, their proposal to require margin stems directly from what they view to be a legal obligation under Title VII. The plain language of section 731 provides that the Agencies adopt rules for covered swap entities imposing margin requirements on all non-cleared swaps. Despite clear congressional intent, those sections do not, by their terms, exclude a swap with a counterparty that is a commercial end-user. By providing an explicit exemption under Title VII through enactment of this provision, the prudential regulators will no longer have a perceived legal obligation and the congressional intent they acknowledge in their proposed rule will be implemented.

The Committee notes that in September of 2013, the International Organization of Securities Commissions (IOSCO) and the Bank of International Settlements published their final recommendations for margin requirements for uncleared derivatives. Representatives from a number of U.S. regulators, including the CFTC and the Board of Governors of the Federal Reserve participated in the development of those margin requirements, which are intended to set baseline international standards for margin requirements. It is the intent of the Committee that any margin requirements promulgated under the authority provided in Section 4s of the Commodity Exchange Act should be generally consistent with the international margin standards established by IOSCO.

On March 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' the following testimony was provided to the Committee with respect to provisions included in Section 311:

In approving the Dodd-Frank Act, Congress made clear that end-users were not to be subject to margin requirements. Nonetheless, regulations proposed by the Prudential Banking Regulators could require end-users to post margin. This stems directly from what they view to be a legal obligation under Title VII. While the regulations proposed by the CFTC are preferable, they do not provide end-users with the certainty that legislation offers. According to a Coalition for Derivatives End-Users survey, a 3% initial margin requirement could reduce capital spending by as much as $5.1 to $6.7 billion among S&P 500 companies alone and cost 100,000 to 130,000 jobs. To shed some light on Honeywell's potential exposure to margin requirements, we had approximately $2 billion of hedging contracts outstanding at year-end that would be defined as a swap under Dodd-Frank. Applying 3% initial margin and 10% variation margin implies a potential margin requirement of $260 million. Cash deposited in a margin account cannot be productively deployed in our businesses and therefore detracts from Honeywell's financial performance and ability to promote economic growth and protect American jobs.—Mr. James E. Colby, Assistant Treasurer, Honeywell International Inc.

On May 21, 2013, at a hearing entitled ''The Future of the CFTC: Market Perspectives,'' Mr. Stephen O'Connor, Chairman, ISDA, provided the following testimony with respect to provisions included in Section 311:

Perhaps most importantly, we do not believe that initial margin will contribute to the shared goal of reducing systemic risk and increasing systemic resilience. When robust variation margin practices are employed, the additional step of imposing initial margin imposes an extremely high cost on both market participants and on systemic resilience with very little countervailing benefit. The Lehman and AIG situations highlight the importance of variation margin. AIG did not follow sound variation margin practices, which resulted in dangerous levels of credit risk building up, ultimately leading to its bailout. Lehman, on the other hand, posted daily variation margin, and while its failure caused shocks in many markets, the variation margin prevented outsized losses in the OTC derivatives markets. While industry and regulators agree on a robust variation margin regime including all

appropriate products and counterparties, the further step of moving to mandatory IM [initial margin] does not stand up to any rigorous cost-benefit analysis.

Based on the extensive background that accompanies the statutory change provided explicitly in Section 311, the Committee intends that initial and variation margin requirements cannot be imposed on uncleared swaps entered into by cooperative entities if they similarly qualify for the CFTC's cooperative exemption with respect to cleared swaps. Cooperative entities did not cause the financial crisis and should not be required to incur substantial new costs associated with posting initial and variation margin to counterparties. In the end, these costs will be borne by their members in the form of higher prices and more limited access to credit, especially in underserved markets, such as in rural America. Therefore, the Committee's clear intent when drafting Section 311 was to prohibit the CFTC and prudential regulators, including the Farm Credit Administration, from imposing margin requirements on cooperative entities.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Georgia (Mr. SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I certainly want to recognize and appreciate the gentlewoman from Manhattan for the excellent leadership job that she is doing on this.

Mr. Speaker, this bill, TRIA, is so important. It is very important to note that it hasn't cost the taxpayers anything, and it has been very successful where needed; but, Mr. Speaker, this bill contains another very important piece: we affectionately call it NARAB, which is the National Association of Registered Agents and Brokers—just think if TRIA and the NARAB portion of this bill had been in place in 1999, before we had the terrorism risk, before we had the terrorist strikes of 9/11, and other terrorist attacks.

But in the middle of all of that, even with the downturn of the economic calamity, standing in the middle of this storm were our insurance agents, the lifeline of the American people. What NARAB is doing here is making sure that we streamline the process and make sure that our insurance agents are able to operate across State lines.

Mr. Speaker, we all realize that insurance is a State-licensed, State-authorized operation. NARAB does not interfere with that. As a matter of fact, all 50 of the insurance agents of our States have all agreed with NARAB.

This is an important bill because our insurance agents, our small businesses, are the lifeline in tragedy and distress. We live in a highly mobile society now. It is very important for our agents to be able to go across State lines with one licensing procedure that is held to the highest standard while at the same time being licensed in their own State.

We have had great cooperation from all of our insurance agents, including the insurance agents' association. Our financial advisers and our brokers all agree.

The other thing, Mr. Speaker, is that many of us on the Financial Services Committee have been working on this measure for 10 years. For 10 years, we have been toiling in the vineyards on this and so have others in the Senate.

Now is the time to give our insurance agents the respect and the nobility of purpose of their very fine profession and at the same time reach our primary goal, which is to give the American insurance consumers the choice, the competition, and the benefits that they need.

Mr. NEUGEBAUER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Georgia for his tireless efforts on NARAB. I think we are going to get it done this time. I know he has worked on it a number of years. He and I have worked together to try to get this done. It is a commonsense piece of legislation, and I am hopeful that this will be the time to get it passed.

I am now pleased to yield 3 minutes to the gentleman from New York (Mr. KING), who has been a tireless advocate for the TRIA program.

Mr. KING of New York. Mr. Speaker, I thank Chairman NEUGEBAUER for yielding and for all his efforts on this. I also appreciate the fact that he said my efforts were tireless. Chairman HENSARLING, at times, thought they were tiresome.

I want to thank the chairman for putting a good spin on it, but very seriously, I want to thank him for his efforts. This is a bill where a number of us started off from different positions, from different perspectives. In true legislative form, we came together.

This bill that we passed in December was a solid bill. Unfortunately, it was not taken up by the Senate, but it is essential that we pass it today because, as my good friend Mrs. MALONEY said, this could have a devastating effect on the construction industry and on the American economy if it is not renewed as quickly as possible. This has to be reauthorized. It is absolutely essential.

I want to thank Chairman HENSARLING again for his efforts throughout this. Again, it has been a long process, but we stayed at it, and I thank him for that. Obviously, I thank Mrs. MALONEY and the ranking member, Ms. WATERS. Also, Mr. CAPUANO has been a fighter on this from the start. Again, we came together.

This is a bill that, as I have said a number of times, was absolutely essential after September 11, when terrorism risk insurance could not be obtained. It even became more obvious as time went on how essential it was, how we desperately need it, and we have to preserve it.

Also, not one Federal dollar has been expended on it; yet billions of dollars in revenue, construction projects, jobs, and expansion of the economy has resulted because of it.

We are voting today, in a way, on a bill which, as Mrs. MALONEY said, is going to go on for another 6 years. That gives it permanence and stability. It gives the construction industry, the real estate industry, and the people on the ground who want those construction jobs the ability to go forward. It lets municipalities know there is going to be construction going ahead in their jurisdictions. It is a plus-plus all the way.

The changes that were made, the reforms that were made, I didn't believe they had to be done, but the fact is they are done, and they are not going to change the overall impact. They are not going to have any meaningful determinative effect whatsoever.

Again, I am proud to support this bill in all its aspects. Mr. SCOTT from Georgia had a great concern about the insurers. I share that also. I think it is important that be in this bill. I know that was a bit of an obstacle in the Senate, but it shouldn't be. It had overwhelming support in the House. I know the great majority of the Members in the Senate support it.

Now, we pass this on suspension today, sending a strong signal how we support this bill in its entirety. From my conversations—and I think Mrs. MALONEY has had the same conversations—we feel confident that the Senate is going to pass it.

When they do, it will be a victory for the American people, a victory for American business, a victory for American labor, and a victory for the American people to show that we have fought all the way back from the horrors of 9/11, and we are going to make sure that never again are we put in that position as far as the damage it can have on our economy.

I would end this by saying that when we saw the attack in Paris today, we realized what can happen with a terrorist attack, how it can happen at any moment, and why it is essential this be reauthorized.

Again, I thank the chairman for his efforts and patience over the last several years.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I do want to comment that it has been reported in the press that the Senate has announced they will bring up this bill next week, which is very, very important to move it forward.

I yield 3 minutes to the gentleman from the great State of Massachusetts (Mr. CAPUANO), who has been a fighter, advocate, and an effective spokesperson.

Mr. CAPUANO. I thank the gentlewoman for yielding.

Mr. Speaker, I, too, want to add my words congratulating everybody for finally getting this done, but I also want to be real clear. I wish we could have done this a year ago, so we could have been working on things that we have some differences on that need to be done.

Where we are today on this bill could have easily been reached in a bipartisan manner with 400-plus Members voting for it over a year ago. I am only aware of two outside groups—both

think tanks, not in business, not in labor—that opposed this bill; yet we let them run the agenda here because people couldn't get off the dime.

For me, that is a huge mistake. We are here to make agreements, to make compromise, to get things done. For instance, we are sitting here today with Fannie and Freddie not resolved after all these years because we can't get off the dime of a few ideological disagreements that clearly are not going to be settled, the way they are going.

There is plenty of room for compromise, plenty of room to get together and talk about it and get something done for the American people and the American economy.

That is just one example. We have to get beyond the outside ideological groups telling us what we can and cannot do. Even if we agree with them, we have to understand we are elected to lead, to argue, and then to compromise.

We are here today, finally. Thank you. Let's not get bogged down any further in this new Congress. We will have our differences, and we will have some differences that cannot be resolved. This was never one of them. I think there is plenty of room on Fannie and Freddie. I think there are issues on insurance.

I think there are plenty of issues we can and should work on. We both have our outside groups to deal with. We both have to turn to them with loving attention and tell you: ''We love you, we agree with you, but I was elected to move the ball forward.''

That is what we are doing here today, and I congratulate those people that have finally done it, including the two people leading this bill, both the chairman and the ranking member of the committee, and other members of this committee that have worked on this for so long.

I can't honestly say that I am looking forward to doing this again in 6 years, but I hope that when we get there, we can do it a little bit more quickly than we did this time.

Mr. NEUGEBAUER. I thank the gentleman from Massachusetts. I want to tell him how much I enjoyed working with him. He was the ranking Member of the Housing and Insurance Subcommittee, and we had an opportunity to work together. It was a pleasure to do.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN), a distinguished member of the Financial Services Committee.

Mr. STUTZMAN. Mr. Speaker, I rise today in support of the Terrorism Risk Program Reauthorization Act of 2015.

Mr. Speaker, as we have all recently seen, terrorism and violence continues to be a threat not only to our friends on the other side of the globe, but also to our homeland. The rise of ISIS has demonstrated that the American people and our interests are constant targets.

Because these dangers continue to grow, it is our job to make sure we are taking the necessary steps to protect ourselves. The terror attacks on September 11, 2001, not only brought a devastating loss of innocent human life, they also wreaked havoc on our economy, costing insurers tens of billions of dollars, taking years to recover.

We have to take the necessary steps to protect and prevent any physical harm to America and make sure we are doing what we can to protect our economic interests. That is what today's legislation is all about.

When first passed in 2002, TRIA provided much-needed stability to ease any economic pain of another attack. Today's reauthorization will continue to provide a necessary backstop and the financial security that will allow major commercial and real estate projects so vital to the economy to move forward.

Reauthorizing this legislation is an opportunity for both parties to stand together in a bipartisan fashion and strengthen our national security.

I would like to thank Chairman HENSARLING, Representative NEUGEBAUER, and the rest of the members of the Financial Services Committee for their hard work on this issue. It has taken time to get to this point, but I believe this is a good way for us to start this Congress, working together to pass a bill that is in the best interest of our national security.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Maryland (Mr. HOYER), the distinguished minority leader.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I thank the gentlewoman from New York for yielding. I appreciate her work. I also appreciate the work of Mr. NEUGEBAUER for bringing this bill to the floor.

This bill could have been—should have been, as Mr. CAPUANO said—passed a long time ago with an overwhelming vote. I brought this up on regular conferences and colloquies that I had with Mr. Cantor and more recently with Mr. MCCARTHY, but it is always timely to do the right thing. Today, we are doing the right thing, and I rise in strong support of the passage of this bill.

Reauthorizing the Terrorism Risk Program Reauthorization Act will provide much-needed certainty to businesses and insurers, certainty that will help our economy and prevent harm to job creation. I believe Congress has the responsibility to reauthorize the TRIA program, and I encourage all of my colleagues to join me in voting to do so today.

□ 1300

This program expired at the end of 2014, and Congress must take action on TRIA without delay. I would reiterate that this program as incorporated in this piece of legislation has had well over 250 votes for at least the last year and a half, but it is never too late to do the right thing. The longer Congress waits, the worse the effects will be on our economy and job creation.

I want to thank Ranking Member WATERS. I want to thank Ranking Member VELÁZQUEZ for her work on this as well and, as I said, the leadership on the majority side that finally got us to a point where we could make an agreement last year.

We passed a bill last year. I regret that the Senate didn't pass it, but I applaud the majority's bringing it to the floor as one of the first pieces of business that we do. All sides deserve, therefore, credit for their efforts to help restore certainty to businesses and protect against the slowdown in job growth that would result from not reauthorizing TRIA.

So, today we do the right thing; we do it in a bipartisan fashion. Let's hope we can continue to do this.

Mr. NEUGEBAUER. Mr. Speaker, it is now my pleasure to yield 1 minute to the gentleman from New Hampshire (Mr. GUINTA), a distinguished member of the Financial Services Committee.

Mr. GUINTA. Mr. Speaker, I rise in strong support of H.R. 26, the Terrorism Risk Insurance Program Reauthorization Act of 2015. As the recent tragic events in Boston have shown, terrorism is still alive, and we must be ever vigilant in the fight against it.

This overwhelmingly bipartisan piece of legislation will ensure market stability for Main Street, businesses, construction projects, public events, and more by maintaining their ability to access terrorism insurance to keep job-creating businesses and projects moving forward with certainty.

TRIA is an important piece of legislation for protecting taxpayers by requiring insurers to step up and manage more of their own risk. I urge my colleagues to vote ''yes,'' and I ask that the Senate bring up this bill immediately.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2½ minutes to my good friend from the great State of New York (Ms. VELÁZQUEZ), who is the ranking member on the Small Business Committee.

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, I want to take this opportunity to thank the gentlelady from New York for yielding.

Today, I call on my colleagues to reauthorize the Terrorism Risk Insurance Program, a public-private partnership that is vital to continued economic development across the country.

Following the tragic events of 9/11, terrorism became uninsurable, the marketplace evaporated, and rates skyrocketed. Many businesses were impacted, causing job losses and hindering the recovery effort. To address the growing problem, Congress swiftly

passed the Terrorism Risk Insurance Act, creating a Federal backstop and restoring coverage.

Today I can say without a doubt, our efforts were successful. I have witnessed firsthand how this program has substantially helped New York City recover and prosper over the past 12 years. The program has also tripled the number of small businesses nationwide that have terrorism protection. As a direct result of TRIA, over 60 percent of small firms carry some form of coverage.

Some stakeholders have already reported disruptions since TRIA lapsed last week, especially in high-risk cities such as New York. It should be noted that the lapse is not only affecting insurance coverage, but also the financing efforts of many job-creating construction projects.

Is this bill perfect? No, but it will restore certainty to the marketplace and prevent a rate spike that could force two-thirds of small businesses out of the market.

Mr. Speaker, acts of terrorism remain too risky to cover for the vast majority of carriers, especially for the small- and medium-sized firms that dominate the insurance industry. As a result, the Terrorism Risk Insurance Program, which has not cost taxpayers $1, continues to be a vital component of our economic growth and national security.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. NEUGEBAUER. Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we had other speakers scheduled from New York, but they are not on the floor now, so I would just like to say, in closing, that this is critically important legislation.

I can speak from personal experience, having represented New York during and after 9/11, that after 9/11 you could not even build a hot dog stand. All construction stopped. No one could get any insurance. The only insurance available was from Lloyds of London, and it was incredibly expensive and people could not afford it. We lost thousands and thousands of jobs.

And it happened also, when we came together and started to rebuild not only in New York but the Pentagon and Pennsylvania, I would say, of all the programs that this body put forward—and there were many, and I thank my colleagues on both sides of the aisle for their support—I truly believe that this particular one was certainly the most important in helping New York rebuild and rebound.

I want to add that it did not cost our taxpayers one single dime. It is an innovative way to get building and construction happening across this country. So it is tremendously important to the economy. It is an important bill, and I am so pleased that it has been a bipartisan effort.

This body passed the bill. It stalled in the Senate, but we do need to reauthorize it as swiftly and as quickly as possible. I hope it is an example of how this body can work together on legislation that is critical to this country to rebuild and expand the jobs and our economy and to help strengthen our country in other ways.

So again I thank the leadership on both sides of the aisle for moving so swiftly to bring it to the floor and, really, to Mr. NEUGEBAUER, who was the point person in many ways in the compromise legislation that moved forward.

I urge my colleagues to vote for it. It is the right thing to do for America.

Mr. Speaker, I yield back the balance of my time.

Mr. NEUGEBAUER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, in closing, I think what you can see by the comments today is that we have a bipartisan piece of legislation. It is a piece of legislation that passed overwhelmingly in the House in the 113th Congress. Unfortunately, it was not taken up by the Senate.

This is a win-win bill. It does a number of really good things for the country; and, more importantly, for the taxpayers, it begins to bring reform in a program that originally was meant to be a temporary program but somehow has become a permanent program, beginning to stairstep-up the private market participation and stairstep-down the taxpayers' participation. It increases the trigger; it increases the amount of recovery that the taxpayers would be able to recover in the case of an event.

Another thing you heard many people talk about is this end-user provision that is going to help farmers and ranchers and small businesses not have to put up additional capital so they can use that capital to create jobs for America.

Another provision in this bill is the NARAB II, which is a small business provision allowing your local insurance agent, maybe he or she can sell insurance in multiple States by being a member of NARAB and being able to not have to get a license in each individual State, but if they are licensed and meet the qualifications in that State, that is recognized by other States.

So this is a great bipartisan effort. It has been, as mentioned, a long process, and so I urge my colleagues to support H.R. 26.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. NEUGEBAUER) that the House suspend the rules and pass the bill, H.R. 26.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NEUGEBAUER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 37) to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 37

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Promoting Job Creation and Reducing Small Business Burdens Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT

Sec. 101. Margin requirements.
Sec. 102. Implementation.

TITLE II—TREATMENT OF AFFILIATE TRANSACTIONS

Sec. 201. Treatment of affiliate transactions.

TITLE III—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION ACT

Sec. 301. Registration threshold for savings and loan holding companies.

TITLE IV—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION ACT

Sec. 401. Registration exemption for merger and acquisition brokers.
Sec. 402. Effective date.

TITLE V—SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTIONS

Sec. 501. Repeal of indemnification requirements.

TITLE VI—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES ACT

Sec. 601. Filing requirement for public filing prior to public offering.
Sec. 602. Grace period for change of status of emerging growth companies.
Sec. 603. Simplified disclosure requirements for emerging growth companies.

TITLE VII—SMALL COMPANY DISCLOSURE SIMPLIFICATION ACT

Sec. 701. Exemption from XBRL requirements for emerging growth companies and other smaller companies.
Sec. 702. Analysis by the SEC.
Sec. 703. Report to Congress.
Sec. 704. Definitions.

TITLE VIII—RESTORING PROVEN FINANCING FOR AMERICAN EMPLOYERS ACT

Sec. 801. Rules of construction relating to collateralized loan obligations.

TITLE IX—SBIC ADVISERS RELIEF ACT
Sec. 901. Advisers of SBICs and venture capital funds.
Sec. 902. Advisers of SBICs and private funds.
Sec. 903. Relationship to State law.
TITLE X—DISCLOSURE MODERNIZATION AND SIMPLIFICATION ACT
Sec. 1001. Summary page for form 10–K.
Sec. 1002. Improvement of regulation S–K.
Sec. 1003. Study on modernization and simplification of regulation S–K.
TITLE XI—ENCOURAGING EMPLOYEE OWNERSHIP ACT
Sec. 1101. Increased threshold for disclosures relating to compensatory benefit plans.

TITLE I—BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT

SEC. 101. MARGIN REQUIREMENTS.

(a) COMMODITY EXCHANGE ACT AMENDMENT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii), including the initial and variation margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii), shall not apply to a swap in which a counterparty qualifies for an exception under section 2(h)(7)(A), or an exemption issued under section 4(c)(1) from the requirements of section 2(h)(1)(A) for cooperative entities as defined in such exemption, or satisfies the criteria in section 2(h)(7)(D).''.

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–10(e)), as added by section 764(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

''(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a security-based swap in which a counterparty qualifies for an exception under section 3C(g)(1) or satisfies the criteria in section 3C(g)(4).''.

SEC. 102. IMPLEMENTATION.

The amendments made by this title to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

TITLE II—TREATMENT OF AFFILIATE TRANSACTIONS

SEC. 201. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) IN GENERAL.—

(1) COMMODITY EXCHANGE ACT AMENDMENT.—Section 2(h)(7)(D)(i) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)(i)) is amended to read as follows:

''(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a swap with a swap dealer or major swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(2) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78c–3(g)(4)(A)) is amended to read as follows:

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under paragraph (1) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation such commercial risk is addressed by entering into a security-based swap with a security-based swap dealer or major security-based swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(b) APPLICABILITY OF CREDIT SUPPORT MEASURE REQUIREMENT.—The requirements in section 2(h)(7)(D)(i) of the Commodity Exchange Act and section 3C(g)(4)(A) of the Securities Exchange Act of 1934, as amended by subsection (a), requiring that a credit support measure or other mechanism be utilized if the transfer of commercial risk referred to in such sections is addressed by entering into a swap with a swap dealer or major swap participant or a security-based swap with a security-based swap dealer or major security-based swap participant, as appropriate, shall not apply with respect to swaps or security-based swaps, as appropriate, entered into before the date of the enactment of this Act.

TITLE III—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION ACT

SEC. 301. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.

TITLE IV—SMALL BUSINESS MERGERS, ACQUISITIONS, SALES, AND BROKERAGE SIMPLIFICATION ACT

SEC. 401. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

''(13) REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

''(B) EXCLUDED ACTIVITIES.—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

''(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

''(ii) Engages on behalf of an issuer in a public offering of any class of securities that is registered, or is required to be registered, with the Commission under section 12 or with respect to which the issuer files, or is required to file, periodic information, documents, and reports under subsection (d).

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.

''(D) DEFINITIONS.—In this paragraph:

''(i) CONTROL.—The term 'control' means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

''(I) is a director, general partner, member or manager of a limited liability company, or officer exercising executive responsibility (or has similar status or functions);

''(II) has the right to vote 20 percent or more of a class of voting securities or the power to sell or direct the sale of 20 percent or more of a class of voting securities; or

''(III) in the case of a partnership or limited liability company, has the right to receive upon dissolution, or has contributed, 20 percent or more of the capital.

''(ii) ELIGIBLE PRIVATELY HELD COMPANY.—The term 'eligible privately held company' means a company that meets both of the following conditions:

''(I) The company does not have any class of securities registered, or required to be registered, with the Commission under section 12 or with respect to which the company files, or is required to file, periodic information, documents, and reports under subsection (d).

''(II) In the fiscal year ending immediately before the fiscal year in which the services of the M&A broker are initially engaged with respect to the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

''(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than $25,000,000.

''(bb) The gross revenues of the company are less than $250,000,000.

''(iii) M&A BROKER.—The term 'M&A broker' means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held company, regardless of whether the broker acts on behalf of a seller or buyer, through the purchase, sale, exchange, issuance, repurchase, or redemption of, or a business combination involving, securities or assets of the eligible privately held company, if the broker reasonably believes that—

''(I) upon consummation of the transaction, any person acquiring securities or assets of the eligible privately held company, acting alone or in concert, will control and, directly or indirectly, will be active in the management of the eligible privately held company or the business conducted with the assets of the eligible privately held company; and

''(II) if any person is offered securities in exchange for securities or assets of the eligible privately held company, such person will,

prior to becoming legally bound to consummate the transaction, receive or have reasonable access to the most recent year-end balance sheet, income statement, statement of changes in financial position, and statement of owner's equity of the issuer of the securities offered in exchange, and, if the financial statements of the issuer are audited, the related report of the independent auditor, a balance sheet dated not more than 120 days before the date of the offer, and information pertaining to the management, business, results of operations for the period covered by the foregoing financial statements, and material loss contingencies of the issuer.

''(E) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—On the date that is 5 years after the date of the enactment of this paragraph, and every 5 years thereafter, each dollar amount in subparagraph (D)(ii)(II) shall be adjusted by—

''(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2014; and

''(II) multiplying such dollar amount by the quotient obtained under subclause (I).

''(ii) ROUNDING.—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of $100,000.''.

SEC. 402. EFFECTIVE DATE.

This Act and any amendment made by this Act shall take effect on the date that is 90 days after the date of the enactment of this Act.

TITLE V—SWAP DATA REPOSITORY AND CLEARINGHOUSE INDEMNIFICATION CORRECTIONS

SEC. 501. REPEAL OF INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a–1(k)(5)) is amended to read as follows:

''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(b) SWAP DATA REPOSITORIES.—Section 21(d) of the Commodity Exchange Act (7 U.S.C. 24a(d)) is amended to read as follows:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5)(H) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as follows:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) on July 21, 2010.

TITLE VI—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES ACT

SEC. 601. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

SEC. 602. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

SEC. 603. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORM S–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Form S–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 may omit financial information for historical periods otherwise required by regulation S–X (17 C.F.R. 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

TITLE VII—SMALL COMPANY DISCLOSURE SIMPLIFICATION ACT

SEC. 701. EXEMPTION FROM XBRL REQUIREMENTS FOR EMERGING GROWTH COMPANIES AND OTHER SMALLER COMPANIES.

(a) EXEMPTION FOR EMERGING GROWTH COMPANIES.—Emerging growth companies are exempted from the requirements to use Extensible Business Reporting Language (XBRL) for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such companies may elect to use XBRL for such reporting.

(b) EXEMPTION FOR OTHER SMALLER COMPANIES.—Issuers with total annual gross revenues of less than $250,000,000 are exempt from the requirements to use XBRL for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such issuers may elect to use XBRL for such reporting. An exemption under this subsection shall continue in effect until—

(1) the date that is five years after the date of enactment of this Act; or

(2) the date that is two years after a determination by the Commission, by order after conducting the analysis required by section 702, that the benefits of such requirements to such issuers outweigh the costs, but no earlier than three years after enactment of this Act.

(c) MODIFICATIONS TO REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Commission shall revise its regulations under parts 229, 230, 232, 239, 240, and 249 of title 17, Code of Federal Regulations, to reflect the exemptions set forth in subsections (a) and (b).

SEC. 702. ANALYSIS BY THE SEC.

The Commission shall conduct an analysis of the costs and benefits to issuers described in section 701(b) of the requirements to use XBRL for financial statements and other periodic reporting required to be filed with the Commission under the securities laws. Such analysis shall include an assessment of—

(1) how such costs and benefits may differ from the costs and benefits identified by the Commission in the order relating to interactive data to improve financial reporting (dated January 30, 2009; 74 Fed. Reg. 6776) because of the size of such issuers;

(2) the effects on efficiency, competition, capital formation, and financing and on analyst coverage of such issuers (including any such effects resulting from use of XBRL by investors);

(3) the costs to such issuers of—

(A) submitting data to the Commission in XBRL;

(B) posting data on the website of the issuer in XBRL;

(C) software necessary to prepare, submit, or post data in XBRL; and

(D) any additional consulting services or filing agent services;

(4) the benefits to the Commission in terms of improved ability to monitor securities markets, assess the potential outcomes of regulatory alternatives, and enhance investor participation in corporate governance and promote capital formation; and

(5) the effectiveness of standards in the United States for interactive filing data relative to the standards of international counterparts.

SEC. 703. REPORT TO CONGRESS.

Not later than one year after the date of enactment of this Act, the Commission shall provide the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report regarding—

(1) the progress in implementing XBRL reporting within the Commission;

(2) the use of XBRL data by Commission officials;

(3) the use of XBRL data by investors;

(4) the results of the analysis required by section 702; and

(5) any additional information the Commission considers relevant for increasing transparency, decreasing costs, and increasing efficiency of regulatory filings with the Commission.

SEC. 704. DEFINITIONS.

As used in this title, the terms ''Commission'', ''emerging growth company'', ''issuer'', and ''securities laws'' have the meanings given such terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

TITLE VIII—RESTORING PROVEN FINANCING FOR AMERICAN EMPLOYERS ACT

SEC. 801. RULES OF CONSTRUCTION RELATING TO COLLATERALIZED LOAN OBLIGATIONS.

Section 13(c)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(c)(2)) is amended—

(1) by striking ''A banking entity or nonbank financial company supervised by the Board'' and inserting the following:

''(A) GENERAL CONFORMANCE PERIOD.—A banking entity or nonbank financial company supervised by the Board''; and

(2) by adding at the end the following:

''(B) CONFORMANCE PERIOD FOR CERTAIN COLLATERALIZED LOAN OBLIGATIONS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a banking entity or nonbank financial company supervised by the Board shall bring its activities related to or investments in a debt security of a collateralized loan obligation issued before January 31, 2014, into compliance with the requirements of subsection (a)(1)(B) and any applicable rules relating to subsection (a)(1)(B) not later than July 21, 2019.

''(ii) COLLATERALIZED LOAN OBLIGATION.—For purposes of this subparagraph, the term 'collateralized loan obligation' means any issuing entity of an asset-backed security, as defined in section 3(a)(77) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(77)), that is comprised primarily of commercial loans.''.

TITLE IX—SBIC ADVISERS RELIEF ACT

SEC. 901. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

SEC. 902. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 903. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

TITLE X—DISCLOSURE MODERNIZATION AND SIMPLIFICATION ACT

SEC. 1001. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 C.F.R. 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

SEC. 1002. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 C.F.R. 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 1003 is necessary to determine the efficacy of such revisions to regulation S–K.

SEC. 1003. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 C.F.R. 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 1002 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE XI—ENCOURAGING EMPLOYEE OWNERSHIP ACT

SEC. 1101. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from $5,000,000 to $10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest $1,000,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentleman from Minnesota (Mr. ELLISON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials for the RECORD on H.R. 37, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, thank you for the time and for the opportunity to again bring this bill before the House as a piece of a larger strategy that will bring greater jobs and more opportunity to the American people and to American families.

I am proud to once again sponsor the Promoting Job Creation and Reducing Small Business Burdens Act, a bill which includes the language of pro-growth measures debated and passed last Congress in the Financial Services Committee and in the Agriculture Committee.

While these proposals aren't flashy, they represent bipartisan efforts to remove the burdensome weight of one-size-fits-all regulation that has, sadly, become the norm for Washington. While often well-intentioned, many of

these top-down regulations hurt small businesses and emerging businesses in critical sectors like biotechnology.

As the Representative of one of the Nation's fastest-growing biotech regions just outside Philadelphia, I have experienced firsthand the impact of this vibrant industry in southeastern Pennsylvania. Employing thousands of hardworking men and women, this sector harnesses the best of our STEM community and what it has to offer in our efforts to create treatments and cures for devastating diseases from diabetes and Alzheimer's to cancer and HIV/AIDS.

For these businesses, government overregulation often treats the little guy the same as big multinational corporations, tying them in costly red tape at the expense of their ability to research, to develop, to innovate, and to hire.

This bill takes a meaningful step toward ensuring smarter, tailored regulations which unleash businesses, like biotech companies in my district, to invest in themselves and in their workers. But biotech workers wouldn't be the only ones to benefit. So would employees at retailers like grocery chain Wegmans.

Employing 44,000 people, including 8,200 in the Commonwealth of Pennsylvania, Wegmans is constantly ranked among the Nation's best places to work by Fortune magazine, a grade they attribute to their employee ownership opportunities, which allow their workers to have a stake in the business that they work for.

However, a little-known piece of regulatory overreach is hamstringing these opportunities, an overreach recognized and adjusted by this legislation. By creating a more realistic regulatory environment, this bill provides relief to businesses looking to retain their best employees, while allowing workers to invest in the company and in their own futures.

In lieu of the failed Washington efforts of the past which tried to simply legislate more jobs into existence, the Promoting Job Creation and Reducing Small Business Burdens Act is very much a jobs bill because it addresses these job-creating needs. By reining in government's heavyhanded approach to regulating the economy, we can provide a bipartisan path toward getting people back to work, helping businesses grow, and ensuring hardworking Americans keep more of their hard-earned money.

□ 1315

Mr. Speaker, the challenges facing our economy are steep. However, they are no more daunting than the challenges we have overcome in the past in the way that Americans have always approached adversity: head on, with American ingenuity, practicality, and a commitment of leaders on both sides of the aisle to act in the best interests of the working men and women we represent.

The ushering in of this new Congress gives us the perfect opportunity for Members of both parties to unite around efforts to put the American worker back in the driver's seat and to establish a bipartisan playbook for advancing common goals. Now is the time, and the Promoting Job Creation and Reducing Small Business Burdens Act is an important part of that process. I urge my colleagues to support this legislation.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 7, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN HENSARLING: I am writing concerning H.R. 37. ''Promoting Job Creation and Reducing Small Business Burdens Act.''

As you know, provisions of H.R. 37 are within the jurisdiction of the Committee on Agriculture. In order to expedite floor consideration of the bill, the Committee on Agriculture will forgo action on H.R. 37. Further, the Committee will not oppose the bill's consideration on the suspension calendar. This is also being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 37, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely.

K. MICHAEL CONAWAY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, January 7, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY: Thank you for your letter of even date herewith regarding H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act.

I am most appreciative of your decision to forego consideration of H.R. 37 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Agriculture is in no way waiving its jurisdiction over any subject matter contained in the bill that falls within its jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 37.

Sincerely.

JEB HENSARLING,
Chairman.

Mr. ELLISON. Mr. Speaker, I yield myself as much time as I may consume.

What is before us today is a mini omnibus bill that contains, actually, 11 separate pieces of legislation, some of which may not be controversial but some of which are incredibly controversial and do not belong in this legislation. This is not an emergency. We have a new Congress. This bill should go through the regular order. Unlike the TRIA bill we just talked about, this bill is a bill which should and must go through the regular order, and it is absolutely inappropriate for the suspension calendar.

Our Republican friends would have us believe that this is just some benign piece of legislation, yet this bill contains not only procedural problems but substantive problems which have never seen the light of day in any committee. Some of the legislation has only been public for about 24 hours, and what is particularly frightening is that the text of the bill has changed at least three times since Tuesday. We just got started yesterday in talking about the importance of regular order, and we are already violating those claims and promises.

Mr. Speaker, the House of Representatives should return to regular order with this piece of legislation, and I urge my colleagues to reject it. Regular order, whereby legislation is debated at a hearing, marked up by a committee, and then finally considered by the whole House, is the process by which we vet legislation. That is not going on right here and right now, and there is no good reason for it. We do this to ensure that we fully understand the changing law. Nevertheless, Republicans have come here to suspend the rules and to consider a package of 11 bills which will ease the oversight of Wall Street firms, large banks, multinational corporations, and certain brokers.

It should be pointed out right now that the ranking member of the House Financial Services Committee, MAXINE WATERS, who is unable to be in Washington due to personal matters she has to address, has issued a call to reject this piece of legislation for many of the reasons I am articulating now.

I think it is also important to point out that there are 52 Members of Congress who were sworn in yesterday and who represent more than 30 million Americans who will have to vote on bills affecting a collateral firm's pledge, when they borrow money, affecting what information must be disclosed about certain brokers and financial statements of firms, without the opportunity to offer changes. This is the absolute antithesis of regular order, and this bill is not appropriate. We urge a ''no.''

I would like to talk a little bit about the specific reasons this bill is bad. Members should know that this is not the identical bill that came through in the fall. It has very important changes. If you voted for it last fall, that is no reason to vote for this bill now.

First, the Volcker rule. This bill undercuts an important part of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Volcker rule was intended to prevent deposit-taking banks—banks that use money insured by the Federal Government, the people's money—from making bets

and using taxpayer-insured funds. The Federal Reserve went out of its way to try to ease the transition to a safer system, but this bill would give megabanks an additional 2 years, totaling 5 years, to sell off certain securities in which they retain ownership rights—5 more years of risk, 5 more years of massive profit-taking. This provision, which almost certainly juices the profits of big, megabanks like Citigroup and JPMorgan, has never been vetted. The public has not even had a day to review the text. It is wrong that bills that help Wall Street and multinational corporations get fast-tracked on day 2 of this Congress while bills that help working families get slowed up for years, literally.

Just last month, Republicans successfully handed Citigroup and other megabanks a multibillion-dollar gift by repealing another reform measure, known as the ''swaps push-out,'' which was intended to prevent another Great Recession. The repeal of that provision allowed the megabanks to continue to borrow money from the Federal Reserve lending window, which is currently at about zero percent interest, to finance their risky derivatives. Experts have weighed in. Let me read for the RECORD the statement by the CEO of Better Markets:

> ''It's all about the bonus pool,'' said Dennis Kelleher, president and CEO of Better Markets, a financial reform nonprofit. ''The attack on the Volcker rule has been nonstop because proprietary trading is about big-time bets that result in big-time bonuses. Wall Street has been fighting it from day one, and they're not going to stop.''

If you believe that there are things in this mini omnibus, or this megabill, that might be worth your support, understand that this particular provision has not been vetted anywhere. For that reason alone they are literally trying to sneak it in, and you should vote against it.

Also, this particular bill includes three other provisions that weaken the Dodd-Frank Wall Street Reform and Consumer Protection Act. These provisions take away the authority of regulators who are charged with ensuring that everybody plays by the same rules so that, if at some point in the future, we find out that our financial system is threatened, our regulators will be unable to take decisive action to fix the problems that they can fix today.

After witnessing the effect that one type of derivative—the credit default swap—had in spreading losses from the subprime mortgage market around the world, I would like to know why our first order of business in this Congress is to roll back the financial reforms that this Congress deliberated on and passed over an 18-month period following the 2008 financial crisis.

This bill undermines investor protections. It includes three provisions that have the potential to leave investors worse off than they are today. As we proclaim small investors and workers and all of these things, why are we undermining investor protections? In one instance, the bill exempts individuals who would broker a merger of a privately owned company to be exempt from SEC regulations. Since this legislation passed in a previous Congress, the SEC has taken action to make this unnecessary. However, if we pass this bill today, we will undermine a few basic investor protections that the SEC has retained.

For example, the SEC determined that bad actors, such as convicted securities fraudsters, should not be able to take advantage of a carve-out. However, by voting ''yes,'' you are saying that it is okay for people convicted of fraud to sell other things, like franchises or the restaurant down the street. Another provision would allow 75 percent of all public companies to no longer report their financial statements in computer readable formats. When everything is online today and when investors rely on computers to crunch the financials of various companies, this bill comes across as a huge step backwards.

My colleagues want to address this bill, and I think it is important that they do. So, at this point, I am going to urge a ''no'' vote.

I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I now yield 4 minutes to the gentleman from Texas (Mr. CONAWAY), who is the chairman of the Agriculture Committee.

Mr. CONAWAY. I thank my colleague from Pennsylvania for allowing me to speak on his bill.

Mr. Speaker, I rise today in support of H.R. 37, the Promoting Job Creation and Reducing Small Business Burdens Act.

I am especially proud of and would like to highlight the past work of the Agriculture Committee on the three titles of this bill under its jurisdiction: the Business Risk Mitigation and Price Stabilization Act; a provision on the treatment of affiliate transactions; and a provision regarding swap data repository and clearinghouse indemnification correction.

As I noted in the debate earlier today on TRIA, the Business Risk Mitigation and Price Stabilization Act is legislation to clarify Congress' intent to exempt non-financial businesses from a misguided regulatory requirement to post margin requirements on their hedging activities. Clearing and margining, while appropriate for some transactions, are not appropriate for end users hedging real-world commercial risks. Their hedging activities are not large enough to present a systemic risk, and a margin requirement represents a significant and needless expense with little value to the overall financial system.

Title I puts in statute protections for American businesses. To grow our economy, businesses should use their scarce capital to buy new equipment, to hire more workers, to build new facilities, and to invest in the future. They cannot do that if they are required to hold money in margin accounts to fulfill a misguided regulation.

Similarly, title II, regarding the treatment of interaffiliate transactions, was also passed by the House multiple times in the 113th Congress, and it will provide additional certainty to American businesses. It will do so by preventing the redundant regulation of harmless interaffiliate transactions that would unnecessarily tie up the working capital of companies, with no added protections for the market or benefits to our consumers. Today, businesses across the Nation rely on the ability to centralize their hedging activities. This consolidation of a hedging portfolio across a corporate group allows businesses to reduce costs, to simplify their financial dealings, and to reduce their counterparty credit risk. Title II of this bill will allow American businesses to continue utilizing this efficient, time-tested model.

Finally, title V of H.R. 37 provides much-needed corrections to the swap data repository and clearinghouse indemnification requirements of Dodd-Frank. Currently, Dodd-Frank requires a foreign regulator requesting information from a U.S. swap data repository or derivatives clearing organization to provide a written agreement stating it will abide by certain confidentiality requirements and will indemnify the U.S. Commissions for any expenses arising from litigation relating to the request for that information.

The concept of indemnification—requiring a party to contractually agree to pay for another party's possible litigation expenses—is established within U.S. tort law and does not exist in many foreign jurisdictions. Thus, it is not possible for some foreign regulators to agree to these indemnification requirements. This requirement threatens to make data-sharing arrangements with foreign regulators unworkable.

H.R. 37 mitigates this problem by simply removing the indemnification provisions in Dodd-Frank while maintaining the prerequisite written agreement requiring certain confidentiality obligations will be met. So, rather than stripping down Dodd-Frank, as we are so often accused of doing, this change would actually serve to enhance market transparency and risk mitigation by ensuring that regulators and market participants have access to a global set of swap market data.

As chairman of the House Committee on Agriculture and as a cosponsor of each of these three bills in the 113th Congress, I appreciate Mr. FITZPATRICK's work in bringing these provisions together in a package that reduces the regulatory burdens and that promotes economic growth. I strongly urge my colleagues to support the legislation.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, January 7, 2015.

MR. SPEAKER: I am pleased to see three bills that the House Committee on Agriculture passed in the 113th Congress included as Titles I, II, and V of H.R. 37, ''Promoting Job Creation and Reducing Small Business Burdens Act.''

H.R. 634, H.R. 5471, and H.R. 742, which were also included as Subtitles A, B, and C of Title III of H.R. 4413, ''Customer Protection and End-User Relief Act,'' from the 113th Congress, provide important protections to end-users from costly margining requirements and needless regulatory burdens; as well as correct an unworkable provision in Dodd-Frank which required foreign regulators to break their local laws in order to access the market data they needed to enforce their laws.

In support of these titles, I would like to request that the pertinent portions of the Committee on Agriculture report to accompany H.R. 4413 in the 113th Congress be included in the appropriate place in the Congressional Record.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

TITLE 3—END-USER RELIEF

SUBTITLE A—END-USER EXEMPTION FROM MARGIN REQUIREMENTS

Section 311—End-user margin requirements

Section 311 amends Section 4s(e) of the Commodity Exchange Act (CEA) as added by Section 731 of the Dodd-Frank Act to provide an explicit exemption from margin requirements for swap transactions involving end-users that qualify for the clearing exception under 2(h)(7)(A).

''End-users'' are thousands of companies across the United States who utilize derivatives to hedge risks associated with their day-to-day operations, such as fluctuations in the prices of raw materials. Because these businesses do not pose systemic risk, Congress intended that the Dodd-Frank Act provide certain exemptions for end-users to ensure they were not unduly burdened by new margin and capital requirements associated with their derivatives trades that would hamper their ability to expand and create jobs.

Indeed, Title VII of the Dodd-Frank Act includes an exemption for non-financial end-users from centrally clearing their derivatives trades. This exemption permits end-users to continue trading directly with a counterparty, (also known as trading ''bilaterally,'' or over-the-counter (OTC)) which means their swaps are negotiated privately between two parties and they are not executed and cleared using an exchange or clearinghouse. Generally, it is common for non-financial end-users, such as manufacturers, to avoid posting cash margin for their OTC derivative trades. End-users generally will not post margin because they are able to negotiate such terms with their counterparties due to the strength of their own balance sheet or by posting non-cash collateral, such as physical property. End-users typically seek to preserve their cash and liquid assets for reinvestment in their businesses. In recognition of this common practice, the Dodd-Frank Act included an exemption from margin requirements for end-users for OTC trades.

Section 731 of the Dodd-Frank Act (and Section 764 with respect to security-based swaps) requires margin requirements be applied to swap dealers and major swap participants for swaps that are not centrally cleared. For swap dealers and major swap participants that are banks, the prudential banking regulators (such as the Federal Reserve or Federal Deposit Insurance Corporation) are required to set the margin requirements. For swap dealers and major swap participants that are not banks, the CFTC is required to set the margin requirements. Both the CFTC and the banking regulators have issued their own rule proposals establishing margin requirements pursuant to Section 731.

Following the enactment of the Dodd-Frank Act in July of 2010, uncertainty arose regarding whether this provision permitted the regulators to impose margin requirements on swap dealers when they trade with end-users, which could then result in either a direct or indirect margin requirement on end-users. Subsequently, Senators Blanche Lincoln and Chris Dodd sent a letter to then-Chairmen Barney Frank and Collin Peterson on June 30, 2010, to set forth and clarify congressional intent, stating:

The legislation does not authorize the regulators to impose margin on end-users, those exempt entities that use swaps to hedge or mitigate commercial risk. If regulators raise the costs of end-user transactions, they may create more risk. It is imperative that the regulators do not unnecessarily divert working capital from our economy into margin accounts, in a way that would discourage hedging by end-users or impair economic growth.

In addition, statements in the legislative history of section 731 (and Section 764) suggests that Congress did not intend, in enacting this section, to impose margin requirements on nonfinancial end-users engaged in hedging activities, even in cases where they entered into swaps with swap entities.

In the CFTC's proposed rule on margin, it does not require margin for un-cleared swaps when non-bank swap dealers transact with non-financial end-users. However, the prudential banking regulators proposed rules would require margin be posted by non-financial end-users above certain established thresholds when they trade with swap dealers that are banks. Many of end-users' transactions occur with swap dealers that are banks, so the banking regulators' proposed rule is most relevant, and therefore of most concern, to end-users.

By the prudential banking regulators' own terms, their proposal to require margin stems directly from what they view to be a legal obligation under Title VII. The plain language of section 731 provides that the Agencies adopt rules for covered swap entities imposing margin requirements on all non-cleared swaps. Despite clear congressional intent, those sections do not, by their terms, exclude a swap with a counterparty, that is a commercial end-user. By providing an explicit exemption under Title VII through enactment of this provision, the prudential regulators will no longer have a perceived legal obligation, and the congressional intent they acknowledge in their proposed rule will be implemented.

The Committee notes that in September of 2013, the International Organization of Securities Commissions (IOSCO) and the Bank of International Settlements published their final recommendations for margin requirements for uncleared derivatives. Representatives from a number of U.S. regulators, including the CFTC and the Board of Governors of the Federal Reserve participated in the development of those margin requirements, which are intended to set baseline international standards for margin requirements. It is the intent of the Committee that any margin requirements promulgated under the authority provided in Section 4s of the Commodity Exchange Act should be generally consistent with the international margin standards established by IOSCO.

On March 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' the following testimony was provided to the Committee with respect to provisions included in Section 311:

In approving the Dodd-Frank Act, Congress made clear that end-users were not to be subject to margin requirements. Nonetheless, regulations proposed by the Prudential Banking Regulators could require end-users to post margin. This stems directly from what they view to be a legal obligation under Title VII. While the regulations proposed by the CFTC are preferable, they do not provide end-users with the certainty that legislation offers. According to a Coalition for Derivatives End-Users survey, a 3% initial margin requirement could reduce capital spending by as much as $5.1 to $6.7 billion among S&P 500 companies alone and cost 100,000 to 130,000 jobs. To shed some light on Honeywell's potential exposure to margin requirements, we had approximately $2 billion of hedging contracts outstanding at year-end that would be defined as a swap under Dodd-Frank. Applying 3% initial margin and 10% variation margin implies a potential margin requirement of $260 million. Cash deposited in a margin account cannot be productively deployed in our businesses and therefore detracts from Honeywell's financial performance and ability to promote economic growth and protect American jobs.—Mr. James E. Colby, Assistant Treasurer, Honeywell International Inc.

On May 21, 2013, at a hearing entitled ''The Future of the CFTC: Market Perspectives,'' Mr. Stephen O'Connor, Chairman, ISDA, provided the following testimony with respect to provisions included in Section 311:

Perhaps most importantly, we do not believe that initial margin will contribute to the shared goal of reducing systemic risk and increasing systemic resilience. When robust variation margin practices are employed, the additional step of imposing initial margin imposes an extremely high cost on both market participants and on systemic resilience with very little countervailing benefit. The Lehman and AIG situations highlight the importance of variation margin. AIG did not follow sound variation margin practices, which resulted in dangerous levels of credit risk building up, ultimately leading to its bailout. Lehman, on the other hand, posted daily variation margin, and while its failure caused shocks in many markets, the variation margin prevented outsized losses in the OTC derivatives markets. While industry and regulators agree on a robust variation margin regime including all appropriate products and counterparties, the further step of moving to mandatory IM [initial margin] does not stand up to any rigorous cost-benefit analysis.

Based on the extensive background that accompanies the statutory change provided explicitly in Section 311, the Committee intends that initial and variation margin requirements cannot be imposed on uncleared swaps entered into by cooperative entities if they similarly qualify for the CFTC's cooperative exemption with respect to cleared swaps. Cooperative entities did not cause the financial crisis and should not be required to incur substantial new costs associated with posting initial and variation margin to counterparties. In the end, these costs will be borne by their members in the form of higher prices and more limited access to credit, especially in underserved markets, such as in rural America. Therefore, the Committee's clear intent when drafting Section 311 was to prohibit the CFTC and prudential regulators, including the Farm Credit Administration, from imposing margin requirements on cooperative entities.

SUBTITLE B—INTER-AFFILIATE SWAPS

Sec. 321—Treatment of affiliate transactions

''Inter-affiliate'' swaps are contracts executed between entities under common corporate ownership. Section 321 would amend the Commodity Exchange Act to provide an exemption for inter-affiliate swaps from the clearing and execution requirements of the Dodd-Frank Act so long as the swap transaction hedges or mitigates the commercial risk of an entity that is not a financial entity. The section also requires that an ''appropriate credit support measure or other mechanism'' be utilized between the entity seeking to hedge against commercial risk if it transacts with a swap dealer or major swap participant, but this credit support measure requirement is effective prospectively from the date H.R. 4413 is enacted into law.

Importantly, with respect to Section 321's use of the phrase ''credit support measure or other mechanism,'' the Committee unequivocally does not intend for the CFTC to interpret this statutory language as a mandate to require initial or variation margin for swap transactions. The Committee intends for the CFTC to recognize that credit support measures and other mechanisms have been in use between counterparties and affiliates engaged in swap transactions for many years in different formats, and therefore, there is no need to engage in a rulemaking to define such broad terminology.

Section 321 originated from the need to provide relief for a parent company that has multiple affiliates within a single corporate group. Individually, these affiliates may seek to offset their business risks through swaps. However, rather than having each affiliate separately go to the market to engage in a swap with a dealer counterparty, many companies will employ a business model in which only a single or limited number of entities, such as a treasury hedging center, face swap dealers. These designated external facing entities will then allocate the transaction and its risk mitigating benefits to the affiliate seeking to mitigate its underlying risk.

Companies that use this business model argue that it reduces the overall credit risk a corporate group poses to the market because they can net their positions across affiliates, reducing the number of external facing transactions overall. In addition, it permits a company to enhance its efficiency by centralizing its risk management expertise in a single or limited number of affiliates.

Should these inter-affiliate transactions be treated as all other swaps, they could be subject to clearing, execution and margin requirements. Companies that use inter-affiliate swaps are concerned that this could substantially increase their costs, without any real reduction in risk in light of the fact that these swaps are purely for internal use. For example, these swaps could be ''double-margined''—when the centralized entity faces an external swap dealer, and then again when the same transaction is allocated internally to the affiliate that sought to hedge the risk.

The uncertainty that exists regarding the treatment of inter-affiliate swaps spans multiple rulemakings that have been proposed or that will be proposed pursuant to the Dodd-Frank Act. Section 321 provides certainty and clarity as to what inter-affiliate transactions are and how they are not to be regulated as swaps when the parties to the transaction are under common control.

On March, 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' the following testimony was provided with respect to efforts to address the problem with inter-affiliate swaps:

[I]nter-affiliate swaps provide important benefits to corporate groups by enabling centralized management of market, liquidity, capital and other risks inherent in their businesses and allowing these groups to realize hedging efficiencies. Since the swaps are between affiliates, rather than with external counterparties, they pose no systemic risk and therefore there are no significant gains to be achieved by requiring them to be cleared or subjecting them to margin posting requirements. In addition, these swaps are not market transactions and, as a result, requiring market participants to report them or trade them on an exchange or swap execution facility provides no transparency benefits to the market—if anything, it would introduce useless noise that would make Dodd-Frank's transparency rules less helpful.—Hon. Kenneth E. Bentsen, Acting President and CEO, SIFMA

This legislation would ensure that inter-affiliate derivatives trades, which take place between affiliated entities within a corporate group, do not face the same demanding regulatory requirements as market-facing swaps. The legislation would also ensure that end-users are not penalized for using central hedging centers to manage their commercial risk. There are two serious problems facing end-users that need addressing. First, under the CFTC's proposed inter-affiliate swap rule, financial end-users would have to clear purely internal trades between affiliates unless they posted variation margin between the affiliates or met specific requirements for an exception [i]f these end-users have to post variation margin, there is little point to exempting inter-affiliate trades from clearing requirements, as the costs could be similar. And let's not forget the larger point—internal end-user trades do not create systemic risk and, hence, should not be regulated the same as those trades that do. Second, many end-users—approximately one-quarter of those we surveyed—execute swaps through an affiliate. This of course makes sense, as many companies find it more efficient to manage their risk centrally, to have one affiliate trading in the open market, instead of dozens or hundreds of affiliates making trades in an uncoordinated fashion. Using this type of hedging unit centralizes expertise, allows companies to reduce the number of trades with the street and improves pricing. These advantages led me to centralize the treasury function at Westinghouse while I was there. However, the regulators' interpretation of the Dodd-Frank Act confronts non-financial end-users with a choice: either dismantle their central hedging centers and find a new way to manage risk, or clear all of their trades. Stated another way, this problem threatens to deny the end-user clearing exception to those end-users who have chosen to hedge their risk in an efficient, highly-effective and risk-reducing way. It is difficult to believe that this is the result Congress hoped to achieve.—Ms. Marie N. Hollein, C.T.P., President and CEO, Financial Executives International, on behalf of the Coalition for Derivatives End-Users

SUBTITLE C—INDEMNIFICATION REQUIREMENTS RELATED TO SWAP DATA REPOSITORIES

Section 331—Indemnification requirements

Section 331 strikes the indemnification requirements found in ''Sections 725 and 728 of the Dodd-Frank Act related to swap data gathered by swap data repositories (SDRs) and derivatives clearing organizations (DCOs). The section does maintain, however, that before an SDR, DCO, or the CFTC shares information with domestic or international regulators, they have to receive a written agreement stating that the regulator will abide by certain confidentiality agreements.

Swap data repositories serve as electronic warehouses for data and information regarding swap transactions. Historically, SDRs have regularly shared information with foreign regulators as a means to cooperate, exchange views and share information related to OTC derivatives CCPs and trade repositories. Prior to Dodd-Frank, international guidelines required regulators to maintain the confidentiality of information obtained from SDRs, which facilitated global information sharing that is critical to international regulators' ability to monitor for systemic risk.

Under Sections 725 and 728 of the Dodd-Frank Act, when a foreign regulator requests information from a U.S registered SDR or DCO, the SDR or DCO is required to receive a written agreement from the foreign regulator stating that it will abide by certain confidentiality requirements and will ''indemnify'' the Commissions for any expenses arising from litigation relating to the request for information. In short, the concept of ''indemnification''—requiring a party to contractually agree to pay for another party's possible litigation expenses—is only well established in U.S. tort law, and does not exist in practice or in legal concept in foreign jurisdictions.

These indemnification provisions—which were not included in the financial reform bill passed by the House of Representatives in December 2009—threaten to make data sharing arrangements with foreign regulators unworkable. Foreign regulators will most likely refuse to indemnify U.S. regulators for litigation expenses in exchange for access to data. As a result, foreign regulators may establish their own data repositories and clearing organizations to ensure they have access to data they need to perform their supervisory duties. This would lead to the creation of multiple databases, needlessly duplicative data collection efforts, and the possibility of inconsistent or incomplete data being collected and maintained across multiple jurisdictions.

In testimony before the House Committee on Financial Services in March of 2012, the then-Director of International Affairs for the SEC, Mr. Ethiopis Tafara, endorsed a legislative solution to the problem, stating that:

The SEC recommends that Congress consider removing the indemnification requirement added by the Dodd-Frank Act . . . the indemnification requirement interferes with access to essential information, including information about the cross-border OTC derivatives markets. In removing the indemnification requirement, Congress would assist the SEC, as well as other U.S. regulators, in securing the access it needs to data held in global trade repositories. Removing the indemnification requirement would address a significant issue of contention with our foreign counterparts . . .

At the same hearing, the then-General Counsel for the CFTC, Mr. Dan Berkovitz, acknowledged that they too have received growing concerns from foreign regulators, but that they intend to issue interpretive guidance, stating that ''access to swap data reported to a trade repository that is registered with the CFTC will not be subject to the indemnification provisions of the Commodity Exchange Act if such trade repository is regulated pursuant to foreign law and the applicable requested data is reported to the trade repository pursuant to foreign law.''

To provide clarity to the marketplace and remove any legal barriers to swap data being easily shared with various domestic and foreign regulatory agencies, this section would remove the indemnification requirements found in Sections 725 and 728 of the Dodd-Frank Act related to swap data gathered by SDRs and DCOs.

On March 14, 2013, at a hearing entitled ''Examining Legislative Improvements to Title VII of the Dodd-Frank Act,'' Mr. Larry Thompson, Managing Director and General Counsel, the Depository Trust and Clearing Corporation, provided the following testimony with respect to provisions of H.R. 742, which were included in Section 331:

The Swap Data Repository and Clearinghouse Indemnification Correction Act of 2013 would make U.S. law consistent with existing international standards by removing the indemnification provisions from sections 728 and 763 of Dodd-Frank. DTCC strongly supports this legislation, which we believe represents the only viable solution to the unintended consequences of indemnification. H.R. 742 is necessary because the statutory language in Dodd-Frank leaves little room for regulators to act without U.S. Congressional intervention. This point was reinforced in the CFTC/SEC January 2012 Joint Report on International Swap Regulation, which noted that the Commissions ''are working to develop solutions that provide access to foreign regulators in a manner consistent with the DFA and to ensure access to foreign-based information.'' It indicates legislation is needed, saying that ''Congress may determine that a legislative amendment to the indemnification provision is appropriate.'' H.R. 742 would send a clear message to the international community that the United States is strongly committed to global data sharing and determined to avoid fragmenting the current global data set for over-the-counter (OTC) derivatives. By amending and passing this legislation to ensure that technical corrections to indemnification are addressed, Congress will help create the proper environment for the development of a global trade repository system to support systemic risk management and oversight.

Mr. ELLISON. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. KILDEE), who is a member of the Financial Services Committee and an active participant on that committee.

Mr. KILDEE. I thank my friend for yielding.

Mr. Speaker, here we are on the second day of the 114th Congress. It has not yet been 24 hours since Members of this Congress were sworn in. What we have before us is a package of 11 complex bills with significant implications for our financial system—and I want to make this very clear, as my friend pointed out—some of which have not gone through the process of scrutiny by the Financial Services Committee or the regular legislative process. Some of it has and some of it has not, but it has not been at all by this Congress. This is not an emergency. Unlike TRIA, which expired before we left, there is not a time-sensitive nature of this question.

It is really important to me—and especially as now a second-term Member—to remember what it was like to show up here and to have things put in front of us that we had not really had a chance to fully and thoroughly vet.

□ 1330

The regular order—as was spoken about yesterday—it is critical for the minority to have access to the process, and it is only done through the regular legislative process.

This legislation just continues to give and give and give to Wall Street.

Despite the fact that my principal objection is with the lack of adherence to regular order and the process of legislating, substantively, there are problems with this legislation. Wall Street banks, whose banks and traders recklessly drove this country into a financial crisis, are being rewarded yet again, and I can't accept it. I can't support it.

What is really interesting to me is that here we are, less than 24 hours since we have been in Congress, yet in the last Congress, when Main Street had its needs, when unemployed people couldn't get Federal unemployment benefits, we couldn't get a hearing; we couldn't get a vote on the floor of the House for legislation that was bipartisan, that had an equal number of Democrats and Republicans supporting it.

When Wall Street asks, we suspend the rules in less than a day without taking a breath and move to fit their needs into our schedule. But when Main Street needs help, Congress didn't give an answer. This is not right.

We have got to get back to regular order. We talk about it all the time. We hear it on both sides. This is not a good start for the 114th Congress, to suspend the rules and deal with new language that many of us have just seen this morning, to pass legislation that is a gift-wrapped present to Wall Street. I can't support it. I urge my colleagues to reject this legislation.

Mr. FITZPATRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. HURT), a member of the Financial Services Committee.

Mr. HURT of Virginia. Mr. Speaker, I rise in support of the Promoting Job Creation and Reducing Small Business Burdens Act. I would like to thank Mr. FITZPATRICK and Chairmen HENSARLING and GARRETT for their leadership on increasing access to capital for small businesses.

As we begin a new Congress, I am glad to see that the House will continue its laser focus on enacting policies to help spur job creation throughout the country. Even though we have seen modest economic growth, I continue to hear from my constituents about the impacts of unnecessary and overly burdensome regulations on job creation, especially regulations that disproportionately affect smaller public companies and those considering accessing capital in the public markets.

One such requirement is related to the use of eXtensible Business Reporting Language, XBRL, which was mandated by the SEC in 2009. While the SEC's rule is well intended, this requirement has become another example of a regulation where the costs outweigh the potential benefits. These small companies expend tens of thousands of dollars or more complying with the regulation, yet there is evidence that less than 10 percent of investors actually use XBRL, further diminishing its potential benefits.

That is why last Congress, the gentlewoman from Alabama, Representative SEWELL, and I authored the bipartisan Small Company Disclosure Simplification Act, which is incorporated into title VII of H.R. 37. I would like to thank Representative SEWELL for her diligent work on this legislation, which passed the Financial Services Committee last Congress with bipartisan support.

This provision will provide an optional exemption for emerging growth companies and smaller public companies from the requirement to file their information in XBRL with the SEC, in addition to the information that they already file.

Additionally, this title requires the SEC to perform a cost-benefit analysis on the rule's impact on smaller public companies, something it failed to adequately address in the original rule, and also to provide additional information to Congress on how the SEC and the market are using XBRL.

Whether a supporter or a sceptic of XBRL, these provisions will help provide a pathway for the SEC to focus on developing a system of disclosure for smaller companies that eliminates unnecessary costs while achieving greater benefits.

I believe H.R. 37 offers a practical step forward on these regulatory requirements in line with the intent of the original JOBS Act, ensuring that our regulatory structure is not disproportionately burdening smaller companies and disincentivizing innovative startups from accessing the public markets.

I ask my colleagues to join me in voting ''yes'' on H.R. 37 so that we can continue to promote capital access in the public markets and spur job growth in communities all across this great country.

Mr. ELLISON. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. LYNCH), who is the former subcommittee ranking member on the Oversight Committee and is an active member on the Financial Services Committee.

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, if I may, I would like to just amplify some of the concerns raised by the gentleman from Michigan (Mr. KILDEE) in his remarks about the fact that here we are, just the second day of this Congress, and we have a group of 11 bills that have been rolled up. There are many new provisions here that have never seen a hearing, unfortunately. This is not the open process that we had hoped for and had spoken about just yesterday.

We have had very limited opportunity to review some of these new sections. Again, they have not had a hearing. They have not gone through regular order.

H.R. 37 contains 11 separate bills, some of which I support, but some of which I oppose strongly. Portions of H.R. 37 have entirely new provisions that most Members have not had the opportunity to thoroughly analyze.

For example, title XI of this bill modifies SEC rule 701 on stock-sharing. It allows private companies to compensate their employees up to $10 million in company stock without having to provide the employees with certain basic financial disclosures about the company. I voted against a similar bill, H.R. 4571, in the last Congress when it was marked up.

But I also want to point out, that while I strongly support employees receiving equity benefits from the firms in which they work, those benefits should be tangible and real. We all remember Enron and WorldCom, where the company, as compensation to those employees, actually pressured them into buying company stock and did not provide full information to them. And eventually, those shares were worthless. So you had thousands of workers being partly compensated in company stock, and the stock was worth zero.

Now we are going to expand this opportunity from $5 million to $10 million a year that each company will be able to pay their employees with company stock, and they don't have any obligation because part of this bill does not require them to make any type of a disclosure, Mr. Speaker. And there is no opportunity for those employees to get accurate financial information about whether the stock that they are being paid with is worth anything. It is just a bad road to go down.

In closing, this bill uses the veneer of job creation to provide special treatment for the well-connected corporations, mergers and acquisition advisers, and financial institutions while doing very little to address the needs of those workers.

With that, I urge my colleagues to vote ''no'' on the bill.

Mr. FITZPATRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. CRAWFORD), a member of the Agriculture Committee.

Mr. CRAWFORD. I thank my colleague from Pennsylvania (Mr. FITZPATRICK) for his leadership on this.

Mr. Speaker, I rise in strong support of H.R. 37 and would particularly like to comment on title V. In order to provide market transparency, the Dodd-Frank law requires post-trade reporting to Swap Data Repositories, or SDRs, as they are called, so that regulators and market participants have access to realtime market data that help identify systemic risk in the financial system. So far, we have made great strides in reaching this goal, but unfortunately, a provision in the law threatens to undermine our progress unless we fix it.

Currently, Dodd-Frank includes a provision requiring a foreign regulator to indemnify a U.S.-based SDR for any expenses arising from litigation relating to a request for market data. Unlike the rest of the world, though, the concept of indemnification is only established within U.S. tort law. As a result, foreign regulators have been reluctant to comply with this provision, and international regulatory coordination is being thwarted.

While the intent of the provision was to protect market confidentiality, in practice, it threatens to fragment global data on swap markets. Without effective coordination between international regulators and SDRs, monitoring and mitigating global systemic risk is severely limited.

H.R. 37 fixes this problem by removing the indemnification provisions in Dodd-Frank. This has broad bipartisan support, and a separate bill to do this was unanimously approved last year by the House Ag Committee and the House Financial Services Committee. Additionally, last year, the SEC testified to the Financial Services Committee that a legislative solution was needed, saying: ''In removing the indemnification requirement, Congress would assist the SEC, as well as other regulators, in securing the access it needs to data held in global trade repositories.''

If left unresolved, the indemnification provision in Dodd-Frank has the potential to effectively reduce transparency and undo the great progress already being made through the cooperative efforts of more than 50 regulators worldwide. In passing this legislation, we will ensure that regulators will have access to a global set of swap market data, which is essential to maintaining the highest degree of market transparency and risk mitigation. I strongly urge my colleagues to vote ''yes'' on this bill.

Mr. ELLISON. Mr. Speaker, may I inquire, how much time does the Democratic side have remaining?

The SPEAKER pro tempore. The gentleman from Minnesota has 7 minutes remaining.

Mr. ELLISON. At this time, Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CAPUANO), who was the ranking member on the Financial Services Committee for the Subcommittee on Housing and Insurance.

Mr. CAPUANO. I thank the gentleman for yielding.

Mr. Speaker, on the last bill, the TRIA bill, when we were still arguing about it, some people on the other side accused people like me, who support the TRIA bill, of being in favor of corporate welfare. Now, as a liberal on most issues, I don't think many people would confuse me with someone who was generally in favor of corporate welfare, but I will take it.

On this bill—because I am going to oppose it on one basic provision—I am going to be called ''against jobs.''

Rhetoric is cheap. Titles of bills don't mean anything. And in this bill, particularly the provision that was just spoken about, title V—there are plenty of things in this bill that I like that I would be happy to vote for. Bring them up separately, and I will. There are a couple of things here that I don't like too much, but we can find common ground on it. But all of that pales when you look at one provision in here that guts the Volcker rule.

It is simple: in 2006, collateralized debt obligations pretty much brought the world economy to its knees and hurt not just Wall Street, but hurt me, hurt my neighbors, hurt my family, and hurt a lot of average Americans because we allowed our financial service industry to gamble with somebody else's money.

And of course they gambled. They won a lot of money. And then when they lost, they didn't lose their money. They lost our money, and we had to come in with a bailout.

This is a corporate bailout—not with taxpayer money, but with depositor money, depositors who are not interested in giving their money to an institution so that they can gamble it on risky items that they will see no benefit from. That is what the Volcker rule says: if you want to gamble, use your money. Good luck. Don't gamble with my money unless I say so.

That is all the Volker rule says. It has worked pretty well. The economy is recovering. Everybody knows that. Everybody agrees with it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLISON. I yield the gentleman an additional 30 seconds.

Mr. CAPUANO. This bill will allow three, only three of our Wall Street institutions—which control 70 percent of the collateralized loan obligation business; three of them control 70 percent of the business—to gamble with depositors' money again without those depositors having a say in it.

When they collapse and depositors lose their money, those of you who vote for this bill will have to explain it to them. This is unnecessary. It is inappropriate. And we should not be voting for this bill, mostly because of that single provision.

Mr. FITZPATRICK. Mr. Speaker, I would just note that the provision that the gentleman from Massachusetts (Mr. CAPUANO) is referring to was heard in committee. The title of the bill passed in the committee with well over 50 votes. It passed unanimously on the floor of the House by voice vote, and not a single Democrat rose to object to the bill, but that was last year.

Right now, Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. FITZPATRICK) for bringing this collection of bills to the House floor.

I would also like to express my gratitude to Representatives HIMES, DELANEY, and WAGNER for working with me on one of the underlying bills, the bipartisan H.R. 801, in the last Congress.

Mr. Speaker, in this new Congress, adding jobs to our economy is a top priority. And passing the Promoting Job Creation and Reducing Small Business Burdens Act is an opportunity for us to create a better environment for private sector growth and job creation.

□ 1345

Title III, also known as H.R. 801, is no exception, and I am proud to rise in support of its passage.

A year ago this month, I came to this floor to speak on the underlying bill which passed overwhelmingly in this Chamber 417–4. While it is unfortunate the bill was never considered by the Senate, it is clear today that in the 114th Congress, its prospects are better.

Small financial institutions are essential to the communities they serve. They have a deep and abiding love for the towns they serve because these towns are their towns, and our constituents—small business owners, farmers, hardworking Americans—rely on these institutions to meet payroll, to purchase equipment, or to buy a car or home.

Unfortunately, Mr. Speaker, these financial institutions have come under fire from Washington because of its regulatory overreach, forcing them to spend increasing shares of their resources to comply with onerous regulations—requirements intended for larger banks—instead of having the flexibility they need to serve their communities.

Let's be clear: small community banks and savings and loan holding companies were not the cause of the financial crisis, and I don't believe they should be treated as though they were the cause. I am not alone. In the 112th Congress, the House and Senate acted to eliminate some of these unnecessary burdens by passing the JOBS Act.

Among other things, the bill raised the registration threshold for bank holding companies from 500 to 2,000 shareholders and increased the deregistration threshold from 300 to 1,200 shareholders, better positioning these banks to increase small business lending and, in turn, promote economic growth in our communities; but due to an oversight in the JOBS Act, it did not explicitly extend these new thresholds to savings and loan holding companies as well.

As a cosponsor of the JOBS Act, I can say with absolute certainty that wasn't our intent, and I subsequently supported report language in the approps bill of Financial Services to clarify and ensure that savings and loan holding companies should be treated in the same manner as bank and bank holding companies. Additionally, Representative HIMES and I have written to the FCC and asked that they use their authority to carry out our original intent.

In spite of these actions and the House passage of H.R. 801 last Congress, we are still without successful resolution to the problem. Today's vote can change that, Mr. Speaker, and I urge my colleagues to support this bill and the overall legislation.

Mr. ELLISON. Mr. Speaker, last Congress, H.R. 4167 passed. I voted against it, but it is not the same as the language in title VIII which is in this bill today, which extends by 2 years the delay we requested, totaling 5 years. It is not the same legislation. This bill, title VIII, has not passed before. It is new.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, my colleague, the Honorable TED POE, will recognize this name. The Honorable Lee Duggan, a district court judge in Houston, Texas, reminded young lawyers that we live in a world where it is not enough for things to be right, they must also look right, and this bill doesn't look right. It doesn't look right when you combine 11 bills into one overnight and then present that to the floor without any amendments being available to the bill.

We should not allow a poison-pill process to develop at the genesis of this Congress. If we do it now, we will continue to do it. I think we have to concern ourselves not only with these 11 bills, but with the many other bills that are to follow. We can never allow this to start the new Congress. We should prevent it.

I would also add this. I am all for doing a lot of things with a hurry-up process. I would like to see us do something about minimum wage; we are not doing anything about minimum wage at all thus far. I would like to see us do something about comprehensive immigration reform; that will be a piecemeal deal if it ever becomes a bill.

Mr. Speaker, I stand with those who believe that the process ought to be fair. It ought to favor the openness that allows for amendments. I say to you that this is not right, and it doesn't even look right.

Mr. FITZPATRICK. Mr. Speaker, I reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois, JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, at the end of last year, over my strenuous objections, we wrapped up a big present for Wall Street. We put taxpayers back on the hook for losses that are connected to certain derivatives trading, among the riskiest bets that banks make.

Well, Christmas is over, and Hanukkah is over, but the gifts keep on coming for Wall Street. Within this bill is another provision that cuts at the heart of the Dodd-Frank Wall Street reform legislation. It delays a portion of the Volcker rule, which bans federally insured banks from making those risky bets or investing in risky funds, including packages known as collateralized loan obligations, or CLOs.

Mortgage-backed securities brought our economy almost crumbling to the ground in 2008, and we are still recovering. Taxpayers bailed out the big banks; yet for millions of homeowners who were forced from their homes and millions of others who are still under water, there hasn't been any assistance. People are right to be angry about this, and they are right to object to this new giveaway to Wall Street interests.

CLOs are similar to toxic mortgage-backed securities. The only difference is that instead of bad mortgages, these packages involve junk-rated corporate loans and a mix of other risky assets.

The Office of the Comptroller of the Currency said last month that the corporate debt market is overheating and becoming increasingly dangerous, and CLOs are the big reason why. This has all the markings of another economy-crushing disaster.

Who gets the upside if Wall Street is able to continue packaging and selling CLOs with taxpayer backing? Wall Street. Who loses if and when those bets go wrong? The rest of us. It is heads, Wall Street wins; tails, everybody else loses.

Mr. Speaker, as Dennis Kelleher of Better Markets said, ''The attack on the Volcker rule has been nonstop.''

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ELLISON. I yield the gentlewoman an additional 15 seconds.

Ms. SCHAKOWSKY. Mr. Speaker, the truth is that the American people deserve better, and we are tired of really bad Wall Street giveaways being tacked on to other legislation. This looks like a Republican strategy to put Wall Street over Main Street.

Mr. FITZPATRICK. Mr. Speaker, I reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, this big bill may have some things that are not bad, but it also contains a bill that delays protection of our economy and families from Wall Street gambling, and it should be voted down.

We urge a very strong ''no'' on this bill. Go back, do it right, follow the process, regular order, and maybe we could make some progress here.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

The bill before us today is here on the same procedure the Terrorism Risk Insurance Act reauthorization was here; we just debated that bill on the floor. They are both coming up under a suspension of the rules, and TRIA reauthorization last term, like these bills, were debated either in committee or on the floor in the full House.

The distinguished minority whip, in speaking about the TRIA bill, said that it is always the right time to do the right thing. In addition, he decried the process that delayed the reauthorization of TRIA—I agree with him on that—and he said there were well over 250 votes for the last year and a half for the reauthorization of TRIA.

I would submit and ask the RECORD to reflect, Mr. Speaker, the provisions of this bill, and we have heard about the 11 provisions, all of which went through the committee or the full House.

Title I amends Dodd-Frank and passed the House 411–12. It was introduced as a bipartisan bill, went

through the committee, had a committee hearing, both sides had witnesses, and all the questions were asked. There was a markup. At the markup, there were amendments. The bill passed the committee. It came to the floor of the House and passed 411–12.

Title II passed the committee 50–10. Title III passed on the full House after passing the committee 417–4. Title IV passed the House 422–0. Each one of these provisions were bipartisan, and they passed in a strong fashion on a vote either in the committee or the House.

Mr. Speaker, just yesterday, we were sent back here. We took the oath of office, sent by our constituents to do the right thing, to work together where we can, to identify problems, to address those problems, and to get stuff done, especially when it regards the American economy, small businesses, and the ability to get people to work to create jobs.

Each one of these titles in this bill identifies a problem in the economy, addresses it in a bipartisan way, and the time is now to pass this bill.

I urge my colleagues to vote ''yes'' on H.R. 37, pass the bill and send it to the Senate. With that, Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to H.R. 37, The Promoting Job Creation and Reducing Small Business Burdens Act of 2015.

This Trojan Horse legislation is actually a combination of eleven separate bills, ten of which were authored by Republican members of the Committee.

I believe that Members should be afforded the opportunity to offer amendments and have a full and fair debate on these bills. However, by considering this package under Suspension of the Rules, Republicans begin the new year by denying Members the opportunity to thoroughly debate a measure that will have far-reaching impact.

Let's be clear: regulators have made tremendous progress in implementing the Dodd-Frank Act. The Consumer Financial Protection Bureau has already returned $4.6 billion to 15 million consumers who have been subjected to unfair and deceptive practices, some of whom live in my Congressional District in Houston.

The CFPB has established a qualified mortgage rule, ensuring that borrowers who are extended mortgage credit actually have the ability to repay the loan, and has established new rules-of-the-road for mortgage servicers.

In addition, the CFPB has worked with the Department of Defense to develop financial protections for service members and veterans, and established a national database to aide consumers with complaints about debt collectors, credit card companies, and credit rating agencies, among others. Let us not turn back the clock on American consumers who already have seen the benefits of the CFPB's efforts.

The Volcker Rule has forced banks to sell-off their standalone proprietary trading desks, and banks have shifted away from speculative trading to investments in the real economy. Shareholders of U.S. corporations now have the ability to have a ''say-on-pay,'' voting to approve or disapprove executive compensation.

In addition Mr. Speaker, the Securities and Exchange Commission (SEC) has recovered more than $9.3 billion in civil fines and penalties since 2011, leveraging enhanced authorities provided by Dodd-Frank. The SEC has also established an Office of the Whistleblower to aid them in policing securities market violations, which has already received more than 6,573 tips from 68 countries. Further, private funds are making systemic risk reports to regulators, helping them to understand previously opaque risks.

To implement the Dodd-Frank Act, the CFTC has completed 65 final rules, orders, and guidance documents resulting in the registration and enhanced oversight of 102 Swap Dealers, two Major Swap Participants, 22 Swap Execution Facilities, and four Swap Data Repositories. In addition, the CFTC has established rules governing mandatory clearing, exchange trading, and reporting of the entire $400 trillion notional swaps market.

It should also be noted that since Dodd-Frank's passage, stability in the market has led to significant economic growth. Nearly 9.7 million private sector payroll jobs have been created since February 2010.

There are now nearly 900,000 more workers employed in the private sector than before recession-related job losses began in early 2008. The unemployment rate has fallen by 3.9 percentage points since its peak of 10.0 percent in October 2009 and currently stands at 6.1 percent—its lowest level since September 2008. Real GDP has grown 10.2 percent since its trough in 2009, and now stands 5.5 percent higher than its pre-recession peak in late 2007. That in and of itself is news that the media should be discussing.

Moreover, the housing market is recovering, with home prices rising, negative equity falling dramatically, and measures of mortgage distress improving. The S&P 500 has risen by 85 percent since July 21, 2010 and has recently reached new peaks.

However, this progress has been regularly stymied by a concerted effort by the Majority to underfund regulators' operations, relentlessly pressure them to weaken regulations, and otherwise erect roadblocks to implementation. As a result, the progress regulators have made to implement the law remains precarious.

I urge my colleagues to reject this legislation and have a full debate on its merits.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 37.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ELLISON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

LOW-DOSE RADIATION RESEARCH ACT OF 2015

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 35) to increase the understanding of the health effects of low doses of ionizing radiation.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 35

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Low-Dose Radiation Research Act of 2015''.

SEC. 2. LOW DOSE RADIATION RESEARCH PROGRAM.

(a) IN GENERAL.—The Director of the Department of Energy Office of Science shall carry out a research program on low dose radiation. The purpose of the program is to enhance the scientific understanding of and reduce uncertainties associated with the effects of exposure to low dose radiation in order to inform improved risk management methods.

(b) STUDY.—Not later than 60 days after the date of enactment of this Act, the Director shall enter into an agreement with the National Academies to conduct a study assessing the current status and development of a long-term strategy for low dose radiation research. Such study shall be completed not later than 18 months after the date of enactment of this Act. The study shall be conducted in coordination with Federal agencies that perform ionizing radiation effects research and shall leverage the most current studies in this field. Such study shall—

(1) identify current scientific challenges for understanding the long-term effects of ionizing radiation;

(2) assess the status of current low dose radiation research in the United States and internationally;

(3) formulate overall scientific goals for the future of low-dose radiation research in the United States;

(4) recommend a long-term strategic and prioritized research agenda to address scientific research goals for overcoming the identified scientific challenges in coordination with other research efforts;

(5) define the essential components of a research program that would address this research agenda within the universities and the National Laboratories; and

(6) assess the cost-benefit effectiveness of such a program.

(c) RESEARCH PLAN.—Not later than 90 days after the completion of the study performed under subsection (b) the Secretary of Energy shall deliver to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a 5-year research plan that responds to the study's findings and recommendations and identifies and prioritizes research needs.

(d) DEFINITION.—In this section, the term ''low dose radiation'' means a radiation dose of less than 100 millisieverts.

(e) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to subject any research carried out by the Director under the research program under this Act to any limitations described in section 977(e) of the Energy Policy Act of 2005 (42 U.S.C. 16317(e)).

(f) FUNDING.—No additional funds are authorized to be appropriated under this section. This Act shall be carried out using funds otherwise appropriated by law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 35, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 35, the Low-Dose Radiation Research Act of 2015, will increase our understanding of low-dose radiation. This research is critical for physicians and decisionmakers to more accurately assess potential health risks in this area.

I want to thank my friend, Mr. HULTGREN, for introducing this legislation along with Mr. LIPINSKI of Illinois. A virtually identical bill passed the House by a voice vote this past November in the previous Congress.

Many Americans are exposed to a broad range of low doses of ionizing radiation. These range from cosmic background radiation to medically-based procedures which include x rays and CT scans. However, our current approach of radiation safety relies on an outmoded assumption that because high doses of radiation are harmful, it necessarily follows that much lower radiation doses are also harmful.

This assumption is not based on a reliable scientific foundation, prevents patients from making informed decisions about diagnostic exams, and can lead to overly restrictive regulations.

The Department of Energy's Low Dose Radiation Research Program within the Office of Science focuses on the health effects of ionizing radiation and helps to resolve the uncertainties in this area that currently exist. Unfortunately, this program has not been a priority at DOE over recent years and has seen systematic de-emphasis. H.R. 35 ensures the continuance and enhancement of this important research program.

This legislation also directs the National Academies to formulate a long-term strategy to resolve uncertainties surrounding whether and to what extent low-dose radiation may pose health risks to humans. The bill stipulates that the academies must consider the most up-to-date studies in this field of research.

□ 1400

Finally, the bill requires the Department of Energy to develop a 5-year research plan that responds to the Academies' recommendations. I again thank the gentlemen from Illinois, Representatives HULTGREN and LIPINSKI, for their leadership on this issue. I also want to commend Congressmen SENSENBRENNER, POSEY, BUCSHON, and CRAMER for joining me in cosponsoring this legislation.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 35, the Low-Dose Radiation Research Act of 2015. I would like to begin by thanking my colleagues from Illinois, Mr. HULTGREN and Mr. LIPINSKI, for introducing this bipartisan legislation, and I urge all of my colleagues to support this bill.

H.R. 35 authorizes an important research program carried out by the Department of Energy's Office of Science to examine the health impacts of exposure to low doses of radiation, such as doses resulting from certain medical tests, nuclear waste cleanup activities, or even terrorism events like dirty bombs. This program builds on the Department of Energy's unique biological research expertise and capabilities, which led to the establishment of the successful Human Genome Project that paved the way for important breakthroughs in modern medicine.

This bill authorizes a National Academies study to identify current scientific challenges in this area and to help guide the program's long-term research agenda well into the next decade. A similar bill passed the House late last Congress with overwhelming support, and it is my hope that this will again pass and move to the Senate for their consideration.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN), the lead sponsor of this bill, and also a distinguished member of the Committee on Science, Space, and Technology.

Mr. HULTGREN. Mr. Speaker, I rise today to urge support for H.R. 35, the Low-Dose Radiation Research Act, and I want to thank the distinguished chairman of the Committee on Science, Space, and Technology, Chairman SMITH, for helping me to bring this legislation to the floor.

While it may sound scary, we come in contact with small amounts of radiation every day from the cosmic background which many Americans are probably unaware of. Of course, radiation has been a useful tool which has led to innovation for medical imaging, like x rays and treatments. Numerous processes used by manufacturers in my home State of Illinois, for instance, include low-dose radiation to carry out precise and accurate measurements. But it is time that the regulatory structure surrounding exposure to low-dose radiation relies on sound science.

Currently, the assumption is that because high doses of radiation are harmful to human health, lower doses must be, too. This is similar to saying that jumping down one step in a flight of stairs is harmful to your health because we already know that it is harmful to jump down an entire flight of stairs at one time.

While there is little doubt that there is a threshold above which humans should avoid exposure to radiation, this legislation will ensure that the Department of Energy's Office of Science prioritizes the research necessary to understand what that level actually is. My bill directs the agency to work with the National Academies to formulate a long-term research plan to do this work.

As I continue to represent my constituents of the 14th Congressional District of Illinois, I will always champion the things we are doing right in Illinois. Our State has a long history of innovation in this space. For many years we have led the Nation in nuclear power generation, and the work we continue to do in our national labs is pushing the boundaries in our frontiers of knowledge.

Fermilab, in my district, helped establish neutron therapy as a viable radiation treatment for many difficult-to-treat cancers. Harnessing the continued benefits of radiation requires that we clarify what the potential harms are. That is why I urge my colleagues to support this bill.

Ms. BONAMICI. I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, we have no other individuals who wish to comment on this bill, so we are prepared to close when my friend is prepared to close as well.

Ms. BONAMICI. Mr. Speaker, I thank the chairman of the committee, Mr. SMITH, and the ranking member, Ms. JOHNSON, and the sponsors of this bill, Mr. HULTGREN and Mr. LIPINSKI.

The bill before us today represents a true bipartisan effort and will help protect the health of our constituents. Passage of this bill is a positive way to start this new Congress, and I urge its adoption.

With that, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentlewoman from Oregon (Ms. BONAMICI) for her comments, and I yield back the balance of my time as well.

The SPEAKER pro tempore (Mr. HOLDING). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 35.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2015

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 23) to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 23

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Windstorm Impact Reduction Act Reauthorization of 2015''.

SEC. 2. DEFINITIONS.

(a) DIRECTOR.—Section 203(1) of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702(1)) is amended by striking ''Director of the Office of Science and Technology Policy'' and inserting ''Director of the National Institute of Standards and Technology''.

(b) LIFELINES.—Section 203 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702) is further amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) LIFELINES.—The term 'lifelines' means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.''.

SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

Section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) ESTABLISHMENT.—There is established the National Windstorm Impact Reduction Program, the purpose of which is to achieve major measurable reductions in the losses of life and property from windstorms through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the understanding of windstorms and their impacts and developing and encouraging the implementation of cost-effective mitigation measures to reduce those impacts.

''(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

''(1) LEAD AGENCY.—The National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director shall—

''(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifelines;

''(B) support the development of performance-based engineering tools, and work with appropriate groups to promote the commercial application of such tools, including through wind-related model building codes, voluntary standards, and construction best practices;

''(C) request the assistance of Federal agencies other than the Program agencies, as necessary to assist in carrying out this Act;

''(D) coordinate all Federal post-windstorm investigations; and

''(E) when warranted by research or investigative findings, issue recommendations to assist in informing the development of model codes, and provide information to Congress on the use of such recommendations.

''(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the National Institute of Standards and Technology shall be responsible for carrying out research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

''(3) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall support research in—

''(A) engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines; and

''(B) economic and social factors influencing windstorm risk reduction measures.

''(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

''(5) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency shall—

''(A) support—

''(i) the development of risk assessment tools and effective mitigation techniques;

''(ii) windstorm-related data collection and analysis;

''(iii) public outreach and information dissemination; and

''(iv) promotion of the adoption of windstorm preparedness and mitigation measures, including for households, businesses, and communities, consistent with the Agency's all-hazards approach; and

''(B) work closely with national standards and model building code organizations, in conjunction with the National Institute of Standards and Technology, to promote the implementation of research results and promote better building practices within the building design and construction industry, including architects, engineers, contractors, builders, and inspectors.'';

(2) by redesignating subsection (d) as subsection (c), and by striking subsections (e) and (f); and

(3) by inserting after subsection (c), as so redesignated, the following new subsections:

''(d) BUDGET ACTIVITIES.—The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Director of the National Oceanic and Atmospheric Administration, and the Director of the Federal Emergency Management Agency shall each include in their agency's annual budget request to Congress a description of their agency's projected activities under the Program for the fiscal year covered by the budget request, along with an assessment of what they plan to spend on those activities for that fiscal year.

''(e) INTERAGENCY COORDINATING COMMITTEE ON WINDSTORM IMPACT REDUCTION.—

''(1) ESTABLISHMENT.—There is established an Interagency Coordinating Committee on Windstorm Impact Reduction, chaired by the Director.

''(2) MEMBERSHIP.—In addition to the chair, the Committee shall be composed of—

''(A) the heads of—

''(i) the Federal Emergency Management Agency;

''(ii) the National Oceanic and Atmospheric Administration;

''(iii) the National Science Foundation;

''(iv) the Office of Science and Technology Policy; and

''(v) the Office of Management and Budget; and

''(B) the head of any other Federal agency the chair considers appropriate.

''(3) MEETINGS.—The Committee shall meet not less than 2 times a year at the call of the Director of the National Institute of Standards and Technology.

''(4) GENERAL PURPOSE AND DUTIES.—The Committee shall oversee the planning and coordination of the Program.

''(5) STRATEGIC PLAN.—The Committee shall develop and submit to Congress, not later than one year after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, a Strategic Plan for the Program that includes—

''(A) prioritized goals for the Program that will mitigate against the loss of life and property from future windstorms;

''(B) short-term, mid-term, and long-term research objectives to achieve those goals;

''(C) a description of the role of each Program agency in achieving the prioritized goals;

''(D) the methods by which progress towards the goals will be assessed; and

''(E) an explanation of how the Program will foster the transfer of research results into outcomes, such as improved model building codes.

''(6) PROGRESS REPORT.—Not later than 18 months after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, the Committee shall submit to the Congress a report on the progress of the Program that includes—

''(A) a description of the activities funded under the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

''(B) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

''(C) a description of any recommendations made to change existing building codes that were the result of Program activities; and

''(D) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

''(7) COORDINATED BUDGET.—The Committee shall develop a coordinated budget for the Program, which shall be submitted to the Congress at the time of the President's budget submission for each fiscal year.''.

SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

Section 205 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15704) is amended to read as follows:

''SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

''(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Windstorm Impact Reduction, which shall be composed of at least 7 members, none of whom may be employees of the Federal Government, including representatives of research and academic institutions, industry standards development organizations, emergency management agencies, State and local government, and business communities who are qualified to provide advice on windstorm impact reduction and represent all related scientific, architectural, and engineering disciplines. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the Program.

''(b) ASSESSMENTS.—The Advisory Committee on Windstorm Impact Reduction shall offer assessments on—

''(1) trends and developments in the natural, engineering, and social sciences and practices of windstorm impact mitigation;

''(2) the priorities of the Program's Strategic Plan;

''(3) the coordination of the Program; and

''(4) any revisions to the Program which may be necessary.

''(c) COMPENSATION.—The members of the Advisory Committee established under this section shall serve without compensation.

''(d) REPORTS.—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

''(e) CHARTER.—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

''(f) TERMINATION.—The Advisory Committee shall terminate on September 30, 2017.

''(g) CONFLICT OF INTEREST.—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15706) is amended to read as follows:

''SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

''(1) $5,332,000 for fiscal year 2015;

''(2) $5,332,000 for fiscal year 2016; and

''(3) $5,332,000 for fiscal year 2017.

''(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

''(1) $9,682,000 for fiscal year 2015;

''(2) $9,682,000 for fiscal year 2016; and

''(3) $9,682,000 for fiscal year 2017.

''(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

''(1) $4,120,000 for fiscal year 2015;

''(2) $4,120,000 for fiscal year 2016; and

''(3) $4,120,000 for fiscal year 2017.

''(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

''(1) $2,266,000 for fiscal year 2015;

''(2) $2,266,000 for fiscal year 2016; and

''(3) $2,266,000 for fiscal year 2017.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 23, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 23, the National Windstorm Impact Reduction Act Reauthorization of 2015, reauthorizes the activities of the National Windstorm Impact Reduction Program through 2017.

Representative RANDY NEUGEBAUER, my Texas colleague, has championed this program for over a decade. In the last Congress, he and Representative FREDERICA WILSON's bipartisan efforts helped move this legislation through the Committee on Science, Space, and Technology and to successfully pass the House. It is because of their past work that we are able to bring this bill to the House floor so early in this Congress.

The National Windstorm Impact Reduction Program supports Federal research and development efforts to help mitigate the loss of life and property due to wind-related hazards. Millions of Americans live in areas vulnerable to hurricanes, tornadoes, and other windstorms. The National Weather Service reported 91 deaths and 892 injuries in 2013 due to tornadoes, thunderstorm wind, and high wind.

We all remember that in 2011 that was the year marred by loss due to windstorms. According to the National Science and Technology Council's biennial report to Congress, in 2011 only, windstorms in the United States took nearly 700 lives, injured nearly 7,000 people, and caused an estimated $11 billion in total direct property losses.

In Texas, we are all too familiar with the harm that excess wind can cause. According to the National Oceanic and Atmospheric Administration Storm Prediction Center, 128 tornadoes and 1,366 windstorms were reported in Texas in the last 2 years. The effects of these disasters can be felt for a long time.

Initially established in 2004, the National Windstorm Impact Reduction Program supports activities to improve our understanding of windstorms and their impacts and helps to develop and encourage the implementation of cost-effective mitigation measures.

H.R. 23 establishes the National Institute of Standards and Technology as the lead agency for the program, improves coordination and planning of agency activities in a fiscally responsible manner, and improves transparency for how much money is being spent on windstorm research.

I want to thank Representative NEUGEBAUER for his continued efforts to support this program. I encourage my colleagues to support the bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, January 6, 2015.

Hon. LAMAR SMITH,

Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 23, the National Windstorm Impact Reduction Act Reauthorization of 2015. Thank you for working with us to incorporate mutually agreeable provisions within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite the House's consideration of H.R. 23, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I would appreciate your response to this letter, confirming this understanding, and would request that you insert our exchange of letters on this matter into the Congressional Record during consideration of this bill on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.

Washington, DC, January 6, 2015.

Hon. BILL SHUSTER,

Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 23, the National Windstorm Impact Reduction Act Reauthorization of 2015. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego action on the bill.

The Committee on Science, Space, and Technology concurs with the mutual understanding that by foregoing consideration of H.R. 23 at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Transportation Committee as the bill moves through the legislative process.

Sincerely,

LAMAR SMITH,
Chairman.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 23, legislation to reauthorize the National Windstorm Impact Reduction Program.

First I want to thank Representatives NEUGEBAUER and WILSON for their hard work on this important legislation that will benefit our constituents.

Americans face significant exposure to windstorms. According to the National Weather Service, between the years of 2003 and 2013, thousands of Americans lost their lives from the impacts of windstorms. Along with the loss of life, windstorms during that time caused billions of dollars of damage to property, including a severely negative impact on agricultural crops.

Although we cannot stop a windstorm from happening, there is much we can do to save both lives and property when windstorms and other natural disasters do happen. In addition to

responding quickly and with sufficient resources in the aftermath of a natural disaster, we must also invest in preparedness and resilience.

Studies of FEMA's Pre-Disaster Mitigation program have shown that for every dollar invested in mitigation activities, $3 to $4 in recovery costs can be saved.

The National Windstorm Reduction Program Act is primarily a mitigation program. It has the potential to lessen the loss of life and economic damage by supporting research and development on windstorms and their impacts and helping to ensure that this research is translated into improving building codes and emergency planning, but this program needs robust investment to achieve that result.

The bill today includes a lower total authorization level than was authorized for this program in fiscal year 2008. We can and we should do better than that. One of our responsibilities as a government should be to assist our constituents with disaster mitigation and response and preparedness, and that means investing in programs we already have in place to carry out these responsibilities. Nevertheless, I understand the need to reauthorize this important program, and I thank my colleagues for agreeing to maintain the authorization levels negotiated last Congress.

I urge my colleagues on both sides of the aisle to support this important bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. NEUGEBAUER), who is the lead sponsor of this legislation and also a member of the Committee on Science, Space, and Technology.

Mr. NEUGEBAUER. Mr. Speaker, I rise today in support of my bill, the National Windstorm Impact Reduction Act, H.R. 23. I also want to thank Chairman SMITH for his leadership on this issue, and I appreciate him agreeing to bring this back up early in the 114th Congress.

I think we have already heard of a number of people quote a lot of statistics about the amount of damage that occurs from windstorms in this country and the loss of lives. You know, particularly 2011 was a very bad year. As it was pointed out, we had a number of people that were killed that year and over $28 billion in damage to property alone.

What is happening is the risk is growing because our population centers are growing. You know, a tornado that goes through a town center does a lot more damage than one that goes through an empty prairie. As these storms are getting costlier over time, at a time where we are $18 trillion in debt, it is important that we utilize the taxpayers' resources in an effective way. This particular program, as it was mentioned, is reauthorized at a fixed level, the level from previous reauthorization, but also it is designed to make the program more efficient and effective in the future.

When a family loses a home, you know, they don't have to just rebuild the house; they have to rebuild their lives. We know a lot of people have either experienced losses of property or life, loved ones, or they know people that have.

In particular, it is a personal thing for me because, on May 11th of 1970, I had just taken my last final for that semester at Texas Tech University, and 3 hours or 4 hours later, a major tornado ripped through Lubbock, Texas, and killed 26 people, including destroying the apartment complex that I lived in.

I was fortunately unharmed in that event, but what I did get to witness is the tremendous amount of damage that can happen from these storms and the loss of life. You saw things that you didn't think were possible—cars in parking lots that were rolled up and swirled up like an ice cream cone.

So one of the things that later on, to me, in the building business, one of the things that we began to learn is, from important research that was done, that we were able to use certain building techniques that made houses more wind resistant, made buildings more wind resistant, and that is exactly what this bill, NWIRP, does. It takes these four agencies that currently have jurisdiction over that—and those include NOAA, the National Science Foundation, FEMA, and NIST—and makes sure that they are using those funds appropriately and that there is not a lot of duplication in the research going on. Each one of them has an area of expertise. We want to do a better job of predicting these storms. We want to do a better job of learning how we can mitigate the damage from those.

One of the things that happened right after the May 11 tornado in Lubbock is that Texas Tech University began doing research on windstorms and the effects of different materials, and later on they founded the National Wind Institute, which is doing important research on simulating cyclones and different kinds of wind events and the impact that they have on materials and certain building techniques. Certainly that will be important to our country as we move forward.

What does that do for the taxpayers? Well, obviously if we can learn more about predicting the outcomes, we can make our buildings stronger, but, more importantly, save lives. And one of the things I know from a lot of the research that has been going on right now, that designs are being incorporated in a lot of buildings.

□ 1415

Recently I was at a new elementary school in my district, and one of the things that we learned is that they incorporated certain building techniques within the cafeteria of that new elementary. Basically, the cafeteria became a storm shelter for the students going to that elementary. Those are the kind of things that will be beneficial from this.

I urge my colleagues to help me reauthorize H.R. 23.

Ms. BONAMICI. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Ms. WILSON), who is a cosponsor of the bill, and also a member of the Committee on Science, Space, and Technology.

Ms. WILSON of Florida. Mr. Speaker, I rise in support of H.R. 23. This legislation would reauthorize the National Windstorm Impact Reduction Program, or NWIRP.

The Federal Government has an important role in helping Americans prepare for and recover from natural hazards. H.R. 23 directs four Federal agencies—NIST, NSF, NOAA, and FEMA—to conduct coordinated research and development on the nature of windstorms, their effects, and on ways to mitigate their impact. The legislation also ensures that this research is translated into practice through improved building codes and emergency planning.

I was born and raised in south Florida, and I am a survivor of Hurricane Andrew, so I have seen my share of severe weather. I know firsthand that natural hazards are a leading threat to American lives and America's economy.

While we cannot stop a hurricane or tornado from happening, this Congress can act to make sure our communities have the tools they need to respond and recover from these disasters.

We must begin by investing in preparedness and resilience. Studies of FEMA's pre-disaster mitigation program have shown that for every dollar we invest in mitigation activities we save $3 to $4 in recovery costs.

I was pleased that this bill was considered in the Science Committee last Congress, and we worked in a bipartisan manner to make several improvements to the bill. I want to thank my colleagues, Chairman SMITH and Mr. NEUGEBAUER, for working across the aisle in a smooth and productive process.

We worked together to increase the authorization for FEMA, the NWIRP agency tasked with taking the research conducted at other agencies and developing mitigation techniques and public outreach. Mr. NEUGEBAUER was the lead, and I appreciate his inclusion.

Additionally, we added several social science-related provisions to the bill. We cannot design effective disaster strategies without knowing how people make decisions and respond to disaster warnings.

Often in a compromise, like this one, you do not get everything you would like. I would have liked to see increases in the authorization levels across the board. Unfortunately, this bill includes a lower total authorization level than what was authorized for this program in fiscal year 2008.

When the last few years have been devastating years for windstorms, including Superstorm Sandy and the tornado outbreak last May, it is difficult

to understand why we would cut the total authorization level for this important program.

I do hope that if this bill moves forward, we will continue our bipartisan efforts and work with the Senate to perfect this bill. Nevertheless, I understand the need to reauthorize this important program that can help minimize the number of Americans who are harmed or killed by windstorm disasters and reduce the costs associated * * *

I support H.R. 23 and urge my colleagues on both sides of the aisle to support the bill.

Mr. SMITH of Texas. Mr. Speaker, I have no other Members who wish to be heard on this bill, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I have no further requests for time, and so in closing, we must help our constituents prepare for and mitigate the impacts of severe weather events, such as windstorms, that threaten their lives and property. This bill takes an important step in that direction, and I urge its adoption.

With that, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 23, legislation that would reauthorize the National Windstorm Impact Reduction Program—or NWIRP.

The last few years have been devastating years for natural disasters across the country. There were massive tornadoes across the Midwest that resulted in loss of life and significant economic damages. In addition, Hurricane Irene in 2011 and Superstorm Sandy in 2012 caused widespread destruction and death along the Eastern seaboard.

H.R. 23 directs NIST, NSF, NOAA, and FEMA to support activities to improve the understanding of windstorms and their impacts. We can use that knowledge to reduce the vulnerability of our communities to natural disasters. The NWIRP program helps our federal agencies and communities across the nation develop and implement many measures that help minimize the loss of life and property during windstorms and to rebuild effectively and safely after such storms.

I was pleased that when this bill was considered by the House Science, Space, and Technology Committee last Congress, we worked in a bipartisan manner and made several improvements to the bill.

We worked together to increase the authorization for FEMA, the agency tasked with implementing the research conducted by the other NWIRP agencies. Additionally, we added several social science-related provisions to the bill. We cannot design effective disaster preparation strategies without understanding how people make decisions and respond to disaster warnings.

This is a compromise bill and so it doesn't contain as much as I think should be done. In particular, I wish this bill included authorization increases for the NWIRP agencies—increases that are justified by the important activities those agencies carry out. However, it is still a good bill and an important bill for us to act on.

I want to thank my fellow Texans—Chairman SMITH and Mr. NEUGEBAUER—for working across the aisle on this bill and for bringing it to the floor today. And I want to thank Ms. WILSON for her efforts on this legislation. It was good to see Members of the Committee coming together, working out their differences, compromising, and ending up with a bill with bipartisan support.

I support the bill and urge my colleagues to support this important bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 23.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. BONAMICI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2015

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 34) to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 34

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tsunami Warning, Education, and Research Act of 2015''.

SEC. 2. REFERENCES TO THE TSUNAMI WARNING AND EDUCATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Tsunami Warning and Education Act (33 U.S.C. 3201 et seq.).

SEC. 3. EXPANSION OF PURPOSES OF TSUNAMI WARNING AND EDUCATION ACT.

Section 3 (33 U.S.C. 3202) is amended—

(1) in paragraph (1), by inserting ''research,'' after ''warnings,'';

(2) by amending paragraph (2) to read as follows:

''(2) to enhance and modernize the existing United States Tsunami Warning System to increase the accuracy of forecasts and warnings, to maintain full coverage of tsunami detection assets, and to reduce false alarms;'';

(3) by amending paragraph (3) to read as follows:

''(3) to improve and develop standards and guidelines for mapping, modeling, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;'';

(4) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (8), respectively;

(5) by inserting after paragraph (3) the following:

''(4) to improve research efforts related to improving tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;'';

(6) in paragraph (5), as so redesignated—

(A) by striking ''and increase'' and inserting '', increase, and develop uniform standards and guidelines for''; and

(B) by inserting '', including the warning signs of locally generated tsunami'' after ''approaching'';

(7) in paragraph (6), as so redesignated, by striking '', including the Indian Ocean; and'' and inserting a semicolon; and

(8) by inserting after paragraph (6), as so redesignated, the following:

''(7) to foster resilient communities in the face of tsunami and other coastal hazards; and''.

SEC. 4. MODIFICATION OF TSUNAMI FORECASTING AND WARNING PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 4 (33 U.S.C. 3203) is amended by striking ''Atlantic Ocean, Caribbean Sea, and Gulf of Mexico region'' and inserting ''Atlantic Ocean region, including the Caribbean Sea and the Gulf of Mexico''.

(b) COMPONENTS.—Subsection (b) of such section 4 is amended—

(1) in paragraph (1), by striking ''established'' and inserting ''supported or maintained'';

(2) in paragraph (4), by inserting ''and safeguarding port and harbor operations'' after ''communities'';

(3) in paragraph (7)—

(A) by inserting '', including graphical warning products,'' after ''warnings'';

(B) by inserting '', territories,'' after ''States''; and

(C) by inserting ''and Wireless Emergency Alerts'' after ''Hazards Program''; and

(4) in paragraph (8), by inserting ''and commercial and Federal undersea communications cables'' after ''observing technologies''.

(c) TSUNAMI WARNING SYSTEM.—Subsection (c) of such section 4 is amended to read as follows:

''(c) TSUNAMI WARNING SYSTEM.—The program under this section shall operate a tsunami warning system that—

''(1) is capable of forecasting tsunami, including forecasting tsunami arrival time and inundation estimates, anywhere in the Pacific and Arctic Ocean regions and providing adequate warnings;

''(2) is capable of forecasting and providing adequate warnings in areas of the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, that are determined—

''(A) to be geologically active, or to have significant potential for geological activity; and

''(B) to pose significant risks of tsunami for States along the coastal areas of the Atlantic Ocean, Caribbean Sea, or Gulf of Mexico; and

''(3) supports other international tsunami forecasting and warning efforts.''.

(d) TSUNAMI WARNING CENTERS.—Subsection (d) of such section 4 is amended to read as follows:

''(d) TSUNAMI WARNING CENTERS.—

''(1) IN GENERAL.—The Administrator shall support or maintain centers to support the tsunami warning system required by subsection (c). The Centers shall include—

''(A) the National Tsunami Warning Center, located in Alaska, which is primarily responsible for Alaska and the continental United States;

''(B) the Pacific Tsunami Warning Center, located in Hawaii, which is primarily responsible for Hawaii, the Caribbean, and other areas of the Pacific not covered by the National Center; and

''(C) any additional forecast and warning centers determined by the National Weather Service to be necessary.

''(2) RESPONSIBILITIES.—The responsibilities of the centers supported or maintained pursuant to paragraph (1) shall include the following:

''(A) Continuously monitoring data from seismological, deep ocean, coastal sea level, and tidal monitoring stations and other data sources as may be developed and deployed.

''(B) Evaluating earthquakes, landslides, and volcanic eruptions that have the potential to generate tsunami.

''(C) Evaluating deep ocean buoy data and tidal monitoring stations for indications of tsunami resulting from earthquakes and other sources.

''(D) To the extent practicable, utilizing a range of models to predict tsunami arrival times and flooding estimates.

''(E) Disseminating forecasts and tsunami warning bulletins to Federal, State, and local government officials and the public.

''(F) Coordinating with the tsunami hazard mitigation program conducted under section 5 to ensure ongoing sharing of information between forecasters and emergency management officials.

''(G) Making data gathered under this Act and post-warning analyses conducted by the National Weather Service or other relevant Administration offices available to researchers.

''(3) FAIL-SAFE WARNING CAPABILITY.—The tsunami warning centers supported or maintained pursuant to paragraph (1) shall maintain a fail-safe warning capability and ability to perform back-up duties for each other.

''(4) COORDINATION WITH NATIONAL WEATHER SERVICE.—The National Weather Service shall coordinate with the centers supported or maintained pursuant to paragraph (1) to ensure that regional and local forecast offices—

''(A) have the technical knowledge and capability to disseminate tsunami warnings for the communities they serve; and

''(B) leverage connections with local emergency management officials for optimally disseminating tsunami warnings and forecasts.

''(5) UNIFORM OPERATING PROCEDURES.—The Administrator shall—

''(A) develop uniform operational procedures for the centers supported or maintained pursuant to paragraph (1), including the use of software applications, checklists, decision support tools, and tsunami warning products that have been standardized across the program supported under this section;

''(B) ensure that processes and products of the warning system operated pursuant to subsection (c)—

''(i) reflect industry best practices;

''(ii) conform to the maximum extent practicable with internationally recognized standards for information technology; and

''(iii) conform to the maximum extent practicable with other warning products and practices of the National Weather Service;

''(C) ensure that future adjustments to operational protocols, processes, and warning products—

''(i) are made consistently across the warning system operated pursuant to subsection (c); and

''(ii) are applied in a uniform manner across such warning system; and

''(D) disseminate guidelines and metrics for evaluating and improving tsunami forecast models.

''(6) AVAILABLE RESOURCES.—The Administrator, through the National Weather Service, shall ensure that resources are available to fulfill the obligations of this Act. This includes ensuring supercomputing resources are available to run such computer models as are needed for purposes of the tsunami warning system operated pursuant to subsection (c).''.

(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—Subsection (e) of such section 4 is amended to read as follows:

''(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—In carrying out this section, the Administrator shall—

''(1) develop requirements for the equipment used to forecast tsunami, including—

''(A) provisions for multipurpose detection platforms;

''(B) reliability and performance metrics; and

''(C) to the maximum extent practicable, requirements for the integration of equipment with other United States and global ocean and coastal observation systems, the global Earth observing system of systems, the global seismic networks, and the Advanced National Seismic System;

''(2) develop and execute a plan for the transfer of technology from ongoing research conducted as part of the program supported or maintained under section 6 into the program under this section; and

''(3) ensure that the Administration's operational tsunami detection equipment is properly maintained.''.

(f) FEDERAL COOPERATION.—Subsection (f) of such section 4 is amended to read as follows:

''(f) FEDERAL COOPERATION.—When deploying and maintaining tsunami detection technologies under the program under this section, the Administrator shall—

''(1) identify which assets of other Federal agencies are necessary to support such program; and

''(2) work with each agency identified under paragraph (1)—

''(A) to acquire the agency's assistance; and

''(B) to prioritize the necessary assets.''.

(g) UNNECESSARY PROVISIONS.—Such section 4 is further amended by striking subsections (g) through (k).

SEC. 5. MODIFICATION OF NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.

(a) IN GENERAL.—Section 5 (33 U.S.C. 3204) is amended by striking subsections (a) through (d) and inserting the following:

''(a) PROGRAM REQUIRED.—The Administrator, in consultation with the Administrator of the Federal Emergency Management Agency and the heads of such other agencies as the Administrator considers relevant, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness and resiliency of at-risk areas in the United States and the territories of the United States.

''(b) PROGRAM COMPONENTS.—The Program conducted pursuant to subsection (a) shall include the following:

''(1) Technical and financial assistance to coastal States, territories, tribes, and local governments to develop and implement activities under this section.

''(2) Integration of tsunami preparedness and mitigation programs into ongoing State-based hazard warning, resilience planning, and risk management activities, including predisaster planning, emergency response, evacuation planning, disaster recovery, hazard mitigation, and community development and redevelopment programs in affected areas.

''(3) Activities to promote the adoption of tsunami resilience, preparedness, warning, and mitigation measures by Federal, State, territorial, tribal, and local governments and nongovernmental entities, including educational and risk communication programs to discourage development in high-risk areas.

''(4) Activities to support the development of regional tsunami hazard and risk assessments, using inundation models that meet programmatic standards for accuracy. Such regional risk assessments may include the following:

''(A) The sources, sizes, and histories of tsunami in that region.

''(B) Inundation models and maps of critical infrastructure and socioeconomic vulnerability in areas subject to tsunami inundation.

''(C) Maps of evacuation areas and evacuation routes.

''(D) Evaluations of the size of populations that will require evacuation, including populations with special evacuation needs.

''(5) Activities to support the development of community-based outreach and education programs to ensure community readiness and resilience, including the following:

''(A) The development, implementation, and assessment of technical training and public education programs, including education programs that address unique characteristics of distant and near-field tsunami.

''(B) The development of decision support tools.

''(C) The incorporation of social science research into community readiness and resilience efforts.

''(D) The development of evidence-based education guidelines.

''(6) Dissemination of guidelines and standards for community planning, education, and training products, programs, and tools, including standards for—

''(A) mapping products;

''(B) inundation models; and

''(C) effective emergency exercises.

''(c) AUTHORIZED ACTIVITIES.—In addition to activities conducted under subsection (b), the program conducted pursuant to subsection (a) may include the following:

''(1) Multidisciplinary vulnerability assessment research, education, and training to help integrate risk management and resilience objectives with community development planning and policies.

''(2) Risk management training for local officials and community organizations to enhance understanding and preparedness.

''(3) Development of practical applications for existing or emerging technologies, such as modeling, remote sensing, geospatial technology, engineering, and observing systems.

''(4) Risk management, risk assessment, and resilience data and information services, including—

''(A) access to data and products derived from observing and detection systems; and

''(B) development and maintenance of new integrated data products to support risk management, risk assessment, and resilience programs.

''(5) Risk notification systems that coordinate with and build upon existing systems and actively engage decisionmakers, local and State government agencies, business communities, nongovernmental organizations, and the media.

''(d) NO PREEMPTION.—

''(1) DESIGNATION OF AT-RISK AREAS.—The establishment of national standards for inundation models under this section shall not prevent States, territories, tribes, and local governments from designating additional areas as being at risk based on knowledge of local conditions.

''(2) NO NEW REGULATORY AUTHORITY.—Nothing in this Act may be construed as establishing new regulatory authority for any Federal agency.''.

(b) REPORT ON ACCREDITATION OF TSUNAMIREADY PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to the Committee on Commerce,

Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on which authorities and activities would be needed to have the TsunamiReady program of the National Weather Service accredited by the Emergency Management Accreditation Program.

SEC. 6. MODIFICATION OF TSUNAMI RESEARCH PROGRAM.

Section 6 (33 U.S.C. 3205) is amended—

(1) in the matter before paragraph (1), by striking ''The Administrator shall'' and all that follows through ''establish or maintain'' and inserting the following:

''(a) IN GENERAL.—The Administrator shall, in consultation with such other Federal agencies, State and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 11(b), and the panel under section 8(a), support or maintain'';

(2) by striking ''and assessment for tsunami tracking and numerical forecast modeling. Such research program shall—'' and inserting the following: ''assessment for tsunami tracking and numerical forecast modeling, and standards development.

''(b) RESPONSIBILITIES.—The research program supported or maintained pursuant to subsection (a) shall—'';

(3) in subsection (b), as designated by paragraph (2)—

(A) by amending paragraph (1) to read as follows:

''(1) consider other appropriate research to mitigate the impact of tsunami, including the improvement of near-field tsunami detection and forecasting capabilities, which may include use of new generation Deep-ocean Assessment and Reporting of Tsunamis and National Oceanic and Atmospheric Administration supercomputer capacity to develop a rapid tsunami forecast for all United States coastlines;'';

(B) in paragraph (3)—

(i) by striking ''include'' and inserting ''conduct''; and

(ii) by striking ''and'' at the end;

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) develop the technical basis for validation of tsunami maps, numerical tsunami models, digital elevation models, and forecasts; and''; and

(4) by adding at the end the following:

''(c) PILOT PROJECT.—The Administrator may, pursuant to subsection (b), develop a pilot project for near-field tsunami forecast development for the Cascadia region along the west coast of the United States using new generation Deep-ocean Assessment and Reporting of Tsunamis, upcoming and existing cable networks, and new National Centers for Environmental Protection modeling capability.''.

SEC. 7. GLOBAL TSUNAMI WARNING AND MITIGATION NETWORK.

Section 7 (33 U.S.C. 3206) is amended—

(1) by amending subsection (a) to read as follows:

''(a) SUPPORT FOR DEVELOPMENT OF INTERNATIONAL TSUNAMI WARNING SYSTEM.—The Administrator shall, in coordination with the Secretary of State and in consultation with such other agencies as the Administrator considers relevant, provide technical assistance and training to the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific, and Cultural Organization, the World Meteorological Organization of the United Nations, and such other international entities as the Administrator considers appropriate, as part of the international efforts to develop a fully functional global tsunami forecast and warning system comprised of regional tsunami warning networks.'';

(2) in subsection (b), by striking ''shall'' and inserting ''may''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''establishing'' and inserting ''supporting''; and

(B) in paragraph (2)—

(i) by striking ''establish'' and inserting ''support''; and

(ii) by striking ''establishing'' and inserting ''supporting''.

SEC. 8. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

(a) IN GENERAL.—The Act is further amended—

(1) by redesignating section 8 (33 U.S.C. 3207) as section 9; and

(2) by inserting after section 7 (33 U.S.C. 3206) by the following:

''SEC. 8. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

''(a) DESIGNATION.—The Administrator shall designate an existing working group within the Science Advisory Board of the Administration to serve as the Tsunami Science and Technology Advisory Panel to provide advice to the Administrator on matters regarding tsunami science, technology, and regional preparedness.

''(b) MEMBERSHIP.—

''(1) COMPOSITION.—The working group designated under subsection (a) shall be composed of no fewer than 7 members selected by the Administrator from among individuals from academia or State agencies who have academic or practical expertise in physical sciences, social sciences, information technology, coastal resilience, emergency management, or such other disciplines as the Administrator considers appropriate.

''(2) FEDERAL EMPLOYMENT.—No member of the working group designated pursuant to subsection (a) may be a Federal employee.

''(c) RESPONSIBILITIES.—Not less frequently than once every 4 years, the working group designated under subsection (a) shall—

''(1) review the activities of the Administration, and other Federal activities as appropriate, relating to tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation; and

''(2) submit to the Administrator and such others as the Administrator considers appropriate—

''(A) the findings of the working group with respect to the most recent review conducted pursuant to paragraph (1); and

''(B) such recommendations for legislative or administrative action as the working group considers appropriate to improve Federal tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation.

''(d) REPORTS TO CONGRESS.—Not less frequently than once every 4 years, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings and recommendations received by the Administrator under subsection (c)(2).''.

SEC. 9. REPORT ON IMPLEMENTATION OF TSUNAMI WARNING AND EDUCATION ACT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the implementation of the Tsunami Warning and Education Act (33 U.S.C. 3201 et seq.).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed description of the progress made in implementing sections 4(d)(6), 5(b)(6), and 6(b)(4) of the Tsunami Warning and Education Act.

(2) A description of the ways that tsunami warnings and warning products issued by the Tsunami Forecasting and Warning Program established under section 4 of the Tsunami Warning and Education Act (33 U.S.C. 3203) can be standardized and streamlined with warnings and warning products for hurricanes, coastal storms, and other coastal flooding events.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Act, as redesignated by section 8(a)(1) of this Act, is amended to read as follows:

''SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Administrator to carry out this Act $27,000,000 for each of fiscal years 2015 through 2017, of which—

''(1) not less than 27 percent of the amount appropriated for each fiscal year shall be for activities under the National Tsunami Hazard Mitigation Program under section 5; and

''(2) not less than 8 percent of the amount appropriated for each fiscal year shall be for the Tsunami Research Program under section 6.''.

SEC. 11. OUTREACH RESPONSIBILITIES.

(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration, in coordination with State and local emergency managers, shall develop and carry out formal outreach activities to improve tsunami education and awareness and foster the development of resilient communities. Outreach activities may include—

(1) the development of outreach plans to ensure the close integration of tsunami warning centers supported or maintained pursuant to section 4(d) of the Tsunami Warning and Education Act (33 U.S.C. 3203(d)) with local Weather Forecast Offices of the National Weather Service and emergency managers;

(2) working with appropriate local Weather Forecast Offices to ensure they have the technical knowledge and capability to disseminate tsunami warnings to the communities they serve; and

(3) evaluating the effectiveness of warnings and of coordination with local Weather Forecast Offices after significant tsunami events.

(b) COORDINATING COMMITTEE OF THE NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall convene a coordinating committee to assist the Administrator in the conduct of the program required by section 5(a) of the Tsunami Warning and Education Act (33 U.S.C. 3204(a)).

(2) COMPOSITION.—The coordinating committee shall be composed of members from each of the States at risk from tsunami, and any other such representatives as the Administrator considers appropriate to represent Federal, State, tribal, territorial, and local governments.

(3) SUBCOMMITTEES.—The Administrator may approve the formation of subcommittees to address specific program components or regional issues.

(4) RESPONSIBILITIES.—The coordinating committee shall—

(A) provide feedback on how funds should be prioritized to carry out the program required by section 5(a) of the Tsunami Warning and Education Act (33 U.S.C. 3204(a));

(B) ensure that areas described in section 4(c) of the Tsunami Warning and Education Act (33 U.S.C. 3203(c)) in the United States and its territories have the opportunity to participate in the program;

(C) provide recommendations to the Administrator on how to improve and continuously advance the TsunamiReady program,

particularly on ways to make communities more tsunami resilient through the use of inundation maps and models and other hazard mitigation practices; and

(D) ensure that all components of the program required by section 5(a) of the Tsunami Warning and Education Act (33 U.S.C. 3204(a)) are integrated with ongoing State-based hazard warning, risk management, and resilience activities, including—

(i) integrating activities with emergency response plans, disaster recovery, hazard mitigation, and community development programs in affected areas; and

(ii) integrating information to assist in tsunami evacuation route planning.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 34, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 34, the Tsunami Warning, Education, and Research Act of 2015, amends and strengthens the Tsunami Warning and Education Act of 2006. It reauthorizes important work at the National Oceanic and Atmospheric Administration and refocuses the program on tsunami detection, forecasts, and research.

I want to thank the gentlewoman from Oregon (Ms. BONAMICI) and the gentleman from California (Mr. ROHRABACHER) for their bipartisan work on this bill. A virtually identical bill passed the House by a voice vote this past September in the previous Congress.

I now join the ranking member of the Science Committee, Ms. JOHNSON, in cosponsoring the bill before us today.

Despite the recent absence of tsunami disasters here in the U.S., the threat is still very real. The massive destruction from the tsunami caused by the 2011 earthquake in Japan is a vivid reminder of the need for enhanced early warning capabilities.

We face a similar threat here at home. Tsunamis have the ability to injure Americans, damage property, and harm the economy.

This bill updates the Tsunami Forecasting and Warning Program operated by NOAA. It will enhance the accuracy of forecasts, modernize and improve the standards and guidelines for mapping and modeling tsunamis, and support enhanced research efforts related to tsunami science.

H.R. 34 also requires the NOAA Administrator to coordinate with State and local emergency managers to improve tsunami education and awareness in our coastal communities. This will help develop effective response and resilience in the face of tsunamis and other coastal hazards.

This bill prioritizes fundamental scientific research on these phenomena, strengthens outreach programs, and advances technological forecasts to better understand and predict disasters.

I again thank the gentleman from California (Mr. ROHRABACHER) and Ms. BONAMICI for their work on this bipartisan legislation.

Mr. Speaker, before I conclude, I would like to recognize our general counsel, Katy Flynn, sitting to my left, for her great service to the Science Committee. She will be taking her talents to the Homeland Security Committee next week to provide counsel for my friend and Texas colleague, Chairman MICHAEL MCCAUL.

I urge my colleagues to support this bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, January 7, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 34, the Tsunami Warning, Education, and Research Act of 2015. As you are aware, there are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite the House's consideration of H.R. 34, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I would appreciate your response to this letter, confirming this understanding, and would request that you insert our exchange of letters on this matter into the Congressional Record during consideration of this bill on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, January 7, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 34, the ''Tsunami Warning, Education, and Research Act of 2015''. I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego action on the bill.

The Committee on Science, Space, and Technology concurs with the mutual understanding that by foregoing consideration of H.R. 34 at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Transportation Committee as the bill moves through the legislative process.

Sincerely,

LAMAR SMITH,
Chairman.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 34, the Tsunami Warning, Education, and Research Act of 2015.

I want to thank Mr. ROHRABACHER for working with me to advance this bipartisan legislation. I also thank the chairman and ranking member of the Science Committee, Mr. SMITH and Ms. JOHNSON, for their support in making this bill an early priority in the 114th Congress. I would also like to thank the State and local emergency management officials, coastal zone managers, and the many scientists and other experts who lent their expertise and experience to the development of this bill. Coastal community groups and emergency planners in my district are working hard to prepare their communities for earthquake and tsunami events, and I am grateful that they took some time to provide their input on this legislation.

Last month marked the 10th anniversary of the Sumatra-Andaman earthquake in Southeast Asia. That earthquake triggered a tsunami event that claimed the lives of more than 200,000 people from Indonesia to Madagascar. Following that tragic event, Congress enacted the Tsunami Warning and Education Act to begin preparing our communities for the considerable threat posed by such an event. We were again reminded of the severe dangers that a tsunami represents for our coastal communities almost 4 years ago when the Tohoku earthquake near Japan created a devastating tsunami that resulted in the tragic loss of human lives and billions of dollars in economic damage, damage that reached as far as the west coast of the United States.

The events in Indonesia and Japan underscore the importance of this legislation, which reauthorizes and extends U.S. efforts to prepare and protect our coastal communities from similar events.

Our ability to prepare, respond to, and recover from a tsunami depends in large part on the hard work done at the local level. The Tsunami Warning, Education, and Research Act will support local efforts, and it is an important step toward making sure our constituents are ready to face the dangers posed by tsunami threats.

Maritime commerce, vibrant tourism, and more than 120 million Americans are all part of the rich coastal U.S. economy, an economy that contributes significantly to the U.S. GDP. The commercial fishing industry alone supports about 1 million jobs, and the international trade associated with coastal and marine fisheries contributes close to $70 billion annually to the U.S. economy. Ensuring that coastal communities, big and small, have the resources and knowledge necessary to protect these critical assets from the threat of tsunami and be prepared should it occur is simply good and prudent policy.

My coastal constituents are keenly aware of the threat that a tsunami poses to their communities, and cities up and down coasts have responded by installing warning sirens and developing evacuation routes. But as we learn more about which areas will be hardest hit and which technologies can provide the most accurate warning, a coordinated effort is required to update preparation and response.

In Tillamook County, Oregon, for example, just outside my district, they recently decided they are going to be using social media and phones to warn residents. Seaside, a small coastal town in my district, has been identified as the most vulnerable community to tsunami on the Oregon coast, and local leaders and organizations there are proactively educating residents and visitors about tsunami evacuation routes, storage supply locations, and emergency communication systems.

At the Federal level, we must do our part to help communities understand the risks and seriousness of the threats they face, and work with them to be prepared, which is why I sponsored this bill along with my colleague from California (Mr. ROHRABACHER).

In Oregon, we know that a catastrophic earthquake and tsunami will occur some day in the Cascadia subduction zone. The question is not a matter of if, but when. Although no one can predict when the Cascadia fault will rupture, we can and we must prepare.

This legislation will help to ensure that local and regional decision-makers have the tools and information they need to develop mitigation and response plans to this ever present threat, and to communicate these plans to the public in an effective and efficient manner.

For distant tsunami events, this bill will advance research efforts related to improving forecasting, detection, and notification. It adds port and harbor operations as entities to be safeguarded by tsunami forecasting capabilities.

□ 1430

This bill will also support research needed to improve our understanding of local tsunami events. A local tsunami—one that is generated just off the coast—has a travel time of less than 30 minutes. This is the kind of tsunami most likely to have widespread and devastating impacts on the U.S. coast and on the Caribbean.

In the 10 years since tragedy struck in the Indian Ocean region, we have made significant strides in our understanding of how to prepare for, mitigate, and respond to a tsunami.

I have no doubt that the progress we have made, in large part through NOAA's efforts under the Tsunami Warning and Education Act, has enhanced the safety of our community and has the potential to save lives. This good work must be continued, and our bipartisan bill will provide ongoing assistance to protect our coastal communities from the impact of a tsunami.

With that, Mr. Speaker, I urge my colleagues to join me in supporting this bipartisan legislation, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), an original cosponsor of this legislation and a senior member of the Science Committee.

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of H.R. 34, the Tsunami Warning, Education and Research Act of 2015. I would like to thank my fellow partner in this endeavor, Representative SUZANNE BONAMICI, for her tireless work on this. She has done a great job. She has done her constituents and our committee proud for the hard work that she has put into this.

In the end, if indeed we succeed and this bill becomes law and the things we are trying to do are accomplished and hundreds of lives are saved, we can sit back and say: ''It was a job well done. We have saved Americans and some lives overseas. That is what God wanted us to do with our time here in Washington, D.C.'' Thank you for letting me be part of your effort to accomplish this.

I would also like to thank Chairman LAMAR SMITH and Ranking Member EDDIE BERNICE JOHNSON. Chairman LAMAR SMITH has been a wonderful leader who has demonstrated the type of bipartisan effort that can really get things accomplished, and I am proud to be on his team as well.

We have seen time and time again what tsunamis can do. That is what this legislation is all about. We need to learn more about them. We need to be more accurate in forecasting and reducing the impacts on our communities.

This legislation will help us make sure that all of our coastal communities—especially those in my district in California, which are some of the best coastal beaches in all of the United States of America—are adequately prepared and properly warned about this danger.

H.R. 34 will strengthen our tsunami warning system's ability to forecast a tsunami arrival, thus bringing damages down. It will establish a working group to provide advice on tsunami science and technology. This legislation does all of this in a fiscally responsible manner, and I am proud to ask my colleagues to join me in support of it.

Ms. BONAMICI. Mr. Speaker, I am happy to yield 4 minutes to my colleague from Oregon (Mr. DEFAZIO), who also represents some coastline in our great State.

Mr. DEFAZIO. I thank the gentlewoman. I also congratulate the chair, the ranking member, and others who support this needed legislation.

Mr. Speaker, this bill will bring new focus to NOAA's ongoing efforts on deploying early detection systems, research, and working with potentially affected communities, better educating the public and designating evacuation routes and putting other measures in place that can mitigate damage or loss of life in the case of a tsunami.

The Cascadia Subduction fault is not as well known to most Americans as the San Andreas in California, but the Cascadia Subduction fault, which starts just south of my district off of northern California has the potential for an even more devastating earthquake and much more probability of a devastating tsunami than anything caused by the San Andreas and other major faults.

This bill is good in the focus it brings. The gentleman who spoke before me from California said it does it in a fiscally responsible way. Well, I would only disagree with that in that it is not fiscally responsible to underfund these efforts at NOAA.

We should be moving forward with all dispatch to use existing technology which is on the shelf and being deployed by Japan, Southeast Asia, off of South America, and being used on land in Mexico and places like Romania for early detection systems.

We are researching and thinking about what we want to do. There are off-the-shelf technologies that will work for remote sensing. What will that mean? If you have remote sensors off the southern Oregon coast close to this fault, that means in the case of a major earthquake—which could be Category 9—you would have a warning further and further up the coast, a longer warning.

For people immediately adjacent or in the mid-Oregon coast, it could definitely save lives and give people more time to get to high ground by using known evacuation routes.

The further you move north, say to the city of Portland, a major quake will have a major impact, but the shock waves would take 8 to 10 minutes or more to travel there. You could get people off the bridges. You could shut down the light rail system. People with critical manufacturing undertakings could shut down their lines, so they would have less economic loss.

In my district, schools could be evacuated. We have many schools that don't meet earthquake standards that will collapse. Given 3 to 5 minutes that we could have in Eugene, you could

save the lives of hundreds and hundreds of kids.

But we are the United States of America. We can't afford it. Under the budget priorities of the Republican Party, we can't afford to deploy an early warning system off the United States of America. Now, Mexico can afford it. Chile can afford it. Malaysia and Indonesia can afford it. Japan can afford it. Romania and Mexico can afford it. We can't.

Well, it is time to stop dragging our feet. This bill brings the focus to NOAA, but it also brings focus on the fact that we aren't giving them the money they need.

It brings focus to NOAA that will hopefully urge them to move more quickly and not mess around trying to develop new technologies or thinking about it, like some of our Federal agencies do. Use known, off-the-shelf technologies that work and is being deployed elsewhere in the world, and it is up to Congress to give them a budget adequate to do this.

I hope we act soon. This bill today is the first step.

Mr. SMITH of Texas. Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, in closing, I want to again thank and acknowledge my cosponsor, Mr. ROHRABACHER from California, and the chairman and ranking member of the Science, Space, and Technology Committee for bringing this bill forward.

I want to again recognize that 10 years have passed since the tragedy that befell the Indian Ocean region and also take a moment to remember the devastating 2011 earthquake and tsunami in Japan, a tsunami whose effects were felt on the western coast of the United States.

We must be mindful of those lessons learned from past disasters and give our constituents the necessary tools to prepare for future tsunami events.

In Seaside, Oregon, the schools are in the tsunami inundation zone. We must do what we can to support the vital research and advancements in forecasting that will give local communities the resources they need to prepare and be more resilient.

I urge adoption of this legislation, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 34, the "Tsunami Warning, Education, and Research Act of 2015".

First, I want to thank the Ranking Member of the Environment Subcommittee, Ms. BONAMICI, for her work on this legislation and her commitment to maintaining the health and vitality of the Nation's oceans and coastal communities. I would also like to thank Mr. ROHRABACHER for joining her in this bipartisan effort, and Mr. SMITH, the Chairman of the Science Committee, for starting the 114th Congress with a good bipartisan bill.

Over 120 million Americans call the United States coastline their home. These coastal communities—from major cities to small towns—play a vital role in sustaining the American economy. In fact, approximately one-third of the U.S. gross domestic product has its origins in coastal areas. That is why the bill we are considering today is so important. It would allow the National Oceanic and Atmospheric Administration to continue to protect Americans and our coastal economies from the threat of tsunamis.

This legislation is a perfect example of a familiar saying: an ounce of prevention is worth a pound of cure. Our tsunami warning program has increased in effectiveness over the last decade, but we must remain vigilant in our preparedness and continue to invest in the research and development, and education and outreach, necessary to improve the resiliency of our coastal communities to these destructive waves. We were reminded in 2004 in Sumatra, and again in 2011 in Japan, of the devastation that can be caused by a tsunami. Billions and billions of dollars in economic damages and countless lives are at risk if we do not maintain, and improve, our tsunami detection and forecasting capabilities. Today's legislation advances NOAA's research efforts to do just that and may ultimately add minutes of critical response time to tsunami warnings. The bill also recognizes that the results of NOAA's research must be translated into outreach and education activities at the state and local level. The effective and timely communication of threats is critical in mitigating the impacts of a natural disaster. In addition, increased warning times are only effective if people know how to respond. I am pleased that this legislation emphasizes and supports local community preparedness.

Resiliency to natural disasters is an important part of strengthening the nation's economic security. I want to ensure that our coastal communities have the resources and tools they need to minimize the loss of life and property caused by a tsunami. Reauthorizing NOAA's tsunami activities is a key step in helping our communities continue to make progress.

I strongly urge my colleagues to support this bipartisan bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 34.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 26, by the yeas and nays;

H.R. 37, by the yeas and nays;

H.R. 23, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 26) to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. NEUGEBAUER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 416, nays 5, answered "present" 1, not voting 5, as follows:

[Roll No. 8]

YEAS—416

Abraham	Collins (GA)	Gohmert
Adams	Collins (NY)	Goodlatte
Aderholt	Comstock	Gosar
Aguilar	Conaway	Gowdy
Allen	Connolly	Graham
Amodei	Conyers	Granger
Ashford	Cook	Graves (GA)
Babin	Cooper	Graves (LA)
Barletta	Costello (PA)	Graves (MO)
Barr	Courtney	Grayson
Barton	Cramer	Green, Al
Bass	Crawford	Green, Gene
Beatty	Crenshaw	Griffith
Becerra	Crowley	Grijalva
Benishek	Cuellar	Grothman
Bera	Culberson	Guinta
Beyer	Cummings	Guthrie
Bilirakis	Curbelo (FL)	Gutiérrez
Bishop (GA)	Davis (CA)	Hahn
Bishop (MI)	Davis, Danny	Hanna
Bishop (UT)	Davis, Rodney	Hardy
Black	DeFazio	Harper
Blackburn	DeGette	Harris
Blum	Delaney	Hartzler
Blumenauer	DeLauro	Hastings
Bonamici	DelBene	Heck (NV)
Bost	Denham	Heck (WA)
Boustany	Dent	Hensarling
Boyle (PA)	DeSantis	Herrera Beutler
Brady (PA)	DeSaulnier	Hice (GA)
Brady (TX)	DesJarlais	Higgins
Brat	Deutch	Hill
Bridenstine	Diaz-Balart	Himes
Brooks (AL)	Doggett	Hinojosa
Brooks (IN)	Dold	Holding
Brown (FL)	Doyle (PA)	Honda
Brownley (CA)	Duffy	Hoyer
Buchanan	Duncan (SC)	Hudson
Buck	Duncan (TN)	Huelskamp
Bucshon	Edwards	Huffman
Burgess	Ellison	Huizenga (MI)
Bustos	Ellmers	Hultgren
Butterfield	Emmer	Hunter
Byrne	Engel	Hurd (TX)
Calvert	Eshoo	Hurt (VA)
Capps	Esty	Israel
Capuano	Farenthold	Issa
Cárdenas	Farr	Jackson Lee
Carney	Fattah	Jeffries
Carson (IN)	Fincher	Jenkins (KS)
Carter (GA)	Fitzpatrick	Jenkins (WV)
Cartwright	Fleischmann	Johnson (GA)
Castor (FL)	Fleming	Johnson (OH)
Castro (TX)	Flores	Johnson, E. B.
Chabot	Forbes	Johnson, Sam
Chaffetz	Fortenberry	Jolly
Chu (CA)	Foster	Jordan
Cicilline	Foxx	Joyce
Clark (MA)	Frankel (FL)	Kaptur
Clarke (NY)	Franks (AZ)	Katko
Clawson (FL)	Frelinghuysen	Keating
Clay	Fudge	Kelly (IL)
Cleaver	Gabbard	Kelly (PA)
Clyburn	Garamendi	Kennedy
Coffman	Garrett	Kildee
Cohen	Gibbs	Kilmer
Cole	Gibson	Kind

King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lewis
Lieu (CA)
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schock
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—5

Amash
Jones
Massie
McClintock
Sensenbrenner

ANSWERED ''PRESENT''—1

Slaughter

NOT VOTING—5

Dingell
Duckworth
Gallego
Larson (CT)
Wasserman Schultz

□ 1507

Mr. CARTWRIGHT and Ms. LEE changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROMOTING JOB CREATION AND REDUCING SMALL BUSINESS BURDENS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 37) to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, to reduce regulatory burdens, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 276, nays 146, not voting 5, as follows:

[Roll No. 9]

YEAS—276

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carney
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (GA)
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Rush
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—146

Adams
Aguilar
Bass
Beatty
Becerra
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu (CA)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Deutch
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kirkpatrick
Kuster
Langevin
Lawrence
Lee
Levin
Lewis
Lieu (CA)
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Price (NC)
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

Dingell
Duckworth
Gallego
Larson (CT)
Wasserman Schultz

□ 1523

Mr. VEASEY, Ms. MOORE, Mr. TORRES, Ms. DEGETTE, Messrs. CÁRDENAS, AGUILAR, MEEKS, and SWALWELL of California changed their vote from ''yea'' to ''nay.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 23) to reauthorize the National Windstorm Impact Reduction Program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 39, not voting 7, as follows:

[Roll No. 10]

YEAS—381

Abraham
Adams
Aderholt
Aguilar
Amodei
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle (PA)
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu (CA)
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Doggett
Dold
Doyle (PA)
Duffy
Edwards
Ellison
Ellmers
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lewis
Lieu (CA)
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schock
Schrader
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young (IA)
Young (IN)
Zeldin

NAYS—39

Allen
Amash
Brat
Buck
Carter (GA)
Collins (GA)
DesJarlais
Duncan (SC)
Duncan (TN)
Emmer
Franks (AZ)
Gowdy
Graves (GA)
Grothman
Hice (GA)
Huelskamp
Jones
Jordan
Knight
Labrador
LaMalfa
Lamborn
Loudermilk
Lummis
Massie
McClintock
Mulvaney
Palmer
Perry
Ratcliffe
Ribble
Schweikert
Sensenbrenner
Stutzman
Weber (TX)
Westmoreland
Yoder
Yoho
Zinke

NOT VOTING—7

Babin
Dingell
Duckworth
Gallego
Larson (CT)
Nugent
Wasserman Schultz

□ 1532

Mr. YOHO changed his vote from ''yea'' to ''nay.''

Mr. ADERHOLT changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BABIN. Mr. Speaker, on rollcall No. 10 I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on January 7, 2015—I was not present for rollcall votes 8–10. If I had been present for these votes, I would have voted: "aye" on rollcall vote 8—H.R. 26; "nay" on rollcall vote 9—H.R. 37; "aye" on rollcall vote 10—H.R. 23.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3, KEYSTONE XL PIPELINE ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 30, SAVE AMERICAN WORKERS ACT OF 2015

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–1) on the resolution (H. Res. 19) providing for consideration of the bill (H.R. 3) to approve the Keystone XL Pipeline, and providing for consideration of the bill (H.R. 30) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of January 6, 2015, of the following Member on the part of the House to the Joint Economic Committee:

Mr. BRADY, Texas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to Members-elect, the whole number of the House is 428.

PERSONAL EXPLANATION

Mr. RUSH. Mr. Speaker, on a prior rollcall vote on H.R. 37, I inadvertently voted ''aye,'' and I would like to be recorded as voting ''no.''

PERSONAL EXPLANATION

Mr. TONKO. Mr. Speaker, during yesterday's rollcall votes, I was absent because of my attendance at the funeral of Governor Mario M. Cuomo in New York.

Had I been present, however, on rollcall No. 1, I would have voted ''present.''

On rollcall No. 2, I would have proudly voted for Representative PELOSI for Speaker.

On rollcall No. 3, I would have voted ''nay.''

On rollcall No. 4, I would have voted ''nay.''

On rollcall No. 5, I would have voted ''yea.''

On rollcall No. 6, I would have voted ''nay.''

On rollcall No. 7, I would have voted ''yea.''

RECOGNIZING THE PASSING OF FORMER REPRESENTATIVE HERBERT HARRIS

Mr. CONNOLLY. Mr. Speaker, it is with great sadness that I rise with the members of the Virginia delegation to inform our colleagues of the passing of one of our colleagues, former Member of this Chamber, Herbert Harris. Herb died at the age of 88 on Christmas Eve at his home in the Mount Vernon district of Fairfax County.

He served three terms in this body, from 1974 to 1980, representing what was then Virginia's Eighth Congressional District.

Like his predecessor Stan Parris, my predecessor Tom Davis, and myself, Herb served on the Fairfax County Board of Supervisors prior to his election to Congress, and that experience served him well here in the House.

He was a champion for the region, helping secure the necessary Federal funds to complete construction of the Metro system here in the Nation's Capital and to expand the Manassas National Battlefield Park for Civil War preservation. He returned to private law practice after leaving the House.

Our former colleagues, Representatives Moran, Davis, and Wolf, collaborated in 2001 on a bipartisan basis to honor Herb by naming a new post office in the Mount Vernon district in his honor.

Many of us attended funeral services for Herb earlier this week, and flags were flown at half-mast throughout Fairfax County and at the capitol in Richmond.

Mr. Speaker, I now ask my colleagues to join all of us in extending our gratitude for his public service and our sympathy to his family and friends by standing with us at this moment to observe a moment of silence in Herb Harris' memory.

AUTHORIZING THE SPEAKER TO ADMINISTER THE OATH OF OFFICE

Ms. FOXX. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 20

Resolved, Whereas, Alan Nunnelee, a Representative-elect from the First District of the State of Mississippi, has been unable from illness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election; Now, therefore, be it

Resolved, That the Speaker, or deputy named by him, is hereby authorized to administer the oath of office to the Honorable Alan Nunnelee at Tupelo, Mississippi and that such oath be accepted and received by the House as the oath of office of the Honorable Alan Nunnelee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF HON. MICHAEL MILLS TO ADMINISTER OATH OF OFFICE TO HON. ALAN NUNNELEE

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 20, 114th Congress, the Chair appoints the Honorable Judge Michael Mills of the Northern District of Mississippi, United States District Court, to administer the oath of office to the Honorable ALAN NUNNELEE.

BIPARTISAN JOBS BILLS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, over the past three terms, the House has acted to grow our economy, control spending, and limit the abusive Federal regulations that are harming small businesses and making it harder for American families to make ends meet.

Despite some progress, a large portion of this agenda was denied consideration in the Senate.

As we begin this new Congress, we face new opportunities and challenges, but what is certain, Mr. Speaker, is the American people sent a clear message: they have called on Washington to put forward solutions and solve the problems that they face.

This week, we begin on that path with consideration of several legislative measures designed to grow the economy and create jobs, including the Hire More Heroes Act, the Save American Workers Act, and approval of the Keystone XL pipeline.

These are several of the many jobs bills that have received broad bipartisan support; yet for one reason or another, they have been denied consideration under the previous Senate majority.

The American people deserve better, Mr. Speaker, and more gridlock is not the option.

THE SEPARATION OF POWERS ACT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the United States Congress has been sworn into office. We all took an oath to support and defend the United States Constitution.

The Constitution, however, is under attack by the policies of the administration. The administration has unconstitutionally, illegally, and unwisely issued a decree that, in essence, grants amnesty to about 5 million people.

The real issue is not an immigration issue because we need immigration reform, but it is a constitutional issue. The Constitution has been bruised by the improper act of the President.

All Members who support the Constitution and constitutional government, rather than a government run by one person, should oppose the illegal action memo of the administration.

Along with Representative BLACK of Tennessee, I have introduced the Separation of Powers Act. This bill will prohibit taxpayer funds to be used or appropriated for the recent illegal actions of the administration's granting amnesty.

The President also has been sworn to support the Constitution, and it is Congress' duty to make the laws, whether the administration likes it or not. The Constitution is not a mere suggestion. It is the law of the land.

And that is just the way it is.

□ 1545

FIGHTING TERRORISM

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, in the last couple of days, we have seen tragic incidents occurring against innocent people, today in particular, the tragic killing of journalists and police officers in Paris, France, terrorist acts against innocent persons and persons who we know in the United States have the right to the First Amendment and freedom of expression that is the very core of the principles of this Nation of which we value and which our soldiers have gone to faraway wars to fight for.

At the same time, Boko Haram, a terrorist group that has plagued the African continent, mainly in Nigeria, Chad, Cameroon, and around the areas of Niger, have taken a city near Lake Chad. They have seized that city. They have taken over the military base. They are continuing to kill thousands and causing 1.5 million to be displaced.

Again, we have to fight terrorism in a universal manner, both in terms of our attitudes and values, but more importantly, in the organizing of African nations to stand up against these heinous terrorists, who have stolen children, 300 girls and boys, and taken them from their families and lives. Boko Haram cannot be in control. We must, in a united way, stand against them and provide for the peace and tranquility of the people of the continent where they are.

AMERICA'S NEW CONGRESS

The SPEAKER pro tempore (Mr. ABRAHAM). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the majority leader.

Ms. FOXX. Mr. Speaker, since I was first elected to Congress in 2004, I have heard from thousands of constituents across North Carolina's Fifth District.

In recent years, there has been an understandable note of frustration in their voices over the direction that our country is headed.

These folks know all too well the struggle to find a job and pay the bills. They are angry that it takes an average 111 days just to make enough money to pay the government before starting to keep what they earn for the year. They have watched an oppressive government intrusion into health care make it far too difficult and expensive for many to do business. They are discouraged by an uncertain regulatory environment that is wreaking havoc on both employers and employees. They are outraged at the President's unprecedented attempt to grant amnesty to millions of illegal aliens when there are so many individuals who have waited years for the opportunity to come to this country the right way.

Over the last 4 years, the U.S. House of Representatives has done everything in our power to put this Nation on a better path. We have passed numerous pieces of legislation to encourage job growth and strengthen America's standing in the global economy. We have also passed bills that would decrease energy costs, allow workers to have more flexibility to spend time with their families, and increase transparency in how tax dollars are spent. However, we were stymied again and again by Democrats in the Senate.

Despite the short time we have had, the obstacles we have faced and the enormity of our task, House Republicans have still managed a number of conservative victories. For example, this summer legislation I authored was signed into law to streamline the Federal workforce development system, including the elimination of 15 duplicative programs. Last month we passed legislation that has since been signed into law to allow families of a severely disabled child to save for their child's long-term disability expenses in the same way that many families currently save for college through popular 529 investment plans, encouraging personal responsibility instead of increasing dependency on the government.

We all wish we could have done more, much more; however, we will have greater opportunities over the next 2 years with a Republican-led House and Senate. The 114th Congress offers new chances to pass legislation that will take the country down a road of economic recovery that results in lower unemployment, a fair Tax Code, and opportunity for all. We will work to reduce the size and scope of the Federal Government, protect against executive overreach, reform Federal spending, and keep America strong.

My priorities for this year include continuing efforts to increase transparency and accountability in government. That is why H.R. 50, the Unfunded Mandates Information and Transparency Act, which we call UMITA, is the first bill I introduced in the 114th Congress. This legislation would improve transparency and public disclosure of the true cost—in dollars and in jobs—that Federal dictates pose to the economy. I have offered this legislation in the past four Congresses, and it has successfully passed the House with bipartisan support on three separate occasions, only to be ignored by the Senate. My hope is that this year will be different.

Congress will also face off against the White House this year over President Obama's attempts to short-circuit the American immigration process. By extending funding for the Department of Homeland Security only through February 2015, the House and Senate are prepared to confront the President's unparalleled power grab without the threat of a looming government-wide shutdown, and we will do everything we can to stop his destructive actions.

Congress will be addressing the American people's greatest priorities in the 114th Congress, and we will work hard to build a better future for American families.

I yield back the balance of my time.

UNITED STATES-CUBAN RELATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. LEE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. LEE. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LEE. Mr. Speaker, this evening I stand with my colleagues to discuss an issue that is very important to this country, and that is our country's relations with Cuba. It has been 50 years—five decades—of a failed policy. Our wrongheaded policy toward Cuba, born of cold war tensions, has failed. Our policies have been in dire need of updating ever since. This island nation, which lies just 90 miles from our shores, one of our closest neighbors, should be a partner in our hemisphere, not an estranged country or enemy. Along with many of my congressional colleagues, many of whom are gathered here tonight, we have been fighting to make that a reality for decades.

I would now like to move toward and talk a little bit about some of the issues that many of us have been involved in, and then I will yield to my colleagues.

In the past, addressing our failed policies toward Cuba really had strong and clear bipartisan support in Congress. Recent polling shows it has bipartisan support amongst the American people. According to a 2014 survey commissioned by the Atlantic Council, more than 60 percent of Americans support lifting the travel and economic restrictions on Cuba, and 56 percent of Americans support changing overall United States policy towards Cuba. That includes 63 percent of Floridians, 62 percent of Latinos, and 52 percent of Republicans.

Thanks to recent, very bold actions from President Obama, we have finally made some headway in this fight. We have started down the long and hard road towards ending our failed policies and establishing policies that promote the freedoms of Americans and Cubans, encourage trade and job creation here in the United States, and support the open exchange of critical medical development and research to treat diseases that afflict many Americans.

In December, the President announced that the United States will reestablish diplomatic ties, facilitate travel, improve commercial exchanges and telecommunications and a variety of other policies. This is a welcomed and long-overdue response to our calls and the calls of many advocates both in this body and outside, from Cuba, the United States, and around the world.

Today we come to the floor first to thank President Obama for his leadership and to discuss the important changes he has brought about through his action; but at the same time, we are here to call on this Congress to act to end the outdated embargo while maintaining our Nation's unwavering commitment to human rights and democracy.

I personally began my efforts to end the embargo when I was a congressional staffer for my predecessor and mentor, Congressman Ron Dellums, in 1977. Since then, I have traveled to Cuba more than 20 times and have led several congressional delegations to that island. Quite frankly, each time I am there, I am struck by how much both of our nations would benefit from improved relations. Over the years, many Members have been proud of their young people who have received their medical education at the Latin American medical school, ELAM, which allows students from low-income and disadvantaged backgrounds to study medicine in Cuba for free, returning to the United States to practice in underserved areas.

When I was chair of the Congressional Black Caucus in the 112th Congress, I was honored to lead a delegation to talk with Cuban officials, including President Raul Castro, to determine their willingness to engage in dialogue with no preconditions in an effort to move toward normalization of relations.

Recently, we led a bipartisan delegation to examine a new treatment for diabetic foot ulcers that afflict millions of Americans every year. Tragically, this condition often ends in amputations and sometimes death for patients. This new treatment has been developed. It is highly effective. Hopefully Americans can benefit from this treatment if we end the embargo.

So I will continue to work with my colleagues on both sides of the aisle to ensure that this development and other areas of common interest to the American and Cuban people are pursued and developed, which I will review later in my closing statement.

Now I yield to the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON), who has visited Cuba and really understands the trade and business aspects and the job-creation aspects of why we need to move forward to end this failed policy.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentlelady very much.

I rise in support of President Obama's recent announcement that updates our diplomatic policy approach to Cuba. I am very pleased to see that our outdated approach to U.S.-Cuban relations will end and we will begin to normalize our relationship with Cuba. Not only does the Obama administration's announcement reestablish positive diplomatic ties with Cuba, it also helps to empower the Cuban people by updating travel restrictions, remittance policies, and quality of life.

One of the most positive outcomes of the updated policy announcement is the lifting of many trade restrictions between the United States and Cuba. In my home State of Texas, the Texas Farm Bureau has long supported improved trade policies with Cuba because of the potential to export Texas farm products. This provision not only serves the U.S. economy positively, but it is also very meaningful to the Cuban policy, which has struggled tremendously in the past.

While trade provisions and helping to improve the livelihood of Cuban people by allowing the Cuban economy to build are constructive measures, we must focus on additional viable resources Cuba could provide to the United States. For instance, with the opening of diplomatic ties, I sincerely hope that our State medical boards in the United States will consider the educational value that Cuban medical schools provide to future health professionals who wish to practice medicine in the United States. I have had students from my district attend medical school in Cuba. I am aware that Cuba has offered nurses and physicians around the world in needy countries where needed.

The aforementioned examples are only a few of the many ways that opening our diplomatic relations with Cuba will be positive for our country, and I urge my colleagues to support the Obama administration's decision to update our relationship with our neighbor and future ally.

Ms. LEE. Mr. Speaker, I now yield to the gentlewoman from Florida (Ms. CASTOR), who represents Tampa and has certainly been a bold leader and understands clearly the economic benefits in her district as they relate to ending the embargo.

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentlelady from California for her longstanding leadership, her commitment to human rights and change in a positive way for the relationship between the United States of America and Cuba.

I also would be remiss if I didn't recognize some of my other colleagues who have been in this, have encouraged a change in policy for many, many years, if not decades: Congressman FARR, Congresswoman DELAURO, Congressman MCGOVERN, Congressman VAN HOLLEN, Congressman POLIS, Congressman MEEKS, and many others who have taken it upon themselves to visit the island of Cuba, like the average American is not allowed to do, and learn about the real situation on the ground there.

□ 1600

I also commend the Obama administration and the President for his bold move in finally moving this outdated, anachronistic policy towards Cuba into a positive direction. Because just think about this: since the embargo has been in place and our policy of isolation has been in place, we had a war with Vietnam, but we have come to reconcile with the Vietnamese, and now the Vietnamese people have seen great economic reforms because America was engaged. Even after World War II, when we had a world war against Germany, you have to turn the page and move on in human history, and we were able to do that with one of our closest allies now with Germany. So why not Cuba?

In the Tampa Bay area I represent a lot of Cuban-American families. In fact, the bulk of my constituent work often involves family unification. It is not uncommon every week to have a situation where there is a dying grandmother in the United States and her grandchildren in Cuba would like to come and visit. And yet over the past years, they have been subjected to the worst kind of bureaucratic red tape that has not allowed them to travel freely to America, and the same for American citizens.

Did you know that Americans are not allowed to travel freely to Cuba? Many people don't know that Cuba is really one of the only nations in the entire world where our constitutional rights to travel are restricted. And we think now with the Obama administration's move we will begin to open the door to greater travel, in recognition of our own human rights and constitutional rights.

But I think it is really for our families to be able to unify them. It is only a 1-hour flight from Tampa to Havana. It is less than that, and it is a beautiful flight. And yet it has been off limits for so long. So thank you to the Obama administration for beginning to take the steps to open this up.

I want folks to know Cuba is changing. Just like the Congresswoman who has traveled there multiple times, I traveled on a fact-finding mission not too long ago. There are meaningful economic reforms under way. America needs to be there to encourage it, to move it along faster and farther.

People now in Cuba can own some private property. There are new small businesses and entrepreneurs that have the ability to step away from government control and take control of their own lives. There is decentralization of power. But unless America is engaged, we are not going to be able to continue those economic reforms and press for improvements in human rights.

This is also an important time for America to capitalize on the changes in the world economy. Remember for a long time it was the Soviet Union that supported Cuba, or it was Venezuela. Well, now with the energy revolution in America, there has never been a better time for America to use its influence in the world, its economic power, its pressing for human rights, as Venezuela doesn't carry the day anymore. Their economy is in turmoil. The same for Russia. The economic conditions now play to our advantage, and we need to use it to improve human rights on the island, to improve family unification, and begin to establish those all important diplomatic ties.

In my hometown of Tampa, they have led the way. My Greater Tampa Chamber of Commerce has traveled a number of times. They would like to reestablish trade ties. There have been enormous numbers of cultural exchanges. The Florida Orchestra had a multiyear exchange with the Orchestra of Cuba. Ybor City businessmen have instituted art celebrations with the Cuban people right in the heart of Tampa. The University of Tampa's baseball team went and played the Cuban national team. Yes, and the University of Tampa did prevail, much to the chagrin of the Cubans.

But these are the ways that you build a relationship, a greater foundation for economic reform and human rights reform. In fact, it is the Saint Lawrence Catholic Church in Tampa that is going to fund the first Catholic parish on the island of Cuba in the coming years. If we cannot stand as leaders in the Western Hemisphere for religious freedom, for human rights, for economic engagement and improvement, who will? It is our time. I thank the leaders in this Congress that have pressed for this change, I commend President Obama for taking this bold move, and I encourage all Members of Congress to travel there and listen to the people, listen to their cries for positive change. We have it within our power to lift the embargo and begin to press on these issues, and I hope that we will.

Ms. LEE. I thank the gentlewoman for laying out just really a glimpse of the possibilities, and again, thank you for your leadership.

Now I would like to yield to Congresswoman SHEILA JACKSON LEE from Texas, who has been a longtime supporter and advocate for ending the embargo, who also, I was reminded earlier, in her role as the Immigration

Subcommittee ranking member, she was very instrumental in the Elian Gonzalez case and was able to really help forge a path forward to return Elian to Cuba.

Ms. JACKSON LEE. Mr. Speaker, as you notice, Members who are on the floor today have come from a variety of States, a variety of political philosophies and positions. I think it is appropriate to acknowledge Congresswoman BARBARA LEE for galvanizing Members on both sides of the aisle on an important and enormous leap of change that we have made over the years by her determination and persistence and knowledge. So I thank her very much for that kind of leadership, allowing many of us to travel to Cuba on any number of occasions, meeting with Fidel Castro, speaking about issues of government and the needs of the Cuban people and the needs of the American people.

To my colleagues, everyone who has visited, they have found the Cuban people hospitable and friendly, desiring peace, and respecting America. If there is ever one impression that you have when you leave Cuba, it is the desire for strong relationships and the connectedness between Cubans, Cuban-Americans, and Americans.

As a Representative from Texas, I can assure you that over the years I have heard often from members of my agricultural community about their desire to begin engaging with trade in Cuba. And they do so as proud Americans, as Americans who have sent young men and now young women to faraway shores in military uniform to defend this Nation.

What they see in Cuba, as has been indicated, is a friend with which we had disagreements, but a friend with which we now can find a pathway forward. As was mentioned, we had engaged in a war in Vietnam, we have engaged in a war in Iraq and Afghanistan, soldiers coming home now with few soldiers left behind. And, Mr. Speaker, we are engaging in diplomatic relations with Iraq, Afghanistan, and certainly Vietnam. How in the world can an island 90 miles away be held in such contempt that we cannot find a pathway forward.

So I strongly support the executive order of this President, and I will tell you why in just a few minutes of the time that I have remaining. I serve on the Homeland Security Committee, and previously on Judiciary, on which I continue. My colleague is correct. At the time of the young boy by the name of Elian Gonzalez, who was found near the shores of our great Nation, his mother deceased trying to escape, of course, from Cuba with a number of others, there was this custody fight, if you will, about whether or not his relatives here or his father should have custody over him, his father being in Cuba. What a sensitive question for a very young boy who could not make a decision on his own. What a traumatic experience in those difficult waters watching his mother not survive.

So as a member of that committee, working with my fellow colleagues and working then with the Clinton administration and then Attorney General Janet Reno, though it was not, if I might say, a clear and pretty scene, we knew that in the best interest of the child the parent was the best custodian or guardian, whether or not that child was, in fact, having to go to Cuba.

But as I said earlier, the Cuban people are peaceful people. Every country has had a revolutionary path, and Cuba has as well. But it was a right decision for Elian, who is now a young man, and to all accounts is performing his duties as a responsible adult. But that was a very tough incident in our political life, if you will, to see a child snatched by officials of this government to take him home to Cuba. Maybe that was, in fact, the first statement of an altered policy.

Let me close by saying why I believe the President's executive order is legitimate in the context of his legal authority, and I am excited about the beginning of the change in diplomatic relationships between Cuba and the United States.

Mr. Speaker, would you not want to know who is 90 miles away from you in this time of franchise terrorism? Wouldn't we want to know who our allies are in the Caribbean, or who our allies are in fighting horrific drug trafficking? Well, I think we can find that in the entity of the Cuban government. We know that we have not seen a terrorist incident in that particular country. That is why we need to normalize relations.

I am grateful for Mr. Gross' return, who was brought out by many Members of Congress, including my colleagues here, including Congresswoman LEE, and as well some of the other political prisoners who have been released, including some in recent days.

And then lastly let me say, let us celebrate the Cuban people for the magnificent export that they have: medicine, medical research, and physicians. Everyone knows that in the Ebola fight, the largest contingent, or one of the largest contingents of medical professionals, doctors fighting against Ebola on the continent of Africa, is and has been Cuban doctors alongside of the international workforce of medical professionals, Good Samaritans who sacrifice their lives to fight this deadly disease. But every single medical crisis in the world, you can count on Cuban doctors being there, as well as in conflicts and wars, such as over in the Mideast, Cuban doctors go to save lives.

I want to thank the gentlewoman for this Special Order. I look forward to joining her in further codels to visit and to be part of the continued normalization. I say this not out of disrespect of the feelings of others who have experienced a crisis in their relationship with Cuba, but only to say that now may be the time for peaceful reconciliation, for families to be reconciled and for us to begin this peaceful journey with the nation of Cuba. Let me thank you, thank President Obama, and thank those who are very much a part of this.

Ms. LEE. Let me thank you, Congresswoman JACKSON LEE, for being with us here tonight and reminding us of much of the history that cannot be forgotten as we move toward normal relations with Cuba.

Also with regard to Alan Gross. Yesterday, Alan and his wife, Judy, they were with us, and we all were so thrilled to see Alan Gross, and we are pleased that the President's action actually resulted in the long overdue return of our friend Mr. Gross.

Every time that many of us went to Cuba we wanted to meet with Alan. It was important to learn more about his case, but more importantly to do what we could do to help with humanitarian relief and to encourage and lift his spirits.

One of those individuals who has been so key in this is Congressman GREGORY MEEKS from New York, who has consistently talked about the importance of normalized relations with Cuba in the context of Latin American policies, our policy role in the Western Hemisphere.

□ 1615

Mr. MEEKS. Mr. Speaker, I want to thank BARBARA LEE for her steadfastness, for her tenacity, for her consistency in trying to bring a change in a policy that has been faulty, for it has been the policy that we have been doing over and over and over again, we have had over and over again and getting the same results: zero.

I want to thank BARBARA for her hard work on this. I look forward to continuing to work with her as the President has opened up the opportunity for diplomatic relations with Cuba again, but we know that we still have a lot of work to do, and I look forward to working side by side with her until we have the kind of relationship and we have the kind of movement in this Congress where we really end the embargo, so that we can come together and make sure that change has happened within our relationships.

I want to thank President Obama for his bold move, for indeed the camera of history is rolling and has brought us to this historic point which will take the United States of America and Cuba in a new and more positive direction after over five decades of severed diplomatic relations.

American policy towards Cuba since 1961 has left our Nation out of sync with our neighbors in the Americas—for that matter, out of sync with our friends and allies all over the world.

Our outdated policy, highlighted by our trade embargo, which has lasted for over half a century, has not only been ineffective but has blocked investment and trade opportunities for U.S. businessmen and farmers, it has kept families apart, and has done virtually nothing to change Cuba's policies.

In fact, just 90 miles away, if we had these trade agreements, if we were able to trade and bring markets and food to the shores of Cuba, it would be the humanitarian thing to do because people are starving simply because they don't have that opportunity on the island of Cuba.

Clearly, when you think about the world which is smaller now—and one of the things that we should have learned by now is that unilateral sanctions don't work; if anything, they have further isolated us from the global community. We have got to work collectively with others, not just doing something out on our own. It has not worked. It does not work.

As mentioned, denying American citizens the freedom to travel to Cuba to visit its many historic and cultural attractions, to meet its people, has been a stain on our democracy. I think the gentlelady from Florida talked about where we, as Members of Congress, have opportunities to go when we have travel.

I can recall traveling, for example, not only to Havana, but Santiago de Cuba, and feeling the rich heritage and culture and looking at the people in Santiago who were poor, but I saw something when I looked in their faces: they were poor, but they were not hopeless. They were not destitute.

They welcomed us into their homes to see how they were living. They had music playing, and they had hope for a better tomorrow and a better relationship with the United States of America. In fact, they scratched their heads, did not understand why they didn't have this better relationship with the United States of America, so I say that so that they want us to come. Others are going; we should permit our citizens to do the same.

Now, the question is what is happening here in America. Well, a December 17 through 21 ABC News and Washington Post poll of adults nationwide showed that 64 percent of Americans supported establishing diplomatic relations with Cuba, with 31 percent opposed; 68 percent supported ending the trade embargo, while 74 percent supported ending restrictions on travel to Cuba. Americans support the President's actions to normalize relations with Cuba.

The United States International Trade Commission has concluded that if U.S. restrictions on financing and travel to Cuba were lifted in 2008, U.S. agricultural exports to Cuba would have increased between $216 million and $478 million, and the U.S. share of Cuba's agricultural imports would have increased from 38 percent to 49 and 64 percent, which also would prevent some of the hunger that is taking place in Cuba.

U.S. wheat, rice, soy, and meat producers have said that their industries will benefit from normalized relations with Cuba, now that trade financing restrictions are to be alleviated. President Obama's plan to establish relations and facilitate trade and commerce is a major market opportunity.

It is good for Cubans, but it is also good for Americans because when you do that, you are also creating jobs for Americans right here in the United States, so it is a win-win because we are all about creating jobs in the United States. We are all about that commerce.

We are also all about making sure that trade facilitation helps us in America, but it also can help people who have a great need on that island called Cuba.

President Obama's actions to open the relationship and reestablish diplomatic relations with Cuba will bring us closer, as BARBARA LEE indicated, to our allies in the region who have pursued more open relationship with Cuba while we have not.

I serve on the Foreign Affairs Committee; I sit on the Western Hemisphere Subcommittee. I have had the opportunity to have dialogue and conversations with heads of states from throughout the hemisphere.

For example, one of our closest allies, Colombia, one of our strongest partners, they are negotiating with the FARC on the island of Cuba; and when I talk to many of their individuals, they said the one thing that they think could help the entire hemisphere is for the United States to change its relationship with Cuba.

Now, Colombia is one of our strongest, one of our most reliable allies, but they, too, have engaged with Cuba and are asking and looking and saying that our engagement with Cuba will change and help the hemisphere.

Panama has invited President Castro to the Summit of the Americas, and the rest of our hemisphere wants this change, and our antiquated policy has been holding us back and hampering our ability to cooperate with countries in the region on a wide range of issues.

Let me begin to conclude by saying this: the President's historic announcement has been universally well received by the region, which is heralding it as a major step forward in regional integration.

The Presidents of Brazil, Argentina, and—as I said—Colombia and Mexico have praised President Obama's announcement. The announcement has also been applauded by regional organizations, including the Union of South American Nations and the Organization of American States.

I conclude by saying that I have visited Cuba many times. I have worked tirelessly throughout my years in Congress to foster an improved relationship between United States and Cuba, and I believe the President's actions are good for both our countries and our hemisphere.

American businesses will benefit, U.S. citizens will be able to travel to Cuba on a more regular basis and send remittances to their relatives by reopening our Embassy in Havana. We will be a safer place, and finally—finally—the world often looks to the United States to be a leader militarily. We should be proud that the world can also look at us as champions of diplomacy.

Through our President's new Cuba policy, we have shown our neighbors in the Western Hemisphere—and indeed the rest of the world—that we are committed to building new partnerships and that we will not be beholden to antiquated policies and that we are optimistic about what is possible through dialogue and diplomacy, and I thank the chairman.

Ms. LEE. Mr. Speaker, I want to thank the gentleman from New York for his very comprehensive statement and overview, but also for his tremendous leadership and key policy initiatives on the Subcommittee on the Western Hemisphere; and as a member of the Foreign Affairs Committee, you are so critical in this overall movement for us, so thank you again for being here tonight.

I want to yield to Congresswoman JACKSON LEE who wants to say something before I yield to Congressman POLIS.

Ms. JACKSON LEE. Having written a letter to join with other colleagues for the release of Alan Gross, I want to make sure the record said Alan Gross and not Alan Grossman. Best to his wife and him at this time.

Ms. LEE. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mr. ALLEN). 24 minutes.

Ms. LEE. I now yield to someone who has been very interested in and a tremendous leader on this whole issue of trade and ending the embargo, the gentleman from Colorado, Congressman JARED POLIS. Thank you again.

Mr. POLIS. Mr. Speaker, I thank Congresswoman LEE for her constant leadership on this issue.

When I was born in 1975, the embargo with Cuba was already more than a decade old. I never knew a time when Americans could go to Cuba or legally import goods and products from Cuba.

Growing up, I remember the end of the cold war, when the Soviet Union fell. The last real excuse for the treatment of Cuba was that they were allied with the Soviet Union during the cold war.

Well, the Soviet Union fell, Soviet subsidies and support for Cuba ended, and I really began to wonder why we continued this failed cold war policy of an embargo—travel embargo and trade embargo against Cuba. Presumably, it was designed to bring Fidel Castro's regime down.

Now, again, this policy predates my birth by 10 years. It actually means that he is the longest-serving head of state in the entire world. Obviously, it didn't work. It didn't work. Are we going to keep doing the same thing? Maybe a different path would have worked, and that is what the President has now proposed.

For more than 50 years, we have isolated our southern neighbor, restricting trade, travel, commerce, as well as

the flow of ideas, discussion, cultural exchange, the very things that can lead to a change and more support for human rights within Cuba.

It really defies logic to expect that the status quo that has led to Fidel Castro being the longest regime and head of state in the world will somehow lead to the end of the very regime that it has actually helped to preserve.

Unfortunately, the sanctions have hurt everyday Cubans without mobilizing political change or expanding their freedoms. Our policy of isolation was counterproductive, and it only prolonged the suffering and lack of freedom of the Cuban people. Our present landscape is particularly promising for restoring the U.S.-Cuba relationship.

Now, let me be clear. Just as there are many countries that we have normal relations with that we continue to make sure we are outspoken about any human rights violations, of course, if there are political dissidents or others that are improperly jailed in Cuba, you will hear Members of this body, including myself, speaking out, just as we do for the oppression of Tibetans in China, while we continue to support ongoing normalized relationships with China, just as we do in countries where we want stronger labor laws or stronger anti-child labor laws, yet continue to have a basic trade and travel relationship.

Cuba can do better. Frankly, Mr. Speaker, America can do better with regard to human rights, and we discussed that in different contexts about expanding civil liberties for all Americans; but, yes, Cuba should do better.

Guess what? The way to help show and lead Cuba to the promised lands of human rights and democracy is by engaging the Cuban people and by engaging the regime and showing them the many benefits that dealing with their neighbor to the north can bring.

Now, let us make sure we are not mistaken here; the President's actions don't end the embargo. That requires congressional action, as outlined in the Helms-Burton Act of 1996. What President Obama did is he exercised his legal right to establish diplomatic relations and expand travel, facilitate remittances, and promote commerce.

Congress does need to act. The President's step alone is a great step in the right direction, but to fully normalize our relationship with Cuba, Congress will need to act, and I continue to sponsor legislation that will help that occur.

Of course, we should continue to call for transparency with regard to Cuba's human rights record, to speak out for political dissidents, just as we do in dozens and hundreds of countries that we have normal trade and diplomatic relations with.

I was proud to sign a letter authored by our great leader, BARBARA LEE, on this issue, encouraging President Obama to use the 2015 summit as a platform for stimulating this type of productive, regional dialogue.

Now, decades of adversity between the United States and Cuba cannot be wiped away with a stroke of the pen. It will take time.

□ 1630

But together we can build bonds of trust between the Cuban people and ourselves, and we can overcome the decades of mistrust and propaganda on both sides to lead to the betterment of the relationship between the Cuban people and the American people and the greater prosperity to both peoples through trade and commerce.

I strongly support continuing to move forward to engage with Cuba and will continue to support the President's actions and similar legislative action here.

Welcome to our new Cuban friends—bienvenidos a nuestros amigos nuevos Cubanos.

Ms. LEE. Thank you—muchas gracias. I thank the gentleman from Colorado for that very succinct and clear statement and for your continuing leadership for a policy that really is in the United States' best interest. So thank you again.

I now yield to my friend from California, Congressman SAM FARR, who has really forged a path toward where we are today for many, many years with the administration as it relates to establishing diplomatic relations, someone who has visited Cuba, who has the respect of the Cuban people, but also the respect of our own administration, and someone who continues to plug away each and every day for normal relations with Cuba and ending the embargo.

Mr. FARR. Thank you very much, my dear colleague from California and our distinguished Member of Congress, BARBARA LEE. And I can't think of any other Member who has made more trips and taken more people and influenced this change of policy in the United States Congress than BARBARA LEE.

I have had the pleasure of traveling to Cuba on six different mission trips and each one of them has been very interesting, one with my constituents in Santa Cruz, California, who have a sister city relationship with an area called Guama, and it looks much like the California coastline, and a very interesting area of trying to help rural people with a better connection by learning about their rural delivery of medicine, which far exceeds the way we treat rural people in this country, and learning from them how we might be doing a better job, at the same time improving the facilities they have, and things like that, just a cultural exchange.

I find that every time I am there, whether it is Havana or other parts of Cuba, that there is always kind of a curiosity of learning about another country, a very well-educated country, a sophisticated country, yet a very, very poor country.

I was a Peace Corps volunteer in Latin America, in Colombia. I lived in barrios without water and without lights. People in Cuba might have access to water and lights, but the living conditions that they live in are really restricted, and some of the conditions in Havana are the greatest poverty I have seen in the world.

So this will change when you get people that are well-educated and get an economy growing. I think that the action of President Obama is absolutely awesome. It is real diplomatic leadership. It is the ability to change the United States' isolated, backward, close-the-door policy to opening it up with all the other Presidents of this hemisphere.

As we prepare to go to Panama in the spring, President Obama now will be joining every President of this hemisphere, 36 different countries in the Western Hemisphere, all of whom have diplomatic relationships, travel relationships, normal relationships with Cuba, except the United States of America, and he is going to be applauded for his leadership in joining the hemispheric unity.

When you think about the opportunities of this hemisphere, we can get along in this hemisphere in three languages: Spanish, English, and Portuguese, a little bit of French. We are not at war with anybody. This is a magnificent hemisphere to unify, and to be isolated from that unification by having this archaic policy towards Cuba is just wrong.

So, Mr. President, you are a hero, and I look forward to you being welcomed as a hero at the hemispheric summit this spring.

I would also like to say, I am ranking member on the Agriculture Subcommittee of Appropriations, and this is an opportunity for 11 million people living in Cuba and hungry, and really hungry. Cuba has to import almost everything. They have trade importations from the United States, so buying agriculture products isn't new. What is going to be new is the ability to trade in normal functions, in using the financial instruments that all trade negotiants have.

It is very difficult to export to Cuba because of the requirements that we make in the United States. We are not allowed, as Americans, to use credit cards or to get credit. All the other countries can. So what happens is these other countries are taking away market share where we could be in there with our products.

I am very proud, in agriculture, to see the leadership of our States, our agricultural States, the Governors—bipartisan. This is not Democratic. This is a bipartisan, sort of the American outreach, and we have formed a coalition of agricultural groups to work on, really, opening up the trade.

I am very proud to say that the International Dairy—I am going to read off this list. The International Dairy Foods Association, National Association of State Departments of Agriculture, National Association of

Wheat Growers, National Barley Growers, National Chicken Council, National Council of Farmer Cooperatives, National Milk Producers Federation, National Turkey Federation, North American Meat Institute, the U.S. Dairy Export Council, the U.S. Wheat Associates, the USA Rice Federation, et cetera, et cetera, are all interested in helping promote our relationship with Cuba.

So congratulations, President Obama. You are a true leader in this hemisphere.

Thank you, BARBARA LEE, for setting aside this time for us to discuss it.

I want to personally thank BARBARA LEE for inviting Alan Gross to be here yesterday when we were sworn in. I was fortunate to be able to meet with Alan Gross when he was incarcerated in Cuba. I brought him salami from the Eastern Market here and he just loved that. So last night he gave me a bracelet that he made when he was incarcerated. It is so nice to see him back in the United States in the Halls of the United States Congress.

America is changing, and this is a big step.

Thank you.

Ms. LEE. Let me thank you, Congressman FARR, for that really very positive, upbeat statement, also for your leadership on so many issues.

I just want to remind this body that Cuba still finds itself on the list of state-sponsored terror countries, and Congressman FARR along with other Members have really led in trying to get our administration to really understand, as William Cohen issued a white paper in 1998 saying that there is no conventional threat by the Cuban military—that has decreased; there is none—and this should be lifted very quickly.

So thank you, Congressman FARR.

I now yield to Congressman COHEN from Tennessee, who understands very clearly the importance of lifting the embargo not only for our foreign policy goals, but also in terms of his constituents and in terms of the benefits to American businesses and the efforts in our job creation and economic revitalization efforts.

Thank you again for being here with us.

Mr. COHEN. You are very welcome, Representative LEE, and I thank you for bringing this Special Order. You have indeed, as people have said, been the leader on this issue for many years, and I appreciate that and so many other issues you have been a leader on, but this in particular.

Also, Mr. RANGEL has been an important leader on this issue, as have Mr. MEEKS and others.

I had written the President and talked to Valerie Jarrett about what I considered the three Cs that he could engage in with executive authority, one of which was Cuba, and I commend him for taking this leadership role; the second of which was commutations, which he has not done nearly enough to commute unjust sentences here in this country; and the third is cannabis, which should be rescheduled to a schedule III drug so we could do research on medical marijuana and Charlotte's Web, that can help children with epilepsy who otherwise are either dying are not being treated.

But I commend the President for his actions toward Cuba. This is a policy that many have mentioned has been a failed policy for over 50 years. We do have engagements and diplomatic relations with China, where the Maoists are getting more and more power, with Vietnam and with Russia. Why should we not have relations with Cuba? There was no reason. The only reason was Florida and electoral votes. So I commend the President for rising above politics and doing the right thing for human beings and for Americans.

As Representative CASTOR said, so many Americans want to travel to Cuba; and for many years I thought it was absurd that I couldn't travel to Cuba, because I wanted to and I couldn't because my country was stopping me from doing it.

People were going through Canada or going through Mexico and other countries and getting in and subverting the law, but that wasn't right. If you were going to follow the laws of your country, you couldn't go and you didn't go. It was wrong.

I did the have the opportunity to visit Cuba as a Member, and I found the Cuban people very, very, very friendly. As I was walking around Havana, I thought: This is so strange. I am supposed to think that these people aren't going to like me, that this is our enemy. They are on the terrorist list. I should be concerned.

But I felt as safe as I was anyplace in the United States or anyplace in the world, and people were very friendly and very nice. It was no different than being anywhere else in the hemisphere.

I really like the old cars, the old fifties cars that are all over Havana, and they are kind of part of the culture now. While I like them because I remember as a child those cars and my parents having them and seeing them and thinking fondly upon them, I also thought about AutoZone in my district and all the parts they could be selling in Havana to make those cars work more efficiently and maybe have less impact on the environment.

I also thought about Federal Express and how many packages that might be shipped in and out of Cuba by America's number one and the world's number one carrier of products. I thought about the hotel industry that is located in my community—we used to have Holiday Inn; we have still got Hilton—and the hotels that could be built there. Other countries—mostly, I think, Spain and Sweden and Canada and even Israel—had hotels and restaurants and businesses, but not America. So it made no sense.

I remember Katrina and the great tragedy just south of Memphis in New Orleans and when Cuba offered medical aid, doctors and medical aid, and we turned it down. How foolish of us to turn down an offer of humanitarian aid, but we did. And they offered aid after 9/11 as well.

Now, my appreciation for Cuba goes back to my childhood. In 1955, I was befriended by a baseball player whose name was Minnie Minoso. His real name was Aurelio Saturnino Armas Minoso, the Cuban Comet, number 9 with the White Sox, with the Indians, a little bit later with the Cardinals and the Washington Senators. Minnie befriended me and gave me a baseball when I was just 5 years of age. It was in the segregated Memphis, Tennessee, so the player who gave me the baseball originally was a White player named Tom Poholsky. I guess I didn't have to say he was White when his name was Tom Poholsky, but he was.

I went to thank him. I had crutches at the time. I had just gotten out of the hospital some months earlier from polio and had a White Sox T-shirt and cap—it was an exhibition game—and thanked him. He said: You don't need to thank me. You should thank number 9 over there, the darkest player on the field.

And so Minoso came over and we thanked him.

What it was is he was kind of inhibited from the segregation laws in the South of being the nicest guy on the baseball field and coming up and giving me a ball. He became my buddy. I have known Minnie Minoso ever since. He is my nom de plume on some email sites and some phone books and some other things where I need kind of an alias, and he has been my friend and we have visited back and forth.

He was a Cuban player who was beloved in Chicago, and I think is the most beloved player in Chicago today. A lot of Cuban players have gone to play in Chicago, and they play great baseball. We could have a great baseball relationship with Cuba, a great tourism relationship, a great cultural relationship and medical care.

In traveling to Latin America as a Congressman, I have been told the biggest impediment to our relations with Latin American countries is our treatment of Cuba. The President, by starting to formalize relations with Cuba, has helped America in Latin America, which is our number one—South America, Central America—our number one trading partner. It makes a lot of sense economically as well as humanely.

I look forward to the time when all Americans can visit Cuba, the great culture, and exchange good wishes. They are our friends.

Thank you, Representative LEE, for having this session on this program which shows President Obama's leadership.

Ms. LEE. I want to thank the gentleman from Tennessee for being with us this evening and really laying out many of the benefits to your constituents, to America, as they relate to ending the embargo against Cuba, but also

just for being here and kind of sharing your stories, because I think it is very important that we hear the stories of Americans who have had relationships with Cuban people who really don't and can't figure out why everyone can't have these normal relations with the people of Cuba as we do with people around the world. So thank you again very much.

I now yield to the gentlewoman from Connecticut, Congresswoman DELAURO, who has visited Cuba several times, who really has been very focused on the business aspects, the agricultural benefits to our own country and to Cuba as they relate to ending the embargo, also on women's issues and so many issues that really require us to normalize relations with Cuba. She has been in this fight a long time and still continues each and every day to move us forward.

I really thank you again for your leadership, for being here and for being with some of us when we have been in Cuba and really raising these issues to a level that really, I think the Cuban people understand that Americans are spirited and they really want to be there and to help move Cuba forward as well as our own country forward. So thank you again.

□ 1645

Ms. DELAURO. I want to thank the gentlewoman, first and foremost, for her leadership. This is not an issue for the faint of heart or for people who want to say, ''Oh, my gosh. If we don't see success immediately, then we will wash our hands and go off and do some other thing.'' This has required tenacity and courage and passion and deep concern. We are grateful to you for your leadership in this area, and it has been a pleasure for me to work with you.

Mr. Speaker, like my colleagues, we are no fans of the Castro regime. This is not about the regime. It is about the Cuban people and what we can do to help our near neighbors realize their aspirations for freedom and prosperity. Judged against that worthy goal, our policy for the last 54 years has been a dismal failure. It has not helped ordinary Cubans one bit. In fact, the sanctions have harmed them and us by holding back Cuba's democratic and economic development.

Back in 2007, I had the opportunity to chair the Agriculture Appropriations Subcommittee. At that time, I led a bipartisan group of Members on a trip to Cuba. On that trip, it was so interesting to me that one of the things that one or two of my colleagues—and, again, in a bipartisan way—wanted to do was to go to the port and see the offloading of rice. The fact of the matter is that, instead of getting their rice from the United States, which Cuba could do, they are getting their rice from Malaysia. Imagine if we could make an economic difference for our rice farmers, for our agricultural community, and because of a policy that has been so shortsighted, we are putting our own economic interests aside.

I had the honor of taking part in another delegation to the island last year, led by our colleague BARBARA LEE. What we saw on the visit was an immense and an untapped potential. It was at that time as well that I accompanied Congresswoman LEE to visit with Alan Gross and to understand his plight. He was arrested and put in prison for 15 years, having served 5 years. What destruction it was doing to him physically and mentally, and unnecessarily so. We were so excited yesterday, when we were sworn in as newly elected or just elected Members of Congress, that Alan Gross and his wife, Judy, were in the audience to see it—back home, here, in the United States, with family, and enjoying all of the freedom that he deserves. Again, the immense benefits, the untapped potential.

We also saw and met—and my colleague BARBARA LEE will bear this out—with entrepreneurs. There are many young women who have opened stores; they have opened restaurants; they have opened other small businesses. We spoke with people who are finding innovative ways to improve their lives and the lives of their families; yet, because of a lack of a financial infrastructure or the ability of U.S. banks to participate in Cuba, they are held to a modicum of what they can do.

There is palpable hunger for change in Cuba. We need to do our best to support it. Opening the economy will help to unleash the entrepreneurial spirit of the Cuban people. We have engaged with the Soviet Union and Communist China, both of which pose potentially severe threats to our country. Cuba poses no such threat.

I applaud the President for his historic first step to normalize relations between the United States and Cuba. We must stop persevering in a senseless cold war policy. This Congress must act to end this embargo.

I thank the gentlewoman for the time.

Mr. Speaker, like my colleagues, I am no fan of the Castro regime. But this is not about the regime. It is about the Cuban people, and what we can do to help our near neighbors realize their aspirations for freedom and prosperity.

Judged against that worthy goal, our policy of the last fifty-four years has been a dismal failure. It has not helped ordinary Cubans one bit. In fact, the sanctions have harmed them—and us—by holding back Cuba's democratic and economic development.

Back in 2007, when I chaired the Agriculture appropriations subcommittee, I led a bipartisan group of members on a trip to Cuba. This year, I took part in another delegation to the island. What we saw on both visits was immense untapped potential.

I met entrepreneurs who have opened stores, restaurants, and other small businesses. I spoke with people finding innovative ways to improve their lives and the lives of their families.

There is a palpable hunger for change in Cuba. We should do our best to support it. Opening the economy will help unleash the entrepreneurial spirit of the Cuban people.

We engaged with the Soviet Union and Communist China, both of which posed potentially severe threats to our country. Cuba poses no such threat. Stonewalling the Cuban government only backs up the regime's claim that the United States is the enemy. By contrast, engaging diplomatically gives us the openings we need to address important issues like democracy and human rights, as we have done with China and many other countries.

So I applaud the President for his historic first step to normalize relations between the United States and Cuba. This new direction will benefit both nations. The President has done a great deal, within the confines of his available powers, to reestablish diplomatic relations, increase commerce, and advance shared humanitarian interests.

There is more he can do: for example, he should do away with a Bush Administration policy that drains Cuban talent by encouraging doctors to defect.

But lifting the embargo itself will require Congress to act. I have been arguing for an end to sanctions for many years. The Cuban people have suffered needlessly for too long. We ought to free them to join the international community and participate in the global economy. For our own businesses, lifting the embargo would ensure access to new markets just 90 miles from our shores.

I am in favor of re-establishing formal diplomatic relations with Cuba. But our best ambassadors would be the American people themselves. Every American should have the right to travel freely to Cuba. The resulting flood of contact would give Cubans access to America's most valuable export: our nation's ideals and values. That is the surest path to freedom for the Cuban people.

We must stop persevering this senseless Cold War policy. Congress must act to end this embargo.

Ms. LEE. Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

Ms. LEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 8, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Uniformed and Overseas Citizens Absentee Voting Act Annual Report for 2014, pursuant to 52 U.S.C. 20301 to 20311; to the Committee on House Administration.

5. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Changes to Employee Plans Determination Letter Processing (Announcement 2015-1) received January 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed pursuant to clause 1(d), Rule XI]

[Omitted from the Record of January 2, 2015]

Mr. ISSA: Committee on Oversight and Government Reform. Activities of the House Committee on Oversight and Government Reform, One Hundred Thirteenth Congress (Rept. 113–734). Referred to the Committee of the Whole House on the state of the Union.

[Submitted on January 7, 2015]

Mr. BURGESS: Committee on Rules. H. Res. 19. A resolution providing for consideration of the bill (H.R. 3) to approve the Keystone XL Pipeline, and providing for consideration of the bill (H.R. 30) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours (Rept. 114–1). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 181. A bill to provide justice for the victims of trafficking; to the Committee on the Judiciary.

By Mr. CALVERT (for himself, Mr. TAKANO, Mr. HUNTER, Mr. HONDA, Mr. COOK, and Mr. PETERS):

H.R. 182. A bill to direct the Secretary of Veterans Affairs to permit the centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions; to the Committee on Veterans' Affairs.

By Mr. HUDSON:

H.R. 183. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Oversight and Government Reform.

By Mr. HUDSON (for himself and Mr. BUTTERFIELD):

H.R. 184. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. GOODLATTE (for himself, Mr. PETERSON, Mr. SMITH of Texas, Mr. MARINO, Mr. SESSIONS, and Mr. FRANKS of Arizona):

H.R. 185. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on the Judiciary.

By Mr. HUDSON:

H.R. 186. A bill to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. COOPER (for himself, Mr. RIBBLE, Mr. BERA, Mr. DESANTIS, Mr. HIMES, Mr. COOK, Mr. LIPINSKI, Ms. BROWNLEY of California, Mr. PETERS, Mr. PERRY, Mr. BUCHANAN, Mr. LANCE, and Ms. SINEMA):

H.R. 187. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on House Administration.

By Mr. HARPER (for himself and Mr. BILIRAKIS):

H.R. 188. A bill to phase out special wage certificates under the Fair Labor Standards Act of 1938 under which individuals with disabilities may be employed at subminimum wage rates; to the Committee on Education and the Workforce.

By Mr. GRAYSON:

H.R. 189. A bill to extend foreclosure and eviction protections for servicemembers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRAYSON:

H.R. 190. A bill to make foreclosure and eviction protections for servicemembers permanent, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ADERHOLT (for himself, Mr. BARLETTA, Mr. SMITH of Texas, Mr. CULBERSON, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. CRAWFORD, Mr. COLLINS of Georgia, and Mr. BYRNE):

H.R. 191. A bill to repeal executive immigration overreach, to clarify that the proper constitutional authority for immigration policy belongs to the legislative branch, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Foreign Affairs, Energy and Commerce, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 192. A bill to amend the Internal Revenue Code of 1986 to deny the refundable portion of the child tax credit to individuals who are not authorized to be employed in the United States and to terminate the use of certifying acceptance agents to facilitate the application process for ITINs; to the Committee on Ways and Means.

By Ms. FUDGE (for herself, Mr. HINOJOSA, Mr. FATTAH, and Mr. HONDA):

H.R. 193. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for State accountability in the provision of access to the core resources for learning, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HARPER (for himself and Mr. THOMPSON of Mississippi):

H.R. 194. A bill to award posthumously a Congressional Gold Medal to Medgar Wiley Evers, in recognition of his contributions and ultimate sacrifice in the fight for racial equality in the United States; to the Committee on Financial Services.

By Mr. HARPER:

H.R. 195. A bill to terminate the Election Assistance Commission; to the Committee on House Administration.

By Ms. MATSUI (for herself, Ms. ESHOO, Ms. SCHAKOWSKY, Mr. HONDA, Ms. GABBARD, Ms. TSONGAS, and Mr. TAKANO):

H.R. 196. A bill to direct the Federal Communications Commission to promulgate regulations that prohibit certain preferential treatment or prioritization of Internet traffic; to the Committee on Energy and Commerce.

By Mr. NADLER (for himself, Ms. ROS-LEHTINEN, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. BECERRA, Mr. CROWLEY, Mr. CONYERS, Mr. POLIS, Mr. CICILLINE, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Ms. SINEMA, Mr. TAKANO, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. COURTNEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELBENE, Ms. DELAURO, Mr. DEUTCH, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GALLEGO, Mr. GRIJALVA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HAHN, Mr. HANNA, Mr. HASTINGS, Mr. HIGGINS, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Ms. KUSTER, Mr. LANGEVIN, Ms. LEE, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. MENG, Ms. MOORE, Mr. MURPHY of Florida, Ms. NORTON, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. QUIGLEY, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. COHEN, Mr. MEEKS, Mr. JOHNSON of Georgia, Mr. DELANEY, Mr. THOMPSON of California, Ms. LINDA T. SÁNCHEZ of California, Ms. ESTY, and Mr. COOPER):

H.R. 197. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

By Mr. SIRES:

H.R. 198. A bill to amend titles 23 and 49, United States Code, to establish national policies and programs to strengthen freight-related infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SIRES:

H.R. 199. A bill to authorize the Secretary of Transportation to establish a pedestrian and bicycle infrastructure credit assistance pilot program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SIRES:

H.R. 200. A bill to amend titles 23 and 49, United States Code, with respect to congestion mitigation and metropolitan transportation planning, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SIRES:

H.R. 201. A bill to authorize the Secretary of Housing and Urban Development to establish a program enabling communities to better leverage resources to address health, economic development, and conservation concerns through needed investments in parks, recreational areas, facilities, and programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER:

H.R. 202. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the park; to the Committee on Natural Resources.

By Mr. WALZ (for himself, Mr. MILLER of Florida, Ms. DUCKWORTH, Ms. ESTY, Mr. COURTNEY, Mr. SMITH of New Jersey, Mr. MURPHY of Pennsylvania, Ms. SLAUGHTER, Mr. RUSH, Mr. O'ROURKE, Mr. AUSTIN SCOTT of Georgia, and Mrs. KIRKPATRICK):

H.R. 203. A bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAM JOHNSON of Texas (for himself, Mr. BECERRA, and Mr. COLE):

H.J. Res. 10. A joint resolution providing for the reappointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H. Res. 18. A resolution expressing support for designation of January 7, 2015, as ''National Be Active at Work Day''; to the Committee on Oversight and Government Reform.

By Ms. FOXX:

H. Res. 20. A resolution authorizing the Speaker to administer the oath of office; considered and agreed to. considered and agreed to.

By Mr. RICE of South Carolina (for himself, Mr. WEBER of Texas, and Mr. LANCE):

H. Res. 21. A resolution directing the House of Representatives to bring a civil action for declaratory or injunctive relief to challenge certain policies and actions taken by the executive branch relating to immigration; to the Committee on Rules, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICE of South Carolina:

H. Res. 22. A resolution expressing the sense of the House that a Contract with America should restore American competitiveness; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POE of Texas:

H.R. 181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CALVERT:

H.R. 182.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is Section 8 of Article I of the Constitution, specifically Clauses 1 (relating to providing for the general welfare of the United States) and 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) of such section.

OR

The constitutional authority of Congress to enact this legislation is Article I, Section 8, Clause 1 and Clause 18.

By Mr. HUDSON:

H.R. 183.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Caluse 18 of the United States Consititution. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. HUDSON:

H.R. 184.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3 states: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOODLATTE:

H.R. 185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, and Section 9, Clauses 1 to 2, 4, and 7 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;'' and Article III, Section 1, Clause 1, Sentence 1, Section 2, Clause 1, and Section 2, Clause 2, Sentence 2, of the Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congess.

By Mr. HUDSON:

H.R. 186.

Congress has the power to enact this legislation pursuant to the following:

Enumerated Powers of Congress. Aritice I., Section 8. The Congress shall have Power to lay and collect Taxes.

By Mr. COOPER:

H.R. 187.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution of the United States.

By Mr. HARPER:

H.R. 188.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. GRAYSON:

H.R. 189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. GRAYSON:

H.R. 190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ADERHOLT:

H.R. 191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 4 of the Constitution provides that Congress shall have power to ''establish an uniform Rule of Naturalization.'' The Supreme Court has long found that this provision of the Constitution grants Congress plenary power over immigration policy. As the Court found in Galvan v. Press, 347 U.S. 522, 531 (1954) ''that the formulation of policies [pertaining to the entry of aliens and the right to remain here] is entrusted to Congress has become about as firmly imbedded in the legislative and judicial tissues of our body politic as any aspect of our government.''

By Mr. BILIRAKIS:

H.R. 192.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Ms. FUDGE:

H.R. 193.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce clause.

By Mr. HARPER:

H.R. 194.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. HARPER:

H.R. 195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the U.S. Constitution granting Congress the authority to make laws governing the time, place, and manner of holding Federal elections

By Ms. MATSUI:

H.R. 196.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. NADLER:

H.R. 197.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution, and section 5 of Amendment XIV to the Constitution.

By Mr. SIRES:

H.R. 198.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8 of the Constitution.

By Mr. SIRES:

H.R. 199.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8 of the Constitution.

By Mr. SIRES:

H.R. 200.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8 of the Constitution.

By Mr. SIRES:

H.R. 201.

Congress has the power to enact this legislation pursuant to the following.

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8 of the Constitution.

By Mr. TURNER:

H.R. 202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18; and Article IV, Section 3, Clause 2 of the Constitution of the United States.

By Mr. WALZ:

H.R. 203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SAM JOHNSON of Texas:

H.J. Res. 10.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 17, giving Congress exclusive jurisdiction over the District of Columbia. That clause was cited as the authority for the government's ability to accept the original Smithson donation and the creation of the Smithsonian Institution via the Act of August 10, 1846.

Article 1, Section 8, Clause 18, the Necessary and Proper clause, which provides the power to enact legislation necessary to effectuate one of the earlier enumerated powers, such as the authority granted in Clause 17 above.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 25: Mr. ISSA.

H.R. 27: Mr. PEARCE, Mr. ISSA, Mr. HILL, Mr. MCHENRY, Mr. WITTMAN, Mr. PITTS, Mr. BABIN, Mr. LAMBORN, Mr. LUCAS, Mr. FLEMING, Mr. HICE of Georgia, Mr. ROUZER, Mr. BENISHEK, and Mr. LATTA.

H.R. 30: Mr. BOST, Mr. DENT, Mr. BABIN, Mr. CULBERSON, and Mr. SALMON.

H.R. 34: Ms. HERRERA BEUTLER.

H.R. 37: Mr. HUIZENGA of Michigan, Mr. HURT of Virginia, Mr. STIVERS, and Mr. GUINTA.

H.R. 90: Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. BORDALLO, and Ms. JACKSON LEE.

H.R. 140: Mr. GOSAR.

H.R. 154: Mr. VARGAS, Mr. COOPER, Mr. O'ROURKE, Mr. MURPHY of Florida, Mr. LARSEN of Washington, Ms. NORTON, Mr. TONKO, Mr. SARBANES, and Mr. VAN HOLLEN.

H.R. 156: Mr. CONAWAY.

H.R. 160: Mr. NEWHOUSE, Mr. GROTHMAN, Mr. WALKER, Mr. HIGGINS, and Mr. TONKO.

H.R. 167: Mr. GRIJALVA, Mr. CALVERT, Mr. LABRADOR, and Mr. DEFAZIO.

H.R. 173: Mr. BENISHEK, Mr. ISSA, Mr. SENSENBRENNER, Mr. RIBBLE, Mrs. HARTZLER, Mr. BRIDENSTINE, Mr. PEARCE, Mr. MCKINLEY, Mr. COLE, Mr. DUNCAN of Tennessee, and Mr. BUCSHON.

H.J. Res. 1: Mr. YOUNG of Iowa, Mr. CHAFFETZ, Mr. GIBBS, Mr. ISSA, Mr. BUCSHON, Mr. ROE of Tennessee, Mr. PITTS, and Mr. WITTMAN.

H.J. Res. 2: Mr. CHAFFETZ, Mr. GIBBS, Mr. ISSA, Mr. BUCSHON, Mr. ROE of Tennessee, Mr. PITTS, and Mr. WITTMAN.

H. Res. 11: Mr. BRIDENSTINE and Mr. BRAT.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. PRICE

The provisions that warranted a referral to the Committee on the Budget in H.R. 30, the Save American Workers Act of 2015, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, WEDNESDAY, JANUARY 7, 2015 No. 2

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, ultimate judge of us all, provide for the needs of our lawmakers from Your boundless resources. Lead them along paths that will bring glory and honor to Your Name as You surround them with the shield of Your divine favor. Lord, intervene in their lives to keep them from becoming weary in choosing the harder right and lead them in the way everlasting. Keep our Senators from presuming that You are automatically on their side. Instead, let them earnestly seek to be on Your side. Enable them to find unity with each other because of their connection with 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 MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 1

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

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

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

The PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time between 2:15 p.m. and 3:15 p.m. be controlled by Senator HOEVEN and the time from 3:15 p.m. to 4:15 p.m. be controlled by the Democratic leader or his designee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MCCONNELL. This morning the Senate will be in a period of morning business while we continue to organize for the new Congress. We will need to pass a resolution making committee appointments later today so they can begin their work on the Keystone Pipeline bill and other important priorities.

As we announced last month, the bipartisan keystone energy bill will be on the floor and it will be open for amendment next week. The House is also sending over a reauthorization of the Terrorism Risk Insurance Program today, and we will need to take action on that quickly as well.

OPENING THE 114TH SENATE

Mr. MCCONNELL. Yesterday we inaugurated the 114th Senate of the Congress. We welcomed back many dedicated Members and swore in many new ones. I have high hopes for our new colleagues. They share the resolve of my conference to restore the Senate to a place of high purpose, and they are determined to make a positive difference in the lives of the people who sent them.

The men and women we have just sworn in have inaugurated one significant change already; that is, the majority we seated yesterday. I look to this new beginning with optimism and a profound sense of purpose, and I look to my colleagues with gratitude for their trust. Next to serving the people of Kentucky, this is the highest of honors. I recognize the serious expectations of the American people and I know they are counting on us—and I do mean all of us—every single Member of this body.

We are in a moment of great anxiety as a nation. The people we represent have lost faith in their government. They no longer trust Washington to do the right thing. Many face the reality of losing health plans after being told otherwise. Many struggle with rising medical costs after Washington officials repeatedly said they would be lowered. Confidence in the American dream has plunged. Anxiety about the type of country we leave to the next generation is widespread. For many it has never seemed more difficult just to get by.

When Americans look overseas they see a world filled with chaos: instability roiling the Middle East, terrorists pressing an aggressive agenda, and autocrats scoffing at a superpower that doesn't seem to have a real plan.

At home they see a government that is either uninterested in or incapable of addressing their concerns, a government that seems to be working for itself instead of them. Whether it is Washington's dysfunction or a bureaucracy that has grown so Byzantine and unaccountable, it tried to muzzle political opponents and ignore the needs of veterans.

The American people have simply had enough, and this past November

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

Printed on recycled paper.

they had their say. The message they sent was clear. If voters hit the brakes 4 years ago, this time they have spun the wheel. They said they want the administration to change course and move to the middle. They said they want Congress to send legislation to the President that addresses their concerns. This November the American people didn't ask for a government that tries to do everything and fails, and they didn't demand a government that aims to do nothing and succeeds. They asked simply for a government that works.

They want a government of the 21st century, one that functions with efficiency and accountability, competence and purpose. They want a Washington that is more interested in modernizing and streamlining government than adding more layers to it, and they want more jobs, more opportunity for the middle class, and more flexibility in a complex age with complex demands.

That is why we plan to pursue commonsense jobs ideas, including those with bipartisan support: measures such as reforming a broken tax system to make it simpler and friendlier to job creation, opening more markets to American-made products so we can create more jobs at home, and moving forward with bipartisan infrastructure projects such as the Keystone XL Pipeline.

Americans are challenging this Congress and this President to work for them. They are challenging lawmakers in Washington to work for jobs for Americans, not just jobs for themselves. It seems simple enough. But in the end, in the era of divided government control, we are going to have to work hard to meet expectations and we are going to have to work together.

Step No. 1 is getting Congress functioning again. That means fixing the Senate. Last session the House sent over countless commonsense bipartisan bills. Too many of them died right here without so much as a hearing, and Senators from both parties with ideas for jobs and growth were routinely stopped.

So it is time to change the business model. We need to return to regular order. We need to get committees working again. We need to recommit to a rational, functioning appropriations process. We need to open the legislative process in a way that allows more amendments from both sides.

Sometimes it is going to mean actually working late, but restoring the Senate is the right and practical thing to do because we are only going to pass meaningful legislation if Members of both parties are given a stake in the outcome. That is the genius of regular order. That is the genius of the Senate.

I am reminded of this every time I walk into my office. On the wall are portraits of John Sherman Cooper, a Republican, and Alben Barkley, a Democrat. Keeping watch from below is a bust of Henry Clay. Each of these Senators—each of these Kentuckians—came from a different political party. Each viewed the world through a different ideological lens, but all of them believed in the Senate and all of them left behind important lessons for today: Clay, about putting country first and pursuing principled compromises; Cooper, about choosing when to make a stand and making it; and Barkley, about having the courage to think differently from a President of the same political party he had served dutifully for years.

These lessons echo into the present and they help point the way toward a better functioning government. A Senate and a Congress that function again will help move us past an era of government by crisis. It doesn't mean everything will be perfect, it doesn't mean we will never come up against a deadline, and it doesn't mean we will always agree, but together we can commit to changing the way Washington operates. This can be done. It can be done.

This Senate has seemed imperfect at moments, but it has been proven to be a place of high purpose at many other times, a place where our country has come together to confront great challenges and advance solutions that once seemed completely out of reach. That is the Senate I saw when I saw Senator Cooper whip votes for the Civil Rights Act many believed would never pass, that is the Senate I saw when President Reagan worked with Democratic leaders to pass major reforms to taxes and Social Security, and that is the Senate I saw when a Republican Congress worked with President Clinton to pass historic welfare reform.

The promise of the Senate is real. Time and time again it has been an engine for bipartisan achievement to which both parties can assume either credit or blame, and that is how we should view it today.

So, yes, the American people elected divided government, but that doesn't mean they don't want us to accomplish anything. If there is a will to do so, we can come together to achieve great things. If President Obama is interested in a historic achievement of his own, this can be his time as well.

The President has already indicated a willingness to work with us on trade and infrastructure and comprehensive tax reform. These efforts are going to require a lot of work. Navigating the political pitfalls will not be easy, but passing these types of measures will represent a win for the American people—wins we could all be proud of. The truth is we could work for bigger things too. We could work together to save and strengthen Medicare, to protect Social Security for future generations, to balance the budget and put our growing national debt on a path to elimination. But bipartisan reform can only be achieved if President Obama is interested in it. The President is the only one who can bring his party on board. He is the only one, obviously, who can sign something that Congress sends him. I assure you, threatening to veto a jobs and infrastructure bill within minutes of a new Congress taking the oath of office—a bill with strong bipartisan support—is anything but productive.

I appreciate that bipartisan compromise may not come easily for the President—not his first inclination. The President's supporters are pressing for militancy, not compromise. They are demanding the comforts of purity over the duties of progress.

From DC to Montpelier, they see the limits of an exhausted 20th century mindset asserting itself, even when nearly every lever of power has been in hand. Across the Atlantic, they see the Sun setting on the social democratic idea. They see the tragic legacies of welfare states—empty promises and fear of the future. It is understandable why the President's supporters might want to retreat to past comforts, but now is the time to accept reality. Now is the time to actually move forward.

Americans know that democracy is not about what you can get away with, it is about what you can achieve together. Many in this body, on both sides of the aisle, understand that. I have talked to many colleagues on the other side of the aisle who understand this fully.

We are calling on the President to ignore the voices of reaction and to join us. Whatever he decides, though, this Congress is going to function again. Let's pass legislation that focuses on jobs and the real concerns of the middle class.

After so many years of sluggish growth, we are finally starting to see some economic data that can provide a glimmer of hope. The uptick appears to coincide with the biggest political change of the Obama administration's long tenure in Washington—the expectation of a new Republican Congress. This is precisely the time to advance a positive, progrowth agenda.

Some of the measures the new Congress will pass may seem significant; others may seem modest. That is OK. As we have seen in recent years, a bigger bill does not always mean a better bill.

While we are always going to search for areas where we can agree, the President may not be enamored of every bill we pass, and that is OK too. It is not our job to protect the President from good ideas. A little creative tension between the Executive and the legislature can be pretty healthy in a democracy such as ours. Presidents and Congresses have disagreed before. They have confronted challenges that eclipse the ones we see today. What is important to remember is that the Senate has always endured—always. We have a duty to restore it now so we can meet the mandate of the people who sent us here.

Former majority leader Howard Baker once noted that making the Senate work is like ''trying to make 99

independent souls act in concert under rules that encourage polite anarchy.'' Yet he also reminded us that ''it doesn't take Clays and Websters and Calhouns to make the Senate work.'' It simply takes men and women of honor working in a spirit of good faith.

It may be difficult, but it has been done before and it can be done again, and if we are going to get there, it helps to recall in whose footsteps we walk today. This is the same Chamber where Dirksen and Mansfield allied for historic progress. This is where Byrd drew from antiquity to rouse colleagues to present challenges and where in later years he would critique successors on the finer points of procedure. This is where Mitchell honed the skills he needed to help bring warring communities together, enemies who responded to critics not just with floor speeches or press conferences but actually live ammunition. This is where Dole shared war stories with Inouye, and with a fateful tap on the shoulder, he would partner with Moynihan in their effort to reform Social Security.

The names of many Senators who came before us are etched into the desks we sit at today. The men and women who precede us include future Presidents and Vice Presidents. They include former athletes, veterans, and astronauts. We have forgotten some, we remember others, but their legacies live on.

Here is how Senator Claude Pepper put it:

> The Senate is inefficient, unwieldy [and] inconsistent; it has foibles, its vanities, its members who are great . . . and those who think they are great. But like democracy . . . it is strong . . . it has survived many changes, it has saved the country [from] many catastrophes, [and] it is a safeguard against any form of tyranny.

In the last analysis, Pepper noted, the Senate ''is probably the price we in America have to pay for liberty.'' For everything Senator Pepper and I may not have agreed on, we certainly agreed on that.

In the same way, each of us here may not agree on every issue. We may be Republican, we may be Democrat, but we are all Americans. We each have a responsibility to make the Senate function, and we each have a duty to work for the people who sent us here in serious times to get serious results.

Let's restore the Senate we love. Let's look for areas of agreement when we can. Above all, let's make Washington work again for the people we serve.

I yield the floor.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Illinois is recognized.

PRESERVING THE SENATE

Mr. DURBIN. Mr. President, before I read a statement into the RECORD which was written by the minority leader, Senator REID, I have to say that the Senators who serve on the Democratic side of the aisle are committed to the traditions, precedents, and the rules of the Senate. We, of course, will work to preserve this great institution and protect our own individual rights and responsibilities in the Senate.

I welcome what Senator MCCONNELL, our new majority leader, has envisioned as a more active floor in the Senate where we do not run into lengthy and repeated filibusters but bring amendments to the floor, debate them, vote on them, and ultimately pass legislation. That is the procedure of the Senate which historically had been honored but fell, sadly, into disrepair over the last several years.

Although we hope our minority status in the Senate is short-lived, I think we will establish that the Democrats are a much better minority when it comes to the Senate than perhaps those on the other side of the aisle, but only time will tell.

NEW CONGRESS

Mr. DURBIN. I have the opening remarks from the Democratic leader, HARRY REID, which I wish to read into the RECORD.

Senator REID states:

> As some already know, I had a mishap in my home last week while exercising. As a result, I sustained several broken bones in my face and ribs. As bad as that sounds, I am doing well and recovering quickly.
>
> I regret I am not on the Senate floor to make these remarks in person, but my doctors have urged caution and ordered me to stay home while I recuperate.
>
> I thank my friend, the Assistant Democratic Leader, for delivering my remarks today.
>
> A Greek philosopher once wrote: ''There is nothing permanent except change.'' Our nation's elections prove that theory every two years. This is one of those times of change—for the Senate and for our country.
>
> The desks in this Chamber have been rearranged, committee assignments adjusted, and a new majority assumes control for the next two years. Or in other words, it's just another Wednesday in January at the start of a new Congress.
>
> For all of the changes, our duties as United States Senators remain the same: We are here to help working Americans and ensure our government has all it needs to serve the people.
>
> In spite of almost no Republican cooperation over the last six years, we've made significant strides in many regards. The new Majority Leader claims the Senate hasn't achieved, in his words, ''squat'' in recent years. The numbers, however, tell a different story. Today the U.S. unemployment rate stands at 5.8 percent. Over the last six years the American economy has added 10 million jobs. The stock market has reached all-time highs. Our nation's manufacturers are thriving. The American automobile industry was brought back from the brink of collapse in spite of Republican opposition. And let's not forget that there are more than 10 million Americans newly insured with health care coverage.
>
> While some here in Washington may see that as ''squat,'' the economic recovery has been very real to American families. I know how important it has been to working Nevadans.
>
> And while we worked to improve the economy without Republicans' help, we also worked to fulfill our constitutional obligation to offer advice and consent on Presidential nominations.
>
> Just last Congress we confirmed 132 judges—the most since the Carter Administration. Overall, we confirmed 611 of the President's nominees last Congress in spite of Republican opposition. As we speak, we have an Attorney General and a Secretary of Defense waiting to be confirmed. I remind everyone that last Congress the Republicans mounted an unprecedented filibuster for a nominee for Secretary of Defense [a former Republican Senator].
>
> I challenge my friend, the Majority Leader, to change course and work with Senate Democrats in confirming the President's nominees in the 114th Congress. Working together, we can easily meet and surpass last Congress's benchmark of 611 confirmations.
>
> My Republican colleagues, and especially the Majority Leader, should also know that Senate Democrats are especially eager to continue to help American families.
>
> Working together, we can send meaningful, bipartisan legislation to the President for his signature.
>
> The mistakes of the past, the gratuitous obstruction and wanton filibustering will not be a hallmark of the Democratic minority in the 114th Congress. The filibuster is an indispensable tool of the minority, but Republicans' abuse of it last Congress has come to epitomize the gridlock here in the United States Capitol.
>
> To be clear, I have no intention of just rolling over. I can't. Not when the middle class is teetering on the verge of extinction.
>
> Any attempt to erode protections for working American families—the dismantling of Dodd-Frank, the weakening of net neutrality rules, or the Republicans' never-ending quest to repeal the Affordable Care Act, known as ObamaCare—will be met with swift and unified Democratic opposition.
>
> But we'd rather legislate together. And there's plenty of common ground for bipartisan compromise if Republicans are willing.

That is the end of the statement from Senator REID.

TERRORIST ATTACK

Mr. DURBIN. Mr. President, throughout the history of the United States of America, we have had a remarkable alliance with the nation of France. It bears remembering and repeating that the French stood by our side when America was fighting for its independence from Great Britain. The French were honored in many ways for that alliance and help, including, as I recall, a portrait of the Marquis de Lafayette which hangs in the U.S. House of Representatives to this day.

That was not the only time by any means that the French have stood with us and we have stood by their side. It happened during World War I, World War II, and many times after that. Through the NATO alliance and in many other ways, we have worked with the people of France for common goals and common purpose, and that is why we were so saddened this morning to learn of the news that was reported by the Tribune:

Masked gunmen shouting ''Allahu akbar!'' stormed the Paris offices of a satirical newspaper Wednesday, killing 12 people before escaping. It was France's deadliest terror attack in at least two decades.

With a manhunt on, French President Francois Hollande called the attack on the Charlie Hebdo weekly . . . ''a terrorist attack without a doubt.'' He said several other attacks have been thwarted in France ''in recent weeks.''

France raised its security alert to the highest level and reinforced protective measures at houses of worship, stores, media offices and transportation. Top government officials were holding an emergency meeting and Hollande planned a nationally televised address in the evening. Schools closed their doors.

World leaders including President Barack Obama and German Chancellor Angela Merkel condemned the attack, but supporters of the militant Islamic State group celebrated the slayings as well-deserved revenge against France.

This event in Paris recalls what we lived through not that long ago when the United States—on September 11, 2001—was attacked by terrorists and more than 3,000 innocent Americans lost their lives in New York, in Washington, and in the countryside of Pennsylvania. Many of us recall that at that moment—that sad, awful moment—people around the world rallied to stand with the United States in our grief and in our determination for justice. We particularly remember that the people of France did that, and they spoke out in one voice saying they were going to be by our side in this battle against terrorism. I think it is appropriate today that we follow suit, that we join in that same spirit. ''A ce moment tragique, nous sommes tous Parisiens, nous sommes tous Francais.''

Let us all work together not only to bring justice to this horrible situation—this attack on free press in France—but let us also work together to bring an end to terrorism in our time. We can work with our allies and friends in France to achieve that goal.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. PAUL). 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. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONGRATULATING SENATOR PATRICK LEAHY ON 40 YEARS IN THE U.S. SENATE

Mr. DURBIN. Mr. President, 40 years ago this week, a young prosecutor from Vermont was sworn into the Senate. He was part of a historic group of lawmakers often referred to as the ''Watergate babies.'' Today that man is President pro tempore emeritus as well as the most senior Member of the Senate. It is an honor to serve with him and to recognize Senator PATRICK LEAHY for reaching this historic milestone.

PATRICK LEAHY remains the youngest Senator—and the only Democratic Senator—ever sent to this body by the people of his home State of Vermont. But that is not what makes PATRICK LEAHY exceptional. What makes him exceptional is the fact that he is a consensus builder—a thoughtful man committed to making government work better. It has been a privilege for me to work closely with Senator LEAHY serving on the Senate Judiciary Committee.

As a member of that committee since 1979 and for many years as chairman, Senator LEAHY made a profound mark on America's system of justice. He has voted on the nominations of every sitting member of the U.S. Supreme Court. He has fought to preserve the balance between liberty and security during especially difficult times. Senator LEAHY has also fought to make America's respect for human rights a cornerstone of our Nation's foreign policy. He has been a leader in the global effort to ban antipersonnel landmines. He championed the ''Leahy Law'' to prevent U.S. tax dollars from benefiting human rights abusers abroad. He was a leader in recent efforts to free U.S. citizen Alan Gross from a Cuban jail and in the modernization of our Nation's policy toward that island.

One last point, PAT LEAHY is also, almost certainly, the biggest ''Dead Head'' in the Senate. Twenty years ago, he invited his good friend, Jerry Garcia—the lead guitarist for the Grateful Dead—to join him for lunch here in the Capitol. Two other members of the band came, too: drummer Mickey Hart and bass player Phil Lesh. As one might imagine, this unusual foursome created a bit of a stir in the Senate Dining Room. Then in walked Senator Strom Thurmond of South Carolina. Ever the bridgebuilder, Senator LEAHY walked over to Senator Thurmond and said: ''Please join us. There's someone I want you to meet.''

It is a story worth pondering as we begin the 114th Congress. If we could all be so open to creating unlikely alliances, there is no telling what we might achieve in the next 2 years.

Again, I thank my friend Senator LEAHY on his 40 years of service to the people of Vermont, America, and to the great causes that face our generation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RESTORING THE SENATE'S GREATNESS

Mr. HATCH. Mr. President, I rise today to address the state of the Senate and how to restore its greatness.

Yesterday, I was sworn in as the President pro tempore. Although there have been some notable exceptions throughout history, the modern practice of the Senate has been to elect as the President pro tempore the most senior Member of the majority party. As one noted historian of the Senate has generously written, ''election of a senator to the office of president pro tempore has always been considered one of the highest honors offered to a senator by the Senate as a body.''

I am greatly honored to have been selected for this position, but I am keenly aware of the great responsibilities that come with it. The President pro tempore of the Senate is one of only three legislative offices established by the U.S. Constitution, and in recent decades it has been occupied by true giants of the Senate. Their names, which include Vandenberg, Russell, Byrd, Stevens, Inouye, and LEAHY, resonate as some of the greatest legislators ever to serve in this body.

Beyond the President pro tempore's formal responsibilities in presiding over the Senate and helping ensure the continuity of government, this office represents a unique opportunity to assist the majority leader in guiding the Senate as it addresses the critical issues facing our Nation. In that sense, the President pro tempore serves as an elder statesman, sharing accumulated knowledge and lessons learned through long experience.

I consider it fortuitous that the beginning of my service as President pro tempore coincides with the start of a new year. For many, the new year is a time for reflecting upon the past and reviewing commitments for the future. I believe we as Senators should use this opportunity for some much needed introspection about the state of this institution.

The Senate has long been heralded as the world's greatest deliberative body. With so many critical challenges facing our Nation today, there has never been a more important time for the Senate to live up to its storied legacy and to fulfill its responsibilities to the American people.

Central to properly understanding our responsibilities as Senators is to appreciate the Senate's role in our system of government. This means understanding both the Senate's purposes and its unique place at the center of our constitutional structure. It is important for us to consider these issues.

James Madison famously called the Senate the great anchor of the government. He described its purpose as twofold: ''first to protect the people against their rulers; secondly to protect the people against the transient impressions on to which they themselves might be led.''

The Senate accomplishes the first goal—protecting the people against their rulers—by playing a crucial role in the appointment and removal of both judges and executive branch officers. The President's power to appoint is tempered by the requirement that his appointees receive the Senate's advice and consent. Additionally, the Senate possesses the power to remove from office any official that has engaged in high crimes and misdemeanors. The President's power to enter into treaties is also critically checked by the requirement that the Senate provide its advice and consent to a treaty before ratification.

As such, the President does not have unfettered power to fill up executive offices, pack the courts or make agreements with foreign nations. He cannot staff agencies with corrupt, incompetent or ideologically extreme cronies unless the Senate allows him to do so. He cannot conclude treaties that will harm American interests unless the Senate gives its assent. In selecting life-tenured judges to apply the Constitution and laws of the land, the President cannot act unless the Senate confirms his nominee. In all of these settings, the Senate serves as a crucial check against executive abuse.

The Senate accomplishes the second of Madison's goals—protecting against temporary shifts in popular opinion—through its character and its institutional structure. In contrast to the large, transient House, the Senate is small, more stable, and therefore, it has the opportunity to be more thoughtful. Four hundred thirty-five Members inhabit the House, and only 100 fill this Chamber. The entire House stands for election every 2 years. Naturally, reelection is constantly on Representatives' minds. Senators, by contrast, have 6-year terms and only one-third go before the voters each election. Even with the pressures of modern campaigns, these divergent characteristics produce fundamentally different institutions.

But the Framers designed the Senate to do much more than merely check transient and occasionally intemperate impulses. They created the Senate to refine the public's will and to give more wisdom and stability to the government. The Framers chose the Senate's relatively small size to enable more thorough debate and to provide individual Members greater opportunity to improve legislative proposals. Longer, staggered terms would give Members greater flexibility to resist initially popular yet ultimately unwise legislation. They would also guard against temporary majorities. A fluke election may produce significant majorities for one party that 2 years later disappears. This can lead to wild swings in the law as each new majority seeks to enact a vastly different agenda during its brief period of power. Overlapping terms help to avert this danger.

Finally, statewide constituencies require Senators to appeal to a broader set of interests—including the concerns of the State governments themselves—than do narrow, more homogenous House districts.

To these constitutional characteristics, the Senate has added a number of traditions—some formal and others informal—that have enhanced its deliberative character. These include the right to extended debate, an open amendment process, and a committee system that gives all Members—from the most seasoned chairmen to the newest freshmen—a hand in drafting and improving legislation.

The late Senator Byrd liked to say that ''as long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.''

The Senate protects liberty by giving each Senator an active role in the legislative process. This multiplies the checks against bad laws and expands the universe of individuals working to make good laws better. It erects what Madison called a necessary fence against hasty and unwise government action. It enables each Senator to bring his or her own wisdom and considered judgment to bear on pressing national issues.

When the Senate functions properly, it is a truly deliberative body in which all Senators work to identify the common good and the best means to achieve that common good. The Federalist describes the common good as the permanent and aggregate interests of the community. This is to be distinguished from the individual good, which may vary from person to person and which may not result in the Nation's benefit.

Much like the Senate is designed to protect against transient shifts in public opinion, it is also designed to enable Senators to pursue the common good. Senators are able to prioritize achieving the correct results over doing what is politically convenient. The best answers do not always immediately present themselves nor are they always easily explained. Longer terms give Senators more time to investigate, to analyze, to reconsider, and to recalibrate, and so do robust debate and an open amendment process. These are critical elements of our deliberative pursuit of the common good.

Another crucial component of our pursuit of common good is prudence. Aristotle called prudence the legislative science because it concerns the best means of achieving the most good in practice. Prudence restrains us from seeking immediate and complete vindication of a single abstract principle. Instead, it counsels us to work within our existing circumstances to vindicate the enduring principles upon which our liberty depends.

While we should remain true to our principles, we must also recognize that we operate in an imperfect world where we do not control all of the levers of power. We cannot simply charge forward blind to present realities. To do so is to jeopardize our hopes for achieving any meaningful success, because in the messy world of politics, adopting an all-or-nothing strategy usually produces only the latter—nothing.

Politics is the art of the possible. Ideology is important, and rhetoric is captivating. But at the end of the day, when the campaign is over, the American people sent us here to govern. We are here to protect their liberties and to protect and improve their lives. When we grandstand or hold out for impossible demands, we do nothing but a disservice. The Framers gave us staggered, extended terms so that we could use our independent judgment to get things done. We should try to get to it.

An astute commentator observed that the Senate stands at the crossroads of our constitutional system. It shares power with the other branches of the Federal Government. It ensures temperance in the legislative branch. It must consent or not consent to the President's treaties and appointments, and it plays a critical role in appointments to the Supreme Court.

But it also—and this is unique among the branches of the Federal Government—embodies the interests of federalism and State power at the national level.

The Framers created the Senate to be much more than a simple legislative body. The Senate is uniquely positioned to mediate both among the Federal branches of government and between the Federal and State governments. As such, the Senate truly embodies the role described by one wise commentator as the sober guardian of the Republic.

Our responsibilities as Senators follow directly from the Senate's constitutional role. As the people's representatives and as envoys of our individual States' interests, we are accountable to our States and to our Nation. We do not serve any one party or principle, or any particular ideology or faction. We may align ourselves into certain groups—Republican and Democrat, conservative and liberal—for purposes of organization and cooperation, but we are Senators first. Other labels are secondary.

Civility and statesmanship must be our constant ideals. Madison once instructed that ''the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch.'' A key purpose of this body is to calm the passions that arise from the heat of political discourse. As such, we must always be courteous in our communications one with another, both formal and informal, on the floor and off, face-to-

face or on a video screen. When we disagree we need to do so with dignity and respect, acknowledging the sincere motives and passions of even our most firm adversaries.

Statesmanship connotes public spiritedness and a willingness to compromise in pursuit of broader goals. Petulance and unilateralism accomplish nothing in this body. Any Senator who would choose the glow of the camera over the prospect for meaningful achievement seriously misunderstands their role as a Senator.

Next on the list of practices Senators must follow are prudence and considered judgment. I have already spoken about prudence. It is a habit of mind that focuses on present realities and achievable goals—not pie-in-the-sky pipedreams. Prudent lawmakers make experience—not theory—their guide, and they recognize that success in a republic requires harmonizing competing values.

Considered judgment is closely tied to prudence. Prudence is not rash. It requires deliberation and thoughtful analysis. Our constituents sent us here because they trusted our judgment and favored the general outlines we presented in our campaigns. Now that we are here, it is time to put our plans into action. We do this by studying problems, investigating proposals, and carefully choosing solutions that best cohere with our principles. Exercising judgment is an individual matter. Colleagues and opinion leaders may guide our deliberations, but the ultimate choice of policy is one which we each must make on our own.

The final two obligations I wish to highlight are our responsibilities: first, to seek the common good through earnest deliberation, and second, to achieve consensus to the extent possible.

As I explained, the Framers designed the Senate so that Members would be able to seek the common good encumbered by few political constraints. Because we stand for election only every 6 years, we are less susceptible to swings in public opinion. We have the independence to value long-term impact over short-term politics. And because we are a small body—relatively speaking—all Members are able to participate fully in the legislative process and to add their voice of praise, warning or suggestion to each proposal that we consider. We deliberate not to score points or to craft sound bites but because we believe that in the contest of opposing views, the best answers will win out.

I mentioned consensus. Although much of our day-to-day operations are conducted by unanimous consent, obviously we do not do everything around here by consensus. We are 100 fiercely independent legislators. Even at the end of a lengthy debate with numerous opportunities for amendment, we may remain sharply divided about a bill's wisdom or the objective it seeks to achieve. But that does not mean consensus should not be our goal. We should take counsel from past legislative victories which show that broad victories produce lasting reform, whereas narrow partisan power plays tend to yield only rancor and repeated attempts to repeal.

For 38 years I have had the extraordinary privilege of serving in the Senate. During that time, I have witnessed it at its best and, more recently, at its worst. My experience throughout the last four decades has confirmed to me the wisdom of the first Adlai Stevenson, then Vice President, who in his 1897 farewell address captured the essence of the Senate:

> In this Chamber alone are preserved without restraint two essentials of wise legislations and good government: the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation.

In recent years these foundations of the Senate's unique character—meaningful debate and an open amendment process—have come under sustained assault by those who have prioritized scoring political points over preserving the Senate's essential role in our system of self-government.

Rather than simply bemoan this recent institutional damage, we have a duty to use this new Congress to restore the Senate. By returning to regular order and committee work, promoting robust debate, and enabling a deliberative amendment process, we can make the Senate work again—both Democrats and Republicans.

First, robust debate. Senators' ability to engage in meaningful, substantive debate is at the core of the Senate's identity. Through robust discussions and inclusive deliberation, Senators examine all sides of an issue. We air opposing views and ensure that in haste we do not make worse the problems we are trying to solve.

When individual Senators have the right to debate a matter fully, it engenders confidence that the final legislation produced represents the best possible bill upon which the Senate can agree. Many pieces of legislation that seemed imperfect passed this way and have gone on to benefit the Nation greatly. For over 200 years, the Senate has provided each Member broad prerogative to debate and discuss the critical issues of the day. In the early years of the Republic, visitors flocked to the Senate gallery to hear Senators such as Daniel Webster, Henry Clay, and John C. Calhoun, just to mention three, to hear them expound upon matters of national concern.

It was in this body that some of our Nation's most important debates over taxation, slavery, expansion, and foreign affairs took place. For many years, free-flowing debate was so intertwined with the identity of the Senate that no effective cloture mechanism to cut off debate even existed until well into the 20th century.

While the need to end debate in certain circumstances is clear, we have strayed too far from this important deliberative tradition. In particular, the practice of filing for cloture at the very same time a bill is brought up for consideration has proliferated to a disturbing degree. When a full and robust debate has occurred, invoking cloture is often appropriate. But we must not abuse this power by reflexively seeking to cut off debate before it even begins. Let us return to a system where all Senators have a say in what the Senate does and are able to express their views without getting cut off.

The second Senate hallmark we must restore is an open amendment process. The reason for an open amendment process is to improve legislation. No single Member can foresee all contingencies that may arise or identify all of the potential pitfalls.

There is a reason there are 100 Senators, not just 1. More eyes mean more mistakes caught and more opportunities for improvement. An open amendment process also facilities consensus. One amendment may resolve a particular Senator's concern, allowing him to support what he or she once opposed. Another may make a bill politically palatable to Senators who support the bill in principle but not in its current form.

Amendments may also achieve buy-in as Senators who successfully amend a bill find themselves more committed to final passage. When Senators retain the ability to amend legislation, such input can establish a wide and lasting base of support that crosses partisan and ideological lines. Indeed, an open and honest amendment process has frequently enabled diverse coalitions to find important areas of agreement.

I even found that the former Senator from Massachusetts, the late Ted Kennedy, the famed liberal lion of the Senate, a man I came to Washington to battle, could be a productive partner. In the process, he became one of my closest friends, even if we widely disagreed on a lot of things. I miss him personally. We were able to do things that would not have been done had it not been for the work we did together.

Unfortunately, over the past several years, the Senate's traditionally open amendment process has come under increasing attack. For the sake of shielding electorally vulnerable Senators from tough votes, we have emasculated one of this institution's critical characteristics. It is time to stop manipulating Senate rules to prevent amendments. It is time to stop blocking amendments for fear of tough votes. It is time to return to healthier ways of doing things, where we work together to improve legislation rather than doing all we can to keep Members out of the process.

The third hallmark we must restore is a vigorous and productive committee system. Although perhaps not as moribund as our amendment process, the role our committees play in drafting and refining bills has indeed suffered in recent years. For centuries Senate

committees have served as the primary forum for critical deliberation and amendments in this body.

Bills introduced in the Senate are referred to the relevant committees where Members have the opportunity to consider, debate, and amend the bill at length. Committees are the workhorses of the Senate or at least should be. On the floor we can do only one thing at a time. But any number of committees and subcommittees may operate simultaneously, allowing Senators to work out language and make compromises on multiple bills at the same time.

Committees also perform a crucial investigative function. They hold hearings, call witnesses, and solicit expert opinions on a wide variety of issues, enabling Members to expand their understanding and to better fine-tune individual bills. Lately, however, we have witnessed a disturbing trend of bypassing the committee process altogether by bringing bills directly to the floor for votes.

This practice undermines committee work and frustrates Members who diligently seek to move their legislative priorities through the committee. It also deprives bills of the benefits of committee review, which include more search and consideration of language, opportunities for comment by outside experts, and the ability to address support for amendments without tying up precious floor time.

A healthy committee process is essential to a well-functioning Senate. This body is not a fiefdom. We do not convene merely to give our assent to immutable messaging bills. We are supposed to work together to write, amend, and pass important legislation. When Senators bring up for consideration bills they have written without input from other Members, manipulate Senate procedure to prevent floor amendment on those bills, and then simultaneously file cloture to cut off debate, they act as autocrats rather than agents of democracy.

Let's return this body to one that operates by consensus, not dictate. Let's return the committee process to its proper place in our legislative landscape, as the first line of review rather than an utter irrelevancy. Let's restore the Senate to its proper role in our constitutional system by restoring the traditions that have made this body so great: robust debate, an open amendment process, an active, meaningful committee process.

Equipped with these tools, the Senate historically never shied away from taking on what everyone agreed were the toughest issues of the day. Yes, we had to take tough votes. Yes, we could not rush legislation through as fast as we sometimes would have liked. Yes, we sometimes felt deep disappointment when proposals we championed fell short. But while the Senate's rules can be frustrating and politically cumbersome, they are what allowed the Senate to serve the country so well for so very long.

Restoring the Senate in this manner will not be easy. After years of bitter partisan tension, we cannot expect a complete change to come overnight. But by reestablishing our historic aims and reinstituting our designing modes of operation, including robust debate, an open amendment process, and regular order through committee work, the Senate can once more be about the peoples' business and observe the title of the world's greatest deliberative body.

WISHING SENATOR HARRY REID A SPEEDY RECOVERY

Mr. HATCH. Mr. President, one of my friends in this body is the distinguished minority leader, HARRY REID. HARRY and I have been friends for a long time. He has served here for a long time. He served well in many respects. He certainly was a tough majority leader. He is a tough guy.

Recently he suffered some very severe injuries. He is mending. These injuries seem to be injuries he can handle, although very strong, tough injuries. I wish him the best, that he may be able to recuperate well, come back again to this deliberative body, and play the role he needs to play for the minority in this illustrious body.

HARRY and I believe many things together, especially in the religious area. He is a fine man. His wife Landra is a very fine woman. I am glad to see that her health has improved. She is a terrific person. Both of them are terrific people in their own right. I pray that the Lord will heal HARRY and make it easier for him to come back as soon as he can. Being a tough guy, he will be back here pretty soon. I wish him the best. It is no secret that Elaine and I have been praying for him. Hopefully, those prayers will be efficacious.

I have great respect for my colleagues on the other side as well as my own colleagues on this side. These are good people. There are very few Senators—not more than 2—in my 38 years in the Senate that I thought might not have much redeeming value. Everybody else has played significant roles in this body, sometimes that I hotly contested and differed with, but nevertheless very good people over all these years.

HARRY REID is one of the nicest people one will ever meet off the Senate floor. He is all right on the Senate floor too. All I can say is that I wish him well. I am praying for his recovery. I want him to succeed in every way. He is from our neighboring State. Nevada is very important to us. We like both Senators from Nevada. Senator HELLER is one of the finest Senators here. They work well in Nevada's interests together. I hope everything goes well with Senator REID and his wife Landra and his lovely family. They are good family people.

I wanted to make those comments on the floor because of the high esteem in which I hold HARRY. Yes, we disagree on a lot of issues, sometimes pretty strongly we disagree, but great Senators can do that. They can get over it quickly too.

I hope the remarks I made earlier in the day on this deliberative body will be taken up by everybody in the Senate to realize this is the greatest deliberative body in the world. We need to make sure it remains such. That means tough votes. It means tough amendments. It means long days here sometimes, but it also means an ability to have a rapport with my friends, not only on this side but the other side as well and for them to have a rapport not only with their side but with our side.

Let's hope we can build something and let's hope we can bring our two sides together and work in the best interests of the country and get some things done that are sorely in need and do things that both Democrats and Republicans can say: We did it together. Yes, there were tough times. Yes, we differed from time to time. But we did it together, and we did it in the best interest of the country.

I hope both leaders will be able to work together in this manner and that all of us will do our work in the best interest of this country. I do not think we necessarily have to forget politics, but we ought to sublimate them sometimes to the point where they do not interfere with getting very important work done.

I wish HARRY REID the best. As I said, he is in my prayers.

The PRESIDING OFFICER. The Senator from Missouri.

JOBS

Mr. BLUNT. Mr. President, first of all, this is the first opportunity I have had to follow our new President pro tempore of the Senate on the floor. He was just elected yesterday.

I have spoken on the floor at times when he has been in other leadership roles. He is a solid Member of this Senate whom we rally around in so many ways. The comments he just made about the leader of our friends on the other side and the importance of family to Senator REID—that is also important to Senator HATCH. People are important to Senator HATCH. I believe he is going to be a tremendous President pro tempore of the Senate, chairman of the Finance Committee, and a critical leader at a critical time.

The comments he made on the floor today about Senators being willing to take tough votes, to take positions on issues, to let the American people know where we stand—that is not only where the Senate ought to be but in so many ways it is where Senator HATCH has always been as a Member of the Senate and now as the highest elected official in the Senate, the President pro tempore of the Senate. I look forward to seeing him do that job, seeking his advice, and watching his leadership as he leads us now in multiple ways in the Senate.

Mr. HATCH. Would the Senator yield for a comment?

Mr. BLUNT. I yield to the Senator.

Mr. HATCH. I thank my dear friend from Missouri for being so kind and thoughtful to me and the Senate. I appreciate our friendship and the leadership he provides in this body.

Mr. BLUNT. I thank my friend for his leadership and his comments.

The Presiding Officer and I are looking at legislation we looked at last year where the Senate would simply have to stand up on rules and regulations that have an impact on the economy and say ''Yes, we are going to improve those'' or ''No, we are not going to do those.'' That would be a role for the Senate where the regulators for the first time have an obstacle and an opportunity to come to the people who have to go to the voters and say: What do you think about this rule? What do you think about this regulation?

I look forward to seeing the REINS Act again that would put some more controls over regulators, which both the Presiding Officer and I have worked on.

Today I will talk for a few moments about the work we will hopefully get to quickly.

The first numbered bill in this new Senate is the bill to authorize the Keystone Pipeline. In the 6 years that Canada has been waiting to try to sell us a product that we need, I have spoken about this—as many of us have—many times. It is hard to actually think about what I might say today that hasn't been said before in that 6-year period of trying to do what I believe and what most Americans believe is the logical thing for us to do.

Our best trading partner, Canada—more North American energy is one of the critical keys to our economic future. As I over and over again think of the list of opportunities in front of us, that has to be near the top. What happens when we have more American energy? What happens when we are more self-sufficient with our two closest neighbors for the energy we use, the energy we need? What happens when we are less dependent on economies that we don't do as much business with or places that aren't as friendly to us as our neighbors to the north and our neighbors to the south?

More American energy has an impact on utility bills, it has an impact on transportation, and it has an impact on whether we are going to make more things. An economy that grows things and makes things is stronger than an economy where we just trade services with each other. We should be looking for those things which create that competitive incentive for us to get back into manufacturing.

In the last session of Congress, we were able to pass a bill I cosponsored with Senator BROWN from Ohio on advanced manufacturing, and I think it is going to have an impact on doing things in different ways, but I don't suggest that it would have a greater impact than a utility bill that somebody thinking about building a factory understood that they had a great likelihood of being able to pay for a long time and in a competitive way or a delivery system that works. Those are the kinds of things that will create more American jobs.

The Keystone Pipeline clearly creates some jobs in and of itself. I think 20,000 jobs or so is the estimate just to build the pipeline and another 20,000 for all of the support of material and things that go into that pipeline.

I think the President's own State Department has a number of 42,000 jobs that would be created if we go to this shovel-ready project. We had a lot of discussion in the country when the President became President about the importance of finding shovel-ready projects. This is a project where people have had the shovels in hand for a long time. They have a product we need. We are their best trading partner. It is logical that they would want to sell it to us. It is equally logical that we should want to buy it from them. The State Department says over and over again—and this is the State Department where the Secretary of State was put in place by the President, who yesterday said he would veto this bill—the State Department says over and over again that there is no environmental impact we should be concerned about.

For people who say: Well, the Canadians should be concerned about the impact of taking that oil out of the ground, that is really going to happen. The oil sands are going to be heated up. The oil is coming out of the ground. It is going to be sold to somebody. The question is, Do we take advantage of that logical opportunity or do we give that opportunity to somebody else?

When we get into this debate next week, somebody will say: Well, maybe there are 40,000 jobs to build the pipeline, but there are only three or four dozen jobs to run the pipeline. Well, of course—it is a pipeline. It is not complicated to do, but it is the logical and easiest way to move fuel that we need, oil that we need, oil that would become part of our commerce and other commerce.

But anybody who thinks that those are the only jobs that would be created when we grasp the idea of more American energy just isn't thinking about what this means to our economy. There are many jobs to be created. That is why this has become such an important issue and such an important vote—not just for the pipeline itself but for the message it sends to the American workforce, the message it sends to people who are thinking about making things in America, and the message it sends about our future economy. This is one of many things that are just waiting for us to take advantage of them so that we can grow our economy in new and positive ways.

Among the things that will be said that I will disagree with on this in the next few days: Well, this is only 35 permanent jobs. Anybody who believes that embracing more American energy is only 35 American jobs is either kidding themselves or just trying to kid the American people.

We need to take advantage of this opportunity. There is no government funding involved. It is just government approval. This is a $7 billion project, 42,000 jobs. The government just has to say yes.

Six years and several months ago ago—I think about 2 months ago now we passed the 6-year anniversary of the Canadians having the application and asking us to let them do this. Why do they even have to do that? Because they cross an international border. We build pipelines in the country all the time with very little Federal involvement.

This is revenue for the States, communities, and counties this pipeline goes through. There is a revenue stream there. You pay for the permanent ability to have that infrastructure available to you. It is a $7 billion project, revenue for State and local government, but most importantly, it is a sign from the people of the United States of America through their government that we are going to take advantage of this great opportunity of more American energy that is in front of us.

Since he came to the Senate the same day I did 4 years ago, Senator HOEVEN has been a leading advocate as a North Dakotan. He understands what energy can do for the economy. He also understands the importance of being able to transport that energy product around in the right way. It frees train cars for manufactured goods, agriculture, and other things. It does so in the best way. Senator MANCHIN, joining with Senator HOEVEN as the principal sponsors of the bill, is a leader on these energy issues. He understands energy issues. I am pleased to be a cosponsor of this bill. I believe there are 60 of us who have cosponsored the bill—clearly enough to send the bill to the President's desk. It would be nice if the President would look at the opportunity and decide to sign this bill.

This is an important part of the future of the country. It is time for the Senate, the Congress, and the Government of the United States to wrap its arms around what this means to the people of the United States. It means good jobs. It means a different future than if we don't have it.

One other topic I wish to mention while on the floor is—speaking of good jobs—jobs for veterans. A bill I filed in the last Congress in the Senate has passed the House again last night, the Hire More Heroes Act. I hope we can get to it quickly. Last year it passed in the House 406 to 1, but the Senate wouldn't take up the bill that passed the House 406 to 1.

How do we hire more heroes under this act? We give people who already have veterans health benefits—TRICARE or other VA benefits—a little bit of an exception as an employee. Employers don't have to count them

toward the 50 employees that trigger a law that many employers are trying to avoid being affected by, the so-called Affordable Care Act.

We have a chance to go to those who served us and say: Look, we are going to create one additional opportunity. We are not going to count the fact that you already have health care against you; we are actually going to let it work in favor of your opportunity to get a job and to move forward with that job.

Whether it is more American energy or hiring our heroes for jobs they need to have—the veteran unemployment numbers are unacceptable. Veterans who have served since 9/11 at one time last year had an unemployment rate right at the 9 percent number. Any number is unacceptable. We need to take those veterans' skills and put them to work. I hope we do that by quickly following our colleagues on the other side of the building—who now have passed this bill twice—and getting this bill on the President's desk as well.

Hiring our heroes, creating jobs, looking at more American energy—I am hopeful these are the kinds of things this Congress will quickly send a message to the President and the country—these are the kinds of things we want to see happen for more opportunity for young Americans and for all Americans.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from South Dakota.

Mr. THUNE. Madam President, I share the view of my colleague from Missouri about the importance of the Keystone Pipeline. We will have an opportunity over the next several days to talk more extensively about that and the importance it has to our economy and to energy security. Obviously it is something that we think is about jobs and the economy, which is why there is so much support for it in the Senate among Republicans in the Senate, and I would argue—I think there will be a lot of Democrats as well.

Yesterday Republicans assumed the majority in the Senate thanks to the overwhelming support of the American people, and we are ready to roll up our sleeves and go to work.

This week President Obama is going to be traveling around the country attempting to take credit for the recent shred of economic good news we have finally seen after 6 years of economic stagnation under the President's policies. Unfortunately, all of the campaign-style tours in the world cannot disguise the fact that our economy is nowhere near where it should be. More than 5 years after the recession supposedly ended, Americans are still feeling the pinch. Wages are stagnant. Household income has declined by almost $3,000 on the President's watch. The price of everything from health care to education has risen. And the President's policies have done nothing to help. In fact, the President's policies have actually made things worse. Whether it is the taxes in the President's health care law or the energy tax proposed by the President's out-of-control EPA, the President's policies have done nothing to help the economy.

But there is reason for Americans to be hopeful. Poll after poll has demonstrated that the American people are concerned about jobs and the economy, and in the new Congress Republicans are going to make jobs and the economy our priorities. We are committed to passing legislation that would help create jobs, grow the economy, and expand opportunities for struggling middle-class families, and we plan to get started right away.

This week the senior Senator from North Dakota, Mr. HOEVEN, reintroduced legislation to approve the job-creating Keystone XL Pipeline. According to the President's own State Department, this commonsense project would support more than 42,000 jobs. It would also substantially increase revenue to State and local governments, providing increased funding for local priorities such as schools, roads, and bridges.

I can speak firsthand to that because it would cross my home county, Jones County, in South Dakota. I can say the people in my home county see the opportunity to generate revenues that would help support the local school district in an area of the State which is losing population and having a harder and harder time keeping the school open.

The pipeline has bipartisan support in both Houses of Congress, and I am hopeful that the President will drop his inexplicable opposition and finally sign off on this job-creating project.

Republicans also plan to take up the other job-creating measures that spent far too long languishing in the Democratic-led Senate. The Obamacare tax on lifesaving devices, such as pacemakers and insulin pumps, has already had a negative impact on jobs and the medical device industry. At a time when our economy is still suffering from years of stagnation, repealing this tax is a no-brainer. I am confident we will have bipartisan support for this repeal, and I hope—I hope—the President will sign it.

Republicans also plan to repeal the Obamacare provision that changed the definition of full-time work from 40 hours per week to 30 hours per week. This provision is forcing businesses to reduce employees' hours and wages and hire part-time rather than full-time workers in order to comply with the Obamacare requirements. Millions of Americans who want full-time work are currently stuck in part-time jobs because they can't find anything else. The last thing the government should be doing is making it more difficult for employers to offer full-time positions.

Another Obamacare position that is making it difficult for employers to hire is the employer mandate. Later today I will introduce a bill called the HIRE Act, which would make it easier for employers to hire new workers by exempting Americans who have been unemployed for more than 27 weeks from counting as employees for whom a tax penalty must be paid by the employer under Obamacare's employer mandate.

In addition to passing job-creating legislation, the new Republican majority is committed to increasing congressional oversight. Executive branch agencies have been out of control under the Obama administration. The President's EPA alone has proposed billions of dollars' worth of regulations that will have a catastrophic effect on our economy and eliminate tens of thousands of jobs, if not hundreds of thousands of jobs. Just one of these regulations—the backdoor national energy tax on coal-fired powerplants—would cause Americans' energy prices to soar and destroy families' livelihoods.

In my State of South Dakota, household energy prices could increase by as much as 90 percent. South Dakotans with incomes below $50,000 a year already spend one-fifth—one-fifth—of their aftertax income on residential and transportation energy costs, which is twice the national average, I might add. They can't afford a 90-percent increase in their costs.

What is more, this national energy tax will have almost no effect on our air quality. It would devastate communities and drive up energy bills in this country for nothing.

The EPA is far from the only Federal agency to have abused its power under the Obama administration. Take the Obama IRS, for example, which targeted organizations for extra scrutiny based on their members' political beliefs. It is past time for Congress to assert its oversight authority and check the executive branch's overreach.

While Republicans want to work with Democrats as much as possible, we will not hesitate to draw a bright line between Democratic and Republican priorities.

Republicans want to address some of the biggest challenges facing our economy, to put our Nation on the path to long-term prosperity. That means doing things such as reforming our Tax Code, which is inefficient and bloated, making it simpler and fairer for families and businesses in this country. It also means reforming our regulatory system to eliminate inefficient and ineffective regulations that are discouraging job growth.

The Democratic-led Senate was pretty dysfunctional. The minority party was largely shut out of the legislative process. Bills were frequently written behind closed doors. The committee process was largely defunct. Too often the Senate floor was a forum for partisan politicking rather than serious debate. What was the result? The voices of too many Americans got shut

out of the process and the Senate accomplished next to nothing for the American people.

Republicans intend to change all of that. Under Republican control, the Senate will return to regular order. That means bills will once again be debated and amended in the open, in committee, before coming to the Senate floor. Once bills come to the floor, all Senators, regardless of party, will have the opportunity to offer amendments and to fully debate legislation before it comes to a vote.

The American people deserve a Senate that works and Republicans intend to give it to them. The American people have spent a long time struggling in the Obama economy, but they are about to get some relief. Republicans are determined to pass solutions that will help create jobs, grow our economy, and expand opportunities for American families. We hope—we hope—the Democrats in the Senate and the President will join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

IMPORTANT ISSUES FACING OUR COUNTRY

Mr. SANDERS. Madam President, as we begin this new session, I think it is important for us to remember why we are here and what our job is as Senators. What our job is, it seems to me, is to try to understand the needs of the American people, the problems facing our constituents, and propose real solutions to those problems. So before we get involved in all of the debates I know we are going to have, let me put on the floor what I believe—in hearing from the people of the State of Vermont—are some of the most important issues facing our country and the need for the Senate, the Congress, and the President to address those issues.

First and foremost, to my mind, is the state of American democracy. We are a democracy, and men and women have fought and died to preserve American democracy, which means the people of America—not kings, not queens, not an aristocracy but the people of this country—regardless of where they come from or their economic status, have the right to participate in the political process, to elect their leaders and create the future they want for themselves and their kids.

What is the status of American democracy today? We just came out of a midterm election where Republicans did very well. But I think it is important to understand that in that election—that national election—63 percent of the American people didn't vote. Eighty percent of young people didn't vote. The overwhelming majority of low-income and working people didn't vote.

There are a million reasons an individual doesn't vote, but my guess is that for many people they look at the political process and they say: Yes, my family is hurting. I am working longer hours for lower wages. My job went to China. My kid can't afford to go to college. I can't afford health insurance. What are those people in Washington doing to protect my interest? Not much—not the Republicans, not the Democrats. I am hurting. What are they doing? People say: Hey, I don't want to participate in this process. It doesn't mean anything. I am not going to vote.

I think another aspect about why people don't vote is they turn on their TVs and they are bombarded with 30-second ugly television ads—often ads that come not even from the candidate but from people who do ''independent expenditures.'' As a result of the disastrous Supreme Court decision on Citizens United, billionaires, corporations are now allowed to spend unlimited sums of money in a political process. If somebody is a billionaire, they can now spend hundreds and hundreds of millions of dollars to destroy other candidates or to elect the candidates they want.

Is that truly what American democracy is supposed to be about? Do we believe that men and women fought and died for us so billionaires can elect candidates to protect the wealthy and the powerful?

I would say at the very top of the agenda for this Congress should be a movement to overturn, through a constitutional amendment, this disastrous Supreme Court ruling on Citizens United. In my view, we should move toward public funding of elections so all of our people, regardless of their economic status, can participate in the political process and run for office.

I think the next issue we have to take a very hard look at is the 40-year decline of the American middle class. I know some of my Republican friends talk about what has happened under the Obama administration, and they are right in saying we are nowhere where we should be economically. No one debates that. But let us not forget where we were 6 years ago when George W. Bush left office. Everybody remembers where we were: 700,000 people a month—a month—were losing their jobs.

People say: Hey, we are growing 200,000 or 300,000 jobs a month now, not good enough. Right, it is not good enough, but growing 200,000 or 300,000 jobs a month is a heck of a lot better than losing 700,000 jobs a month.

Our financial system—the U.S. and the world's—was on the verge of financial collapse. That is where we were when Bush left office. Now Wall Street is doing very well.

In terms of our deficit, when Bush left office we had a $1.4 trillion deficit. Now that deficit is somewhere around $500 billion. Are we where we want to be? No. Are we better off than we were 6 years ago? Absolutely.

But when we look at the middle class today, we understand the problems are not just the last 6 years or the last 12 years. The problems are what has been going on over the last 40 years. The fact is, we have millions of working people who are earning, in real inflation-accounted dollars, substantially less than they were 40 years ago.

How does it happen, when we are seeing an explosion in technology, when worker productivity has gone up, that the median male worker—that male worker right in the middle of the economy—earns $783 less last year than he made 41 years ago?

Look at why people are angry. That is why they are angry. In inflation-accounted-for dollars, the median male worker is making $783 less last year than he made 41 years ago. The median woman worker made $1,300 less last year than she made in 2007.

Since 1999, the median middle-class family has seen its income go down by almost $5,000 after adjusting for inflation. So people all over this country look to Washington and they say: What is going on? You gave us this great global economy. You have all these great unfettered free-trade agreements. We have all this technology. Yes, I know the billionaires are getting richer, millionaires are getting richer, with 95 percent of all new income going to the top 1 percent. We have one family, the Walton family, now owning more wealth than the bottom 40 percent of Americans. Yes, the billionaires are doing great, but what is happening to me?

What is happening to the middle class? The answer is, for a variety of reasons, in the last 40 years the middle class has shrunk significantly. Today we have more people living in poverty than at almost any other time in American history, and we have the highest rate of childhood poverty of any major country on Earth.

So what do we do? What do we do to rebuild the middle class? What do we do to create the millions of decent-paying jobs we need? Let me throw out a few suggestions that I hope in this session of Congress we will address.

For a start, everybody in America understands our infrastructure is collapsing—no great secret. According to the American Society of Civil Engineers, nearly one-quarter of the Nation's 600,000 bridges are structurally deficient or functionally obsolete, and more than 30 percent have exceeded their design life.

What that means is that all over this country bridges are being shut down because they are dangerous and they need repair, almost one third of America's roads are in poor or mediocre condition, and 42 percent of major urban highways are congested. As we speak, in cities all over America people are backed up in traffic jams, burning fuel and wasting time because we don't have proper infrastructure. The American Society of Civil Engineers says we must invest $1.7 trillion by 2020—5 years—just to get our Nation's roads, bridges, and transit to a state of good repair—more than four times the current rate of spending.

So what happens when we invest in infrastructure? I will introduce legislation to invest $1 trillion in rebuilding our roads, bridges, water systems, wastewater plants, aquifers, older schools, and rail. When we do that, $1 trillion in infrastructure investment not only makes our country more productive and efficient, but it also creates a substantial number of decent-paying jobs. A $1 trillion investment would maintain and create 13 million decent-paying jobs. The fastest way to create good-paying jobs is to rebuild our crumbling infrastructure. In my view, that should be a very, very high priority for this Congress.

The second issue I think we need to address—and I understand there are differences of opinion on this issue. I think when our kids and our grandchildren look back on this period and they look at an issue such as the Keystone Pipeline, they will be saying: What were you people thinking about? How could you go forward in terms of increasing the exploration and production of some of the dirtiest oil on this planet when virtually all of the scientists were telling us that we have to substantially reduce carbon emissions and not increase carbon emissions?

In my view, an important mission of this Congress is to listen to the science and the scientific community. They are telling us loudly and clearly that climate change is real, climate change is caused by human activity, climate change is already causing devastating problems in America and around the world in terms of drought, in terms of flooding, in terms of extreme weather disturbances, and we have to transform our energy system away from fossil fuel and into energy efficiency, into weatherization, into wind, into solar, into geothermal, and into other sustainable energies. When we do that, we not only lead the world in reversing climate change, but we also create a significant number of jobs.

In this last election, interestingly enough in some of the most conservative States in America, voters voted to raise the minimum wage because they understand that a minimum wage of $7.25 an hour—here in Washington, DC, the Federal minimum wage—is literally a starvation wage. No family, no individual can live on $7.25 an hour. I applaud all those fast food workers all over this country—people who work at McDonald's and Burger King—for having the courage to go out on the streets and say: We have to raise the minimum wage. I applaud their courage in doing that, and I applaud the many States around this country, including the State of Vermont, who have raised the minimum wage. In my view, if someone works 40 hours a week, they should not be living in poverty. I hope that one of the major priorities in this Congress is to raise the minimum wage to a living wage. Over a period of years, I would raise that minimum wage to $15 an hour.

It is also unacceptable that in America today women who do the same work as men earn 78 cents on the dollar compared to male workers. I think we have to address this discrimination, and we need to move forward with pay equity for women workers.

When we talk about the decline of the American middle class and the fact that millions of workers are working longer hours for lower wages, when we talk about the fact that in the last 14 or so years this country has lost 60,000 factories and millions of good-paying manufacturing jobs—when we put that issue on the table, we begin the discussion which is long, long overdue about our trade policies. That is what we have to talk about. The truth of the matter is that from Republican leadership in the White House to Democratic leadership in the White House, there has been support for a number of trade policies which, when looking at the cold facts, have failed. NAFTA has failed. CAFTA has failed. Permanent Normal Trade Relations with China—PNTR—has failed. Over the last 30 years, Republican Presidents and Democratic Presidents have continued to push unfettered free trade agreements which say to American workers: Guess what. You are now going to be competing against somebody in China who makes $1.50 an hour. If you don't like it, we are going to move our plant to China.

And many companies have done exactly that. Do we think that is fair? Do we think that is right? I don't.

We are going to be coming up with the Trans-Pacific Partnership trade agreement, TPP. Without going into great detail at this point, I have very, very serious problems with that agreement. In terms of the process, no Member of this Congress has been able to walk into the office where these documents—highly complicated legal documents—are held, bring staff in there, and copy the information. We are not allowed to do that, but we are supposed to vote on a fast-track agreement to give the President the authority to negotiate that agreement. It doesn't make a lot of sense to me.

So I hope we use the TPP as an opportunity to rethink our trade agreements. Trade is a good thing, but American workers should not suffer from unfettered free trade. Trade should be used to benefit the middle class and working families of this country and not just the multinational corporations.

We live in a highly competitive global economy. Everybody understands that. I think we also understand that our young people are not going to do well and our economy does not do well unless our people have the education they need to effectively compete in this global economy. It saddens me to note that a number of years ago the United States of America led the world in terms of the percentage of people who had college degrees. We were number one. Today we are number 12. The reason is that the cost of college has soared at the same time that the income of many middle-class and working-class people has declined. We are in a position now where hundreds of thousands of young people thinking about their future look at the cost of college, look at the debt they will incur when they leave college, and they are saying: I don't want to go to college. I am not going to go to college. I am not going to get post-high school education. That is a very bad thing for this country. It is a bad thing for our economy. We should put high up on the agenda the issue of how in America all of our people, regardless of the income of their families, can get the education they need without going deeply in debt. This issue of college indebtedness is a horror.

I remember a few months ago talking to a young woman in Burlington, VT, who left medical school $300,000 in debt. Her crime was that she wanted to become a doctor and work with low-income people. She shouldn't be punished with a debt of $300,000. Other people are graduating college $50,000 in debt. And graduate school—we have attorneys in my office who have a debt of over $100,000. We can do better than that as a nation.

Those are some of the issues. There are others out there. But I think what is most important is that we try to listen to where the American people are today—to the pain of a declining middle-class, to single moms desperately struggling to raise their kids with dignity, to older people trying to retire with a shred of dignity.

On that issue, let me be very clear. If there is an attempt going to be made here in the Senate to cut Social Security or to cut Medicare, there will be at least one Senator fighting vigorously on that. Poverty among seniors is going up. Millions of seniors in this country are trying to make it on $12,000, $13,000, $14,000 a year. The last thing we should be talking about is cutting Social Security. In fact, we should be talking about expanding Social Security.

There are a lot of issues out there. I hope we don't get lost in the weeds. I hope we focus on those issues that are major concerns to the American people. I hope very much that we have the courage to stand up to the very, very wealthy campaign contributors and their lobbyists who have enormous influence over what takes place here, and that we in fact represent the people who sent us here who are overwhelmingly middle-class and working-class people.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

KEYSTONE XL PIPELINE

Mr. CORNYN. Mr. President, under the direction of our new majority leader, the Senator from Kentucky, we have been entrusted with a great opportunity to lead this new Congress—the 114th Congress—and it is a great honor. Maybe people assume that to be the case, but it is always a good idea to express it out loud and to say how grateful we are for the opportunity to be able to lead the 114th Congress and serve in the majority in the Senate.

It is also important to say we approach this opportunity with great humility—not just with humility but with also a determination and a commitment to address the top priorities of the American people. If there is one issue I heard about from my constituents in Texas during my reelection campaign, which concluded on November 4, it is: Why can't you guys and gals get things done? How come you can't address the problems that confront the American people? By and large, at the top of that list were jobs and stagnant wages, part-time work when people want to work full-time. They were kitchen table, bread-and-butter sorts of issues.

Now we have an opportunity starting this week to address one of those priorities, which is creating jobs with the approval of the Keystone XL Pipeline. The Keystone XL Pipeline is important for a lot of reasons, one of which is job creation. It obviously transports oil from Canada through the United States, bypassing the delivery of this oil in railcars, which has been the subject of some news reports when some of them have gone off-rail and created some accidents. The oil ends up in Southeast Texas, where we have a lot of refineries which create a lot of jobs but where that crude oil will then be refined into gasoline and jet fuel and other refined products.

This is also important because this is a supply of oil from a friendly neighbor, Canada—one of our closest allies—and reduces our dependence on oil from parts of the world that aren't quite as stable certainly as Canada is. So it is important from a jobs perspective. It is important from a geopolitical perspective and a national security perspective as well.

I went back and looked and noted that the President actually formed a Jobs Council during his first term in office. The job of the members of the council was to put their heads together and provide strategic advice on ways to boost the economy. This is the President's Jobs Council that he created during the first term of his Presidency. The group's main homework assignment was to produce this framework for job creation and enhance national competitiveness. In fact, they produced something entitled ''Road Map to Renewal.'' I haven't Googled that or Binged it or put it in a search engine, but I bet if anybody who happens to be listening is interested, they could type that into a search engine on the Internet—the ''Road Map to Renewal''—and find out all they want to know about it. It includes a number of specific and practical recommendations for action.

One of those recommendations to the President was to ''optimize all of the nation's natural resources and construct pathways (pipelines, transmission and distribution) to deliver electricity and fuel.''

That would seem to be right in the wheelhouse of the Keystone XL Pipeline.

The report added that regulatory and ''permitting obstacles that could threaten the development of some energy projects, negatively impact jobs and weaken our energy infrastructure need to be addressed.'' So the President's own Jobs Council recognized that the key to America's energy security is to focus on America's energy development, including the transmission lines and pipelines by which this natural resource is transported.

I know perhaps coming from an energy State such as Texas we are perhaps a lot more familiar with the pipelines and the oil and gas industry because it creates so many jobs and so much prosperity in my State, but some people are a little apprehensive about the idea of a pipeline going under the ground. I invite them to again type into their favorite search engine on the Internet ''oil and gas pipelines'' and look at the map that pops up. It is astonishing how many existing pipelines exist in the United States today. I bet 98 percent of Americans don't even know they exist. Maybe that is too high; maybe it is 95 percent. So this is a safe and efficient and effective way of transporting these natural resources all around the United States. Obviously, if they are transported by pipeline, they don't have to be transported by railcar, including through some populated parts of our country, and subjected to some of the accidents we have read and heard so much about. These underground pipelines are a fairly common reality in our country, which leads me to be absolutely mystified at the resistance from some on the other side of the aisle and in the White House to doing what should be in our self-interests, which should be something that addresses one of the most important things the American people care about, which is jobs, and the other thing they care an awful lot about, which is security and reducing our dependence on imported energy from the Middle East.

That was 3 years ago last month that the President's Jobs Council made this recommendation. Then there is last month, when the President said this: ''I'm being absolutely sincere when I say I want to work with this new Congress to get things done.''

Hearing that was like music to my ears and I think to a lot of people, to have the President say he wants to work with the Congress, even though Republicans won the majority in the House and in the Senate. So imagine my confusion and the confusion on the part of so many Americans when yesterday the White House Press Secretary said the President would veto any legislative approval of the Keystone XL Pipeline.

Think about the timing of that statement. We had an election on November 4, we had the new Congress sworn in yesterday, the President said a month ago he wanted to work with the Congress, and then the first day of the Congress, before the legislation was even filed much less voted out of committee and brought to the floor, the President said: If you pass that, I am going to veto it. I am probably not the only one who is confused by the contradiction.

We know this pipeline would produce thousands of well-paying jobs and would enhance the supply of energy from a close ally and neighbor, as I said earlier.

So the President issued a veto threat on the day the new Congress was sworn in, and it is clear to me that notwithstanding the President's previous statements, he is either confused or he has changed his mind about cooperating with the Congress. I hope he meant what he said when he said he would work with us to try to address the concerns of middle-class families when it comes to jobs and help grow the economy and help America prosper. But I am here to say that Republicans who now have the honor and responsibility of serving as the majority in the Senate and in the House did listen. We heard the message delivered to us by the voters on November 4. We know they don't want more bickering. They don't want more dysfunction. The American people, including my constituents in Texas, want results. They want jobs. They want full-time, not just part-time work, and they want the security that would come with legislation such as this that we are considering today.

That is why this week our new majority leader, the senior Senator from Kentucky, Mr. MCCONNELL, has decided we will take up this energy project as job No. 1. This is bipartisan legislation. I was watching TV this morning, I think with the Presiding Officer, and we were together and saw that Senator MANCHIN from West Virginia and Senator HOEVEN from North Dakota were appearing on a morning TV show talking about the importance of this legislation, and they estimate they have as many as 63 votes in the Senate, which by definition is a bipartisan majority, to pass this legislation.

This place can be pretty confusing at different times, and I am perplexed why the same President who said he wants to work with us is issuing premature veto threats, even though there is a bipartisan majority for this legislation.

Again, the President said he is for an ''all of the above'' approach to take care of our energy future. If that is true, then this should be a part of that approach. He has acknowledged the important connection between job growth

and energy development. If there is a poster child for the role that the energy sector can play in growing the economy, it is my State. Texas is a State where we are quite familiar with the oil and gas industry. We are not just sold on oil and gas because we do produce the most electricity from wind turbine of anywhere in the country. We are truly an ''all of the above'' State. But after years of anemic economic growth and the lowest workforce participation in four decades, does the President of the United States think this is an inconsequential piece of legislation? Why does he not work with us as opposed to remaining an obstruction to real progress the American people are crying out for?

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is my first ''Time to Wake Up'' speech in the Senate as a Member of the minority. Being in the minority will give me the opportunity, for the first time, to use the tools uniquely available to Members of the Senate minority. On the issue of climate change, which is affecting all of our States but particularly Rhode Island, I intend to use those tools politely and persistently.

We have just left a period of partisanship and obstruction by the minority unique in the Senate's history. I do not intend to return us to those days. My intent is to enliven the Senate and see to it that it does its duty, that we as Senators do our duty to our fellow Americans. My intent is not to blockade and degrade this great institution with obstruction for the sake of obstruction. My goal, in short, is Senate action, not Senate inaction.

Pope Francis recently spoke to the world about mankind's care of God's creation. He warned us against what he called negligence and inaction. I hope to be a constant spur in the Senate against negligence and inaction, specifically the negligence and inaction that is our present Senate standard of care for God's Earth.

I know that powerful forces of negligence and inaction are arrayed against us. I know the Supreme Court's reckless and shameful decision in the Citizens United case has empowered those forces as never before. I know there has resulted an unprecedented campaign by polluting interests of political spending and threats. It is plain to see that the polluters' campaign has, for now at least, silenced meaningful bipartisan debate about carbon pollution. We can line up the Citizens United decision and the silence almost exactly. Coal and oil interests are enjoying massive economic subsidies—massive subsidies—and similar to any special interest, they will fight to protect those special benefits. But it can't last. It can't last. My confidence is strong because our American democracy is ultimately founded in the will of the American people, and the American people understand the need to end our days of negligence and inaction. They want us to run the blockade that polluters have built around Congress.

Polling shows this. More than 80 percent of Americans say they see climate change happening right around them. Two-thirds say they would pay more for electricity if it would help solve this problem. Among Independents, that is 64 percent.

Even among young Republicans, voters get it—young voters, anyway. Under the age of 35, most Republican voters, according to polls, think that climate denial is ignorant, out of touch or crazy. Those are the words from the poll. Under 50 years of age, a majority of Republicans and Republican-leaning Independents support action against climate change. Among all Republicans of all ages, fully half support restrictions on carbon dioxide, and nearly half think the United States should lead the fight.

Trusted American institutions get it, too—from the Joint Chiefs of Staff of our military services to the U.S. Conference of Catholic Bishops, from all of America's major scientific societies to the experts we trust day in and day out at NOAA and at NASA, and from the leaders of America's corporate community—Walmart and Target, Apple and Google, Ford and GM, Mars and Nestle USA, Alcoa and Starbucks, Coke and Pepsi. From all of them and from many other respected voices comes the message that climate change is a serious threat. I have confidence that Congress will soon have to heed their voices.

We might mention the recent agreement in Lima where 194 countries all agreed to carbon reductions. Does the Republican Party in the United States of America really want to be aligned with Vladimir Putin, the great international climate denier?

My confidence also comes from necessity. This simply must be done. Our human species developed on this earth in a climate window that has always been between 170 and 300 parts per million of carbon dioxide in the atmosphere—always. For as long as human kind has been here on Earth, carbon concentration has wobbled up and down but always within that range—through our entire history, going back a million and probably more years. We have now rocketed outside that range and broken 400 parts per million, a condition on Earth that is a first, again, in millions of years.

Our oceans, as a result, are acidifying measurably at a rate unprecedented in the life of our species. One has to go back into distant geologic time to find anything similar. If you go back that far and look at what the geologic record tells us about what life was like on the planet in those primal eras, it presents a daunting prospect.

The scientific warnings about what this means are now starting to be matched in our experience with unprecedented rain bursts and droughts, wildfires and heat seasons, sea levels and ocean temperatures. In the tropic seas, coral reefs are dying off at startling rates; in the Arctic seas, sea ice is vanishing at levels never recorded until now. Everywhere the oceans shout a warning to those who will listen. Rhode Island, as a coastal State, as the Ocean State, is particularly hard hit. We get the land problems such as the rain bursts heavily associated with climate change, which in 2010 brought unprecedented flooding along our historic rivers. We have the sea level rise. It is expected now to be several feet by the end of the century—by a warming sea that has also disturbed our fisheries and distressed our fishing economy. ''It is not my grandfather's ocean out there,'' as one commercial fisherman told me.

This only goes one way. There is no theory of how this magically gets better on its own. Every theory—and now most observations—all point to all this getting worse and perhaps very badly worse. The time for negligence and inaction has passed.

In the Senate we need to begin a conversation about this. We have to begin at the beginning. We have to agree on a baseline of facts, principles, and laws of nature that can then inform our judgments about what to do. I do not think it is asking too much of the new majority in the Senate to begin an honest conversation about carbon dioxide and climate change. I don't think that it is too much to ask the new majority in the Senate that we undertake this conversation in a serious and responsible manner. I do not think that is extreme or unreasonable. We need to begin at the beginning in this conversation, and I will make every effort to see to it that we begin. But even as we begin, we can keep the end in sight. That end is a world where polluters pay the costs of their pollution. That in turn creates a world where market forces work properly in our energy markets. The end is a world where it is America that seizes the economic promise of these new energy technologies, where we are builders—not buyers—of the energy devices of the future. The end is a world that turns back from the brink of a plainly foreseeable risk where the consequences of negligence and inaction could well be dire for us and for the generations that follow us.

In sum, we in this Senate have a duty before us, and negligence and inaction will not meet what that duty demands. For those of you with a coal economy or an oil economy in your States, I understand and I want to work with you. There are answers to be found. But please, do not pretend that this problem doesn't exist. That is false and unacceptable.

I must, on behalf of my State and on behalf of our future, insist that we in the Senate meet our duty, even under this new Senate majority—and I will.

I yield the floor, and I thank the Presiding Officer for his patience.

RECESS

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

Thereupon, the Senate, at 12:25 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. COATS).

The PRESIDING OFFICER. Under the previous order, the time until 3:15 p.m. will be controlled by Senator HOEVEN or his designee.

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to be able to engage in a colloquy until 3:15 p.m.

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

KEYSTONE XL PIPELINE

Mr. HOEVEN. Mr. President, along with Senator JOE MANCHIN—and actually a total of 60 sponsors—I have filed S. 1, which is the Keystone approval bill. It is a very simple, straightforward bill. This is legislation we have seen before in this body. What it does, under the commerce clause of the Constitution, is authorize Congress to approve the Keystone XL Pipeline project.

I have this map in the Chamber to show you the project. It runs from Hardisty in Alberta, Canada, all the way down to our refineries in Texas along the gulf coast.

This project will move 830,000 barrels of oil a day. Some of that will be oil from Canada. Some of that will be domestic oil from the Bakken region in Montana and North Dakota.

This is part of building the infrastructure so we can build a comprehensive energy plan for our country. We are producing more and more oil and gas in our country from shale from places such as the Bakken in North Dakota and Montana, the Eagle Ford in Texas, natural gas from places such as the Barnett and the Marcellus in New York, Pennsylvania, and Ohio.

What we are working toward is—some people refer to it as energy independence, but really energy security for our country.

What does that mean? It means we produce more energy than we consume. Obviously, energy has a global market. The market for energy is a global market. We know that. The market for oil and gas is a global market.

But the point is, working together with our closest friend and ally, Canada, we can have North American energy security where we produce more energy than we consume.

Why is that important? That is important because it is about creating jobs. It is important because it is about economic growth. It is important because it is a national security issue.

Why do we continue to rely on oil from the Middle East? Why are we continuing to send dollars to the Middle East where you have—look at what happened in Paris today with an attack by Islamic extremists. One of the ways we fight back, one of the ways we push back is we take control of our own energy destiny. We can do it. We are doing it. Why are gas prices lower today at the pump? Is it because OPEC decided to give us a Christmas present? I do not think so. It is because we are producing far more energy than we ever have before. But to continue to produce that energy, we have to have the infrastructure to move that energy from where it is produced to were it is consumed. That means pipelines. That means roads. That means rail. For electricity, that means transmission. But we cannot have an energy plan for this country that really works without the infrastructure to move that energy safely and effectively. That is what this project is all about.

So why are we here talking about it today? It seems like a pretty straightforward proposition. After all, I think there are something like 19 different pipelines that cross the border. In fact, there are millions of miles of pipelines in this country. Here is a map I have in the Chamber of just some of them. We have millions of miles of pipeline in this country. A lot of them, as you can see, cross the border.

So why are we standing here today talking about another pipeline project? Because for the past 6 years—for the past 6 years—the administration has held this project up. They keep saying: There is a process. As a matter of fact, Josh Earnest, just yesterday, said: Oh, we have a process. Congress should not intervene in the Keystone XL Pipeline approval issue because there is a process. Really, Mr. President, there is a process? Let's see. The TransCanada company filed application to build the Keystone XL Pipeline in September of 2008—September 2008. If you do the math, that is more than 6 years ago. And there is a process somehow to get to a conclusion?

So that company, which has invested hundreds of millions already, wants to build, ultimately, an $8.9 million project that will move 830,000 barrels of oil a day. And here they are 6 years later still waiting for approval. That is why today we are asking Congress to step forward and do what the American people want.

Keystone is not a new issue. The American people understand this issue. Poll after poll shows the American people, by a margin of about 70 percent to 20-some percent, support this project. Whom do we work for? We work for the people of this great country, and 70 percent of the people of this great country say: Approve the project. After 6 long years, where all of the requirements have been met, approve the project.

But the President, of course, continues to hold it up, and even yesterday issued a veto threat. Why? Why is he wanting to threaten a veto on a project that 70 percent of the American people support? It is really hard to understand, isn't it? Because every time an objection comes up, we have worked to address that objection.

When there was an objection on the route, the company rerouted. So the President says: Well, it is an environmental concern. He says: Well, it is an environmental concern. Really? An environmental concern?

This is what his own study found. After 6 years of study, the State Department, in multiple environmental impact statements—three draft statements and two final environmental impact statements—this is what they found: no significant environmental impact, according to the U.S. State Department environmental impact statements.

That is not something I did. That is not something the company did. That is something the Obama administration did—repeatedly—and came to the same conclusion: no significant environmental impact. In fact, if you do not build the pipeline, you have to move that oil with 1,400 railcars a day.

Now, Canada is going to produce the energy. North Dakota, Montana, other States, are going to continue to produce the energy. So that energy is going to move. The question is, how and where? If we cannot build the pipeline, then it has to go by railcar. So do we really want 1,400 railcars a day moving that product around or do we want it to move more safely, more cost-effectively, with better environmental stewardship through a pipeline? Common sense.

Then there is this idea somehow: Well, Canada is not going to produce that oil if they do not have a pipeline. Wrong. They will move it by rail, and they will build other pipelines. Here are several that are already in the planning stages, as shown on this map. They will move it to the East Coast to refineries they have there or they will send it west and it will go to China.

Now, does that make sense? It does not make sense to the American public, which is why the American public wants to work with Canada as well as produce energy in our country to become energy secure. The idea that we would say no to our closest friend and ally, Canada: We are not going to work with you, we are going to continue to buy oil from the Middle East, and we are going to have you send your oil to China, makes no sense to the American people. And it should not. It should not. That is why they overwhelmingly support this project.

So here we are. We are starting the new Congress. I think, very clearly, in the last election, the people said: We support this project. You saw it time after time with candidate after candidate who supported this project who won their election. But on an even bigger issue, an even bigger message, the people of this great country said: We want the Congress to work together in a bipartisan way to get things done. We

want the Congress to work together in a bipartisan way to get things done.

So here we have legislation that has passed the House repeatedly with a bipartisan majority. Here we have legislation that has bipartisan support in this body. Here we have legislation that the American people overwhelmingly support, after clearly giving the message in the last election that they want us working together to get work done, and the President issues a veto message right out of the gates. Why? For whom? Whom is he working for?

So it is incumbent upon us to work together in a bipartisan way to get this legislation passed. The way we are approaching it—and I see my good friend and colleague from the great State of West Virginia is here. I want to thank him and turn to him, but I want to do it in the form of a question.

It was my very clear sense from the last election—and I think the very clear sense that we all got from the last election—that they want to see Congress working together in a bipartisan way, in an open process to get the important work of this country done.

So with this legislation, it is not just that it is about important energy infrastructure. It is also that we want to return to regular order in this body, offer an open amendment process, allow people to bring forward their amendments, offer those amendments, debate them, and get a vote on those amendments. If they have amendments that can add to and improve this legislation, great, let's have that process. Let's have that debate. Let's have those votes. Let's make this bill as good as we can possibly make it. Then the President needs to work with us. The President needs to meet us halfway and get this done for the American people.

So I would like to turn to my good colleague from the great State of West Virginia and say: Aren't we doing all we can here to try to make sure we are approaching this in a bipartisan way with an open, transparent process to try to build support for this legislation?

Mr. MANCHIN. I say to the Senator, he is absolutely correct. I thank him for this opportunity not only to work with him but also to bring the facts forward.

We have heard many times: We are all entitled to our own opinions, we are just not entitled to our own facts. If you start looking at what we are consuming today in America, at last count 7 million barrels of crude oil is purchased every day in America from other countries—7 million barrels of crude a day. So this line would possibly furnish 830,000 barrels of that dependency that we have.

Let's look and see where it comes from right now. Mr. President, 2.5 million barrels we are already purchasing from Canada—our best, greatest ally we could possibly have; the best trading partner and the No. 1 trading partner that 35 of the 50 States have. So it is not an unknown there.

But let's look at where we are purchasing some of the rest of the oil from. We purchase 755,000 barrels of heavy crude a day from Venezuela. Let's look at Venezuela, where it is an authoritarian regime. It impoverishes its citizens. It violates their human rights. It shows its willingness to put down political protests with horrific violence.

We also purchase 1.3 million barrels a day from Saudi Arabia. We all have our concerns about Saudi Arabia and a lot of the money we follow goes into the wrong hands. Forty-two thousand barrels a day from Russia—from Russia. We know their intent and what they have been doing with their energy policy. Their regime has invaded its neighbors and they armed pro-Russian separatists in Ukraine.

So when we start looking at what we are doing, those are the facts. This is not just hearsay. It is not just rumors. These are facts. We purchase 7 million barrels. When I first was approached on this 4 years ago when I came to the Senate, they said: What do you think about the Keystone Pipeline that will be bringing oil from Canada into America?

I said: Where I come from in West Virginia it is pretty common sense. We would rather buy from our friends than our enemies. I would rather support my friends, my allies, my trading partners more so than I would the enemies who use anything I buy from them—the money they receive from that product that I buy from them and use it against me.

It is pretty common sense, not real complicated. I know everybody is trying to make this complicated. Also, they talk about—we just had a caucus talking about what would happen to the oil. I know the Senator has been watching this very closely. But they said the Keystone Pipeline will strictly be just an avenue and a vehicle for exporting this oil out. They are just going to use America to bring that oil through.

We checked into that a little bit further. That is not true. Even the Washington Post gave it three Pinocchios that said it was untrue. We found out, basically, the crude oil from Canada is expected to be mixed with the domestic oil from the Bakkens, from the Senator's region, North Dakota, and that the Canadian oil is a heavier crude, similar to Venezuelan oil. It will be mixed with the light crude from the Bakkens, which enables it to flow much easier and be produced. Once it commingles, this oil is basically American oil. It lives and dies and basically is marketed with the policies of the United States of America. Our policy is not to export crude oil.

So I do not know why people are using this argument and scaring people that we will get no benefit. Then we talked about the jobs. They said there is not that many jobs. In West Virginia, you give us 42,000 jobs. We would be very appreciative. We will thank you. These are all high-paying jobs. They said: Well, they are only contract jobs.

But yet I hear everybody talking, Republicans and Democrats, about building roads and building bridges. Those are also seasonal types of jobs. Those are also contracting jobs. They are not permanent jobs, but we are tickled to death to get them. That is the whole trade union. All the unions that I know of are supportive of this piece of legislation. Every working man and woman whom we keep talking about who supports themselves and their family supports this legislation.

Why we are running into such a roadblock I have no idea. Then when we put the map up—the other map we had. I said: When I first heard about this pipeline, I thought it was an anomaly that we did not have many pipelines in America. Then we put up this map. This is what we have in America today. So this is not foreign to any of us in any State we have pipelines, many in West Virginia and all through this country.

Then we look at public support. We think: Here we are Democrats and Republicans. We look at the polls, and we live and die by the polls, they tell us, or we should. But the bottom line is that if we do believe in the polls, this has been a consistent poll. It has not varied for over 5 years. We have not seen the numbers fluctuate that much.

Overwhelmingly, we have Americans in all aspects of the political realm—whether you are a Democrat, Republican or an Independent—who overwhelmingly support this pipeline. So I cannot see the objections to it. I was very disappointed when the President said he would veto it—or the White House once we said we would go through this process.

I think the Senator and I talked about this. We thought this is going to be an open process. I was encouraged by my colleagues on the Democratic side who have some good amendments, I believe, that should be considered and I believe would pass and enhance the bill. We only need four more—four more Senators on my side of the aisle who can see the benefit of a good bill, a good process with good amendments to strengthen this bill, to put us in a position that is veto-proof.

That should be our goal. Basically, we should not be deterred by the White House or the President saying already that they are going to veto this bill. Let's see if we can make this bill so good that when we are finished with this product and this process 2 or 3 weeks from now, we will have a product that basically we are all proud of, that the American people are proud of and will support, and maybe, just maybe, the White House will change its mind.

I am hopeful for that. I appreciate all the effort and work. We are working very well together. At last count, we had nine Democrats working with our Republican colleagues. That puts us at

63. I am hopeful to get four more at least that will look at the virtues of this and the assets and what it will do for our country.

My main goal is this: Energy independence makes a secured and protected Nation. Anytime we do not have to depend on oil coming from other parts of the world—and the resources we give them when we purchase their product, they use those resources against us time after time again. We can see now, with the oil prices dipping, the benefits the consumers in America receive, the strength that gives our country.

I am so thankful for that, that we are getting a break. I think we can continue to make that happen for many years to come if we are able to be smart strategically in what we do today. I think the Senator spoke about the environment. He might want to touch on that again. But most of this oil is being produced now, some way or another, and it is also getting transported in different ways and means.

The bottom line is there is no significant environmental impact. I think the State Department has even done five studies that show that to be true. I said also 2.5 million barrels a day are being purchased from Canada today. Refineries in Illinois are now refining this product. They said we should not do it. We have been doing it for quite some time. We are using this product. With technology we are using it better. It has helped us be more independent of foreign oil.

That is No. 1, the security of our Nation. Being an American, and for West Virginians, the security of our Nation is first and foremost what we support. That is why I think we see a tremendous amount of people from the Mountain State, I say to the Senator, who support this piece of legislation.

We are going to work diligently. We have a long way to go, but I think the facts are on our side. We are all entitled to our opinions, but we cannot change the facts.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from West Virginia not only for his support on this project but for his willingness to work hard, to work together to find bipartisan solutions, whether it is this legislation or other legislation. That is what it is incumbent upon us to do. It is not easy, but we have to be willing to engage in the hard work it takes to get to this legislation, to get these solutions in place for the American people.

I again thank the Senator for his leadership. I look forward to continuing to work with the Senator and our colleagues on both sides of the aisle to come to good solutions. That is what this effort is all about.

I want to turn to the Senator from the State of Montana. The pipeline project goes right through his State. Here is somebody who has dealt with the issue on the House side of Congress and who has the project in his home State. So he is talking on behalf of people where the pipeline is right there.

I would like to turn to him and ask: What are the people in Montana saying? It is fine for somebody far removed from a project to say I am OK or I am not OK with it, but how about the people who are right there on the site? They are directly affected. Tell us what is the sense in the Senator's home State? What is the Senator hearing when he talks to people?

Mr. DAINES. Mr. President, I applaud, first of all, the Senator from North Dakota for his leadership on this most important issue and his commitment to making it a priority for this Senate, the first bill introduced into this Senate. I also applaud the Senator from West Virginia; one example of, as we sit in this Chamber today, Republicans and Democrats discussing and supporting the Keystone XL Pipeline.

I reiterate many of the comments expressed by my colleagues and convey the importance of this pipeline, because as the Senator from North Dakota mentioned and showed on his map, the very first State the Keystone Pipeline enters as it comes from Canada is the State of Montana. Let me tell you something. It is not just a pipeline. This is also changing the way of life and economic stimulus for our great State.

I spend a lot of time traveling around the State in my pickup. As I drive around Eastern Montana, where the Keystone Pipeline will travel, I recognize this is a lifeline for many of our rural communities. In fact, Circle, MT—Circle, MT, is a small town of around 600 people. It is located in McCone County. It is one of six Montana counties that the Keystone XL Pipeline will run through. Circle, similar to a lot of small communities in Montana, has experienced the same economic and population declines that other towns have faced in recent years.

In fact, the county has significant infrastructure needs that have gone unresolved in the wake of a shrinking tax base. For towns such as Circle, the Keystone XL Pipeline is not just about energy. It represents economic opportunity and hope for the future. You see, McCone County alone would see $18 million in property tax revenue from the Keystone Pipeline construction. That is just in the pipeline's first year of operation. That is money for neighborhoods. It is money for roads, not to mention the influx of jobs for the area.

Another $45 million would be distributed among five other Montana counties, and $16 million would go to Montana's schools and university systems. You see, the Keystone XL Pipeline means lower energy costs for Montana families, for our senior citizens, and for small businesses.

In Glasgow, MT—I remember traveling in my pickup into Glasgow. I met with the NorVal Electric Co-op. They told me that if the Keystone Pipeline is approved, they will hold electric rates flat for their customers for the next 10 years. That is several thousand Montana families up in the northeast part of our State.

The reason for that is because they will supply electricity to these pump stations on the Keystone Pipeline. If the Keystone Pipeline is not approved, those ratepayers will see an approximate 40-percent increase in their utility rates over the next 10 years. That is a potential increase of $480 per year for the average household in Montana.

As the Senator from North Dakota mentioned, 100,000 barrels a day of the oil traveling through the Keystone Pipeline will be Montana and North Dakota oil. That supports the Bakken formation. With the revolution of hydraulic fracturing, what it is creating now is lower gas prices at the pump today.

Montanans know this pipeline is not just a lofty idea or some kind of DC-based rhetoric. It is hope for the people of my State. It is a tangible result and a solution that Montanans deserve. I have to tell you, that is why it is so disappointing that once again we are seeing the President and some Senate Democrats playing political games and perpetuating the 6 years of gridlock that have held back this job-creating project.

Rather than putting the American people first, the President has threatened to refuse the people of Montana their right to determine their economic future. It took the Canadians just 7 months to approve their end of the Keystone Pipeline. It has taken this President more than 6 years. That is 6 years without the hundreds of good-paying jobs that will be created in Montana and thousands more across the Nation.

That is 6 years without millions of dollars in critical revenue for Montana schools, for infrastructure, for teachers. That is 6 years without the answers and actions that Montanans deserve. I think the pipeline checks every box of common sense. It is environmentally sound, it creates jobs, it is economic opportunity, and it is going to help us move toward North American energy independence.

So the question is: Why are we still waiting? The people of Montana, the people of this country have said they have had enough. That is why we are here today speaking in support of this important project. I am proud the Senate is taking steps to move forward with the Keystone XL Pipeline. I know the House intends to do the same shortly. President Obama can continue to obstruct progress on American jobs and American energy independence, but the American people have sent a strong message that they are ready to remove any roadblocks that President Obama intends to put in the way.

The time for partisanship, the time for political games is over. It is time the Congress and this government gets to work for the American people and starts getting results for this country.

The polls are clear. Sixty-seven percent of the American people want the Keystone Pipeline approved.

Seventy-five percent of Montanans want the Keystone Pipeline approved. Prior to serving in Congress, I spent 28 years in the private sector, where we were focused on getting results in the real world. It seems only in DC are we outside of the real world of doing something and getting results on behalf of the American people. That starts with approving the Keystone XL Pipeline.

Mr. HOEVEN. I would like to thank the Senator from Montana again. We are hearing from somebody who is there, who is talking to people, where this project is going to be located, one of the States it would pass through. I thank the Senator for his perspective and for his hard work and commend him for being here and for his continued efforts not only to work with our caucus but to reach out to the Democratic caucus as well and find common ground on this important issue—something the Senator from West Virginia said a minute ago; that is, let's focus on the facts. I think the more understanding we create as to what the facts are, the more this gets done on the merits.

I turn to the Senator from Wyoming—somebody who has long experience with energy, somebody who comes from an energy State, a State that produces a variety of sources of energy, and pose the same question to him. In terms of focusing on the facts, whether it is the environmental aspect, whether it is the jobs, whether it is making our country energy secure, talk to us a little bit about the importance of this kind of vital infrastructure—projects such as Keystone—for our country.

Mr. BARRASSO. First let me thank and congratulate the Senator from North Dakota for his dogged determination in fighting for these American jobs and for energy security for our country. I am so grateful for his hard work. He has really been tenacious in this fight to get this bill past the Senate and to the President's desk.

I also congratulate my friend and colleague from Montana. Last fall the American people elected 12 new Republican Senators to work in this body, and he is one of them. I have had the opportunity to travel with him in Montana. He has a great background. He is innovative, and he is energetic. He is going to do a tremendous job not only for his State and the Rocky Mountain West but for the entire United States as a Member of the Senate. He just took his oath yesterday. We were able to hear from him today, and he is going to be a remarkable addition to this body.

I know that all of these dozen new Republican Senators are as eager as the rest of us in the new Republican majority to start fulfilling our obligation to the people we represent. Americans elected a Republican Congress because they wanted a change. They wanted to change the direction that President Obama and Democrats have taken the country.

Under the Democratic leadership over the past several years, the Senate was a place of dysfunction and gridlock. More than 40 jobs bills passed by the House of Representatives in the last Congress never even came up for a vote in the Senate. Many of those bills had overwhelming bipartisan support, just like this one we are debating today. Those days are over. That is a completely unacceptable way to run the Senate.

All of us here in the Senate, Republicans and Democrats, have been given an opportunity to work together and to get things done. That is what the American people told us on election day, that is what they are expecting from us, and I believe that is what they are demanding of us.

The poster child for the gridlock and dysfunction of Washington has been the Keystone XL Pipeline. For more than 6 years it has been a symbol of out-of-control Washington bureaucracy. The State Department has absolutely refused to do its job and to make any kind of decision on the pipeline's application.

The Keystone XL Pipeline has also been a symbol of gridlock in the Senate. A small group of extreme environmentalists with deep pockets has bullied Democratic Members of the Senate to block a bill that would move this important jobs project further.

According to the latest figures, America's labor force participation rate is woefully low; it is just 62.8 percent. Are Democrats in this body satisfied with that number? Is the President of the United States, President Barack Obama, satisfied with this pathetic participation in America's labor force? I can say that people in my State, Republicans all across the country—they are not satisfied. That is why we are determined to push job-creating legislation such as this Hoeven bill to advance the Keystone XL Pipeline.

The President said there is no benefit to this important infrastructure project. During a press conference last month, President Obama actually claimed that the project is ''not even going to be a nominal benefit to U.S. consumers.'' Apparently, that is what the President believes. Well, he is wrong. Just ask the Obama administration's own State Department. It says the pipeline would support more than 42,000 jobs. Some of those are construction jobs. Some of them are in the transportation field and the manufacturing field. It includes jobs at warehouses, restaurants, and motels along the route. Does President Obama think that a good job is not even a ''nominal benefit'' to the Americans who could get those 42,000 jobs from this pipeline?

According to the Congressional Research Service, there are already 19 pipelines operating across U.S. borders. Why is this the one that suddenly offers not even a nominal benefit, according to President Obama? Why does President Obama refuse to make a decision about whether to approve the pipeline? Well, the President has taken a position on this bipartisan bill—according to the White House Press Secretary on Tuesday, the President will not sign this bill once Congress passes it.

The State Department has done one study after another showing that the pipeline would create jobs and that it would have no significant environmental impact. President Obama has been downplaying those benefits and threatening to veto the bill. That is not Presidential leadership.

Now Republicans are going to show the leadership that the American people have been asking for and that they voted for last November. We are going to bring a bill to the floor and force the President to finally do something by putting it on the President's desk.

Democrats have been playing politics with this pipeline bill. The Republican majority will now get it done. We are going to allow a vote on this project. We are going to allow Senators to offer amendments. What a unique situation in the Senate. We are going to let everyone say which side they are on. This will be a bellwether decision. Are Members of the Senate in favor of 42,000 jobs for American workers or are they in favor of more Washington delay? Democrats will have a chance to make their arguments. The extreme opponents of this project will make misleading claims to try to discount the pipeline's benefits, and they will try to stoke people's fears. We have seen it all before.

At the end of the day, here is what this all comes down to—four things:

No. 1, the Keystone XL Pipeline will support more than 42,000 jobs in the United States.

No. 2, it will be a private investment of $8 billion—not taxpayer spending, private spending.

No. 3, it will have minimal effect on the environment.

No. 4, the pipeline is actually safer than other methods of getting that oil to market.

Congress should approve this pipeline and pass this bill and the President should sign it.

The Keystone XL Pipeline is a job creator. It has bipartisan support. It has been stuck in Washington's bureaucratic gridlock.

It is interesting. When I listen to and think of the President and his comments about jobs and what the impact is going to be, it makes me think of what the president of the Laborers' International Union of North America said in the summer 1 year ago. He was scheduled to testify today at the Energy and Natural Resources Committee hearing—a hearing that now the minority, the Democratic acting leader, Senator DURBIN, objected to having yesterday. He objected to just a hearing and a discussion.

It is interesting. There was a press release from the president of the union,

who was quoted on the subject of the economic benefits associated with the construction of the pipeline. Terry O'Sullivan said:

> The President [President Obama] seems to dismiss the corresponding economic opportunities that would benefit other laborers, manufacturers, small businesses, and communities throughout Keystone's supply chain.

He said:

> The Washington politics behind the delay of the Keystone XL pipeline are of little concern to those seeking the dignity of a good, high-paying job. We renew our call to the President [President Obama] to approve this important, job-creating project without delay.

This is what a job is. It is about someone's dignity, their identity, and their self-worth. People take a lot of personal pride in their work and in their job. I think we ought to approve it. I am ready to vote for it.

The American people have been clear: They are tired of Washington's gridlock and delay, and they are tired of the direction President Obama has been taking this country. The American voters demanded change, they demanded action, and this Republican Congress is going to deliver just that.

So I say to my friend and colleague from North Dakota—and I see that the chairman of the Senate energy committee has arrived—thank you both for your leadership. To the Senator from North Dakota, former Governor there, thank you for your leadership on energy in North Dakota. And to the senior Senator from Alaska, the chair of the energy committee, thank you specifically for your leadership. I look forward to working with both of you specifically on this project and on additional issues that will bring American energy security and jobs to our Nation.

Mr. HOEVEN. I thank the Senator from Wyoming for his comments today and for his continued hard work in support of the issue. I look forward to working with him again to get this done for the American people.

I turn to our leader on the energy committee, the chairman of the energy committee, the Senator from Alaska, who understands energy. She is from another State that produces a huge amount of energy for this country, wants to produce more, and can produce more but only with the infrastructure to do it. Isn't that what we are talking about here today? This country can have more jobs, more economic growth, and more energy that we produce right here at home. But, Senator, don't we need the infrastructure to move that energy as safely and as cost-effectively as possible?

Ms. MURKOWSKI. To my friend and colleague from North Dakota, it is all about infrastructure.

In Alaska, my home State, we have boundless supplies of oil and natural gas, but until we were able to build that 800-mile pipeline across two mountain ranges to deliver oil from Alaska's North Slope to tidewater in Valdez, that oil didn't do anybody any good. Today,the oil pipeline in Alaska is less than half full.

So we are working to try to figure out how we can do more as a State to contribute more to our Nation's energy needs, to allow us as a State to be producing more for the benefit not only of our State but of the Nation as well, but we are held back by policies that limit us. So it is policies and it is infrastructure. It is absolutely infrastructure.

We are trying to move Alaska's natural gas to market as well. But, again, if we don't have the infrastructure, it sits. It stays. It doesn't benefit consumers, it doesn't create jobs, and it doesn't help any of us out.

So Keystone truly is about infrastructure. I thank my colleague from North Dakota for leading on this issue for years now and for reintroducing the legislation, S. 1, the first bill to be filed in the Senate this year. It will be among the first bills to pass in this new Congress and appropriately so. This is a measure that not only enjoys bipartisan support in the Senate, it enjoys broad support over in the House, and it enjoys support across our Nation for great reason. So why are we where we are? Why are we looking at this situation and saying there is so much frustration going on?

Senator MCCONNELL has promised to allow open and full debate on the Keystone XL Pipeline project, the legislation in front of us. I think we are looking forward to it. As the chairman of the energy committee, I am looking forward to robust debate on Keystone XL and what it will provide for this country in terms of jobs and in terms of opportunities.

We are all frustrated. We are all frustrated by a President's decision—or unwillingness, really, to make a decision about this pipeline. It has been 2,301 days and counting since the company seeking to build it submitted an application for this cross-border permit—2,301 days. That is more than 6 years ago.

Yesterday the President was finally able to make a decision. He issued his statement of administration policy. In his statement he says that by advancing this measure, it would cut short consideration of important issues.

Excuse me, Mr. President—cut short a process that has been underway for over 6 years? That is amazing to me. Again, when we talk about decisions, let's get moving with this.

The President seems to be advancing some pretty interesting things when it comes to the energy discussion. He was quoted in an interview just this morning in the Detroit News. He basically told Americans that we are enjoying lower energy prices right now, but we had better enjoy them fast because they are not going to last.

He said we have to be smart about our energy policy. I am with you there, Mr. President. We do have to be smart about our energy policy. But to think the suggestion is just enjoy low prices while they last, take advantage of the sunshine—no. Mr. President, your energy policies need to make sense for today, for the midterm, and for the long term. For the long term and for the short term we need to make sure we have infrastructure that will allow us the energy supply that is so important to this country. It amazes me we would be so defeatist with this approach.

We have an opportunity in this Congress. We had an opportunity this morning in the energy committee. We had scheduled a hearing on the Keystone XL Pipeline. We were going to hear testimony on original legislation to approve Keystone XL as we did last year on a bipartisan basis. But as Members in the body know, there was objection to that unanimous consent. We had to postpone the hearing. I quite honestly was surprised. It would have been nice to know an objection was coming before we had organized the hearing, before we had invited witnesses, before we had completed all the preparation. We are going to do our best in our committee to adhere to regular order. I hope our colleagues will work with us.

I wish to introduce for the RECORD some of the testimony we received from the three witnesses who graciously agreed to participate in our hearing we had scheduled for this morning.

Andrew Black, president and CEO of the Association of Oil Pipe Lines, described pipeline safety issues and the gains Keystone XL would bring to the American economy in terms of jobs and payrolls. An excerpt from his testimony is as follows:

> While there is much controversy associated with the Keystone XL Pipeline, the facts are that pipelines are the safest way to transport crude oil and other energy products. A barrel of crude oil has a better than 99.999 percent chance of reaching its destination safely by pipeline, safer than any competing transportation mode.

A second witness we had invited was David Mallino, legislative director of the Laborers' International Union of North America. In his testimony he explored the positive jobs impact of the pipeline and responded to some environmental concerns. Here is an excerpt from Mr. Mallino's testimony:

> Regardless of characterizations by the project's opponents, it is indisputable that jobs will be created and supported in the extraction and refining of the oil, as well as in the manufacturing and service sectors.

We also invited Greg Dotson, vice president for energy policy at the Center for American Progress. He submitted his testimony in opposition. We made sure we had opposition testimony presented as well. He discussed climate change. He responded to the arguments in favor of Keystone. While he may be an opponent of the pipeline and as usual would have been outnumbered by the supporters of the project, I will still reference his testimony for the RECORD.

A copy of the testimony of Mr. Black, Mr. Mallino, and Mr. Dotson

may be found on the Energy and Natural Resources Committee Web site.

I do believe that had we been allowed to hold the hearing this morning, we would have heard very strong bipartisan statements in support of Keystone XL from many members of our committee. The majority of our committee supports this pipeline and is already cosponsoring this bill.

I will close my comments by assuring members of this body, we are in day 2 of this 114th Congress. This is not going to be our only debate on energy legislation over the years. I know it has been a long 7 years since we have had comprehensive energy legislation. A lot has changed. A lot of people have great ideas to improve and reform our policies, and I welcome those ideas. I am looking forward to the debate, to advancing these proposals through the energy committee. I think we can make significant progress on supply and infrastructure, on efficiency, on accountability. Those areas in particular should be the forum or the focus of an energy bill that we would hope to report out.

We are going to work hard on the energy committee. We are planning on legislating. Keystone XL is a natural point for this Congress because it has been delayed for so long, 2,301 days. It is clear this President is not going to make a decision on this, so the Congress needs to make it instead.

I look forward to coming back to the floor in a couple days when we have S. 1 officially in front of us. We are going to have good debate on it. I look forward to working with my colleague who has been so determined on this issue for so long. His leadership has been key in getting us here, but we need to finish it. We need to make the connects so we can move the resource and provide jobs for this country and for our allies and friends in Canada.

I again thank my friend and look forward to these next couple days and the next couple weeks where we will have an opportunity to put this before the American people on the floor of the Senate.

Mr. HOEVEN. Mr. President, I thank the Senator from Alaska for her leadership on the Energy Committee and also for her willingness to work in an open way on these important issues.

Across this body, on both sides of the aisle, there should be a deep appreciation for her willingness to bring these bills forward so we can debate them and we can offer amendments and we can build the kind of energy future for this country our people so very much want to have.

The Senator from Alaska is somebody who lives and breathes this topic when we talk energy—somebody who is truly committed to it but truly committed to an open dialogue on all types of energy, giving everybody an opportunity to weigh in and build the best energy plan for our country that we possibly can.

So I extend my thanks to her and also my appreciation, and likewise say I look forward to working with her on this issue and on so many important energy issues.

I wish to turn to my colleague from the State of North Dakota and ask her for her perspective on why this project is so important for our country and for the energy future of our country.

Ms. HEITKAMP. Mr. President, I thank the Senator from North Dakota.

I rise to join my colleagues on the other side who represent States that know a little bit about energy and certainly my colleague from North Dakota who has led this effort from the first day he arrived in the Senate.

It is no big surprise because we know we can have much oil out there and we can know where the reserves are, but if we don't have the infrastructure to move that oil to market, what it does is drive up prices. I haven't checked today, but oil price is below $40 a barrel. If someone doesn't think that is supply-demand economics 101, they don't understand what is happening. The fact is we have known reserves in places such as North Dakota and Alaska, we have produceable reserves in Canada, and we have an opportunity to continue to develop these resources in a way that benefits in an incredible way American consumers.

Think about what is happening for the average American family today when they fill up at the pump, and think what that means and how that will ripple through our economy as discretionary income grows. But that is only possible when we have a known supply that is moveable, it is transportable, it is in fact capable of reaching its market or reaching the refinery. That is what we are talking about when we are talking about North American crude oil.

We are going to hear a lot of stories about this debate about how this crude oil is more dangerous to the environment, how it is different than Bakken crude. Guess what. It is different than Bakken crude, but it is not different than the crude refined in refineries in Texas, where we will be displacing crude that is refined from Venezuela, and we are going to be replacing it with crude that is produced by our friends to the north, Canada.

So infrastructure is a huge part. In fact, that is why, when Secretary Moniz declared the Quadrennial Energy Review, he looked at not just where is the supply and the future of supply of energy, he focused on transportation of energy because that is a huge part of our challenge.

As we look at the Keystone XL Pipeline—and we say Keystone XL because a lot of people don't know we already have a Keystone Pipeline. We already have a pipeline that is bringing oil sands from Canada into the United States for refining. A lot of people don't realize this is the second pipeline that will be named Keystone, and it is a pipeline that has been in process for literally a decade, from their planning process to the time they actually ask for a permit.

I am going to address some of the concerns of some of my colleagues as we hear them so we can kind of lay the groundwork.

We frequently hear the Keystone XL Pipeline will be exporting, and all of the oil that is coming down will find its way directly into China. That gets said all the time, and guess what the Washington Post gave it: three Pinocchios. It is not true.

It is going to get refined. It is going to get refined in the United States of America, it is going to displace Venezuelan crude, and it is going to find its way into the American markets and continue to provide that supply that is in fact today driving down costs. So let's get rid of the first argument that this is going to somehow not benefit American consumers, that this is going to somehow find its way onto a barge immediately upon arrival into the gulf. That is the first thing we need to be talking about, which is let's actually have a fact-based discussion about what this pipeline is.

The second argument we will hear is that this somehow will have a huge effect on climate and on climate change, and for those reasons alone it ought to be rejected. Let's take a look at what the experts who have repeatedly looked at this very issue—because one thing we know that I think is beyond dispute when we talk to the officials in Canada, is that we are going to produce oil sands oil from Canada, regardless of whether we build a pipeline. That oil is going to find its way into the transportation system and quite honestly is going to burden our rail transportation system because we haven't figured out how to build a pipeline.

So all those who want to confuse the issue about the pipeline versus the development in Canada of the oil sands, let's separate it. Let's look at what in fact is the decision before the United States of America; that is, the decision of whether it is in our national interest to approve a permit for a pipeline.

I will say this over and over again as we pursue this debate: This is a pipeline and not a cause. So many people have talked about it, and I think in some ways this process has gotten exaggerated on both sides. I mean it is going to be a panacea and prevent all unemployment or it is going to be the worst thing—an Armageddon for the environment. And you know what, this is a pipeline. This is a transportation system. This is an essential part of the infrastructure to bring an important fossil fuel into our country so that it can be refined and utilized by the American people. And by the way, knowing those reserves are there, knowing that we have the reserves we have in the Bakken, and knowing that we are developing more untraditional sources of supply has driven the price down and has created the situation we have today that is saving consumers millions and billions of dollars in our country.

The second thing I want to say is people say we have to respect the process. I respect the process as part of what I have done my whole life—I am a lawyer. So you hear repeatedly about due process and having to go through due process. Occasionally, the process is broken—6 years to site a pipeline.

The PRESIDING OFFICER (Mr. TOOMEY). The time reserved for the Senator from North Dakota has expired.

Mr. HOEVEN. I ask unanimous consent to exceed for 5 minutes to wrap up the colloquy.

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

Ms. HEITKAMP. Back to the process. When you look at 6 years, we fought World War II and defeated the greatest evil known to mankind, Adolf Hitler, in 4 years, and we cannot site a pipeline in 6 years. The process is broken.

The other issue that is raised is that the pipeline is somehow going to disrupt what is happening in Nebraska. I think the Senator from North Dakota was absolutely correct to put as part of this bill a provision in that says that all bets are off if Nebraska reverses the decisions that were made in Nebraska. But somehow that is getting forgotten in this debate.

So we are going to have a lot of hours of debate, I think, on Keystone XL Pipeline. We are going to have a lot of amendments.

I am grateful for the opportunity to go back to regular order. I am grateful for the opportunity to talk about amendments. But I want so badly for us to have a reasoned and fact-based debate—not an emotional debate but a debate that basically puts this pipeline issue in perspective.

I want to congratulate my colleague from North Dakota for the success in raising this issue and bringing this issue to an early debate. I hope that we will be able to move this along and that we will be successful in getting enough people to provide the momentum to achieve ready approval.

Finally, I want to say why it is so important that we do it now. Those of us who live in the northern tier, we know what construction season is, and you cannot put pipeline in the ground in September and October—not without a lot of additional costs with which we have already burdened this pipeline. We need to get this decision done, get this going in the spring as early as possible so plans can be made and people can begin their construction season and we can begin to rationally address the infrastructure needs for development of our energy resources in North America.

With that, Mr. President, I yield the floor.

Mr. HOEVEN. I want to thank my colleague from North Dakota for speaking on the important points she made, and that is that the energy we are producing in this country is helping consumers at the pump by bringing down prices.

I want to turn to my colleague from Kansas who wants to close this colloquy and address the very point that we need this infrastructure to keep doing that, to benefit our consumers at the pump.

Mr. ROBERTS. I thank my colleague, Senator HOEVEN, for leading this colloquy and I thank the distinguished Senator from North Dakota for her remarks.

In the Washington Times today, Jack Gerard, the President and CEO of the American Petroleum Institute said:

> Falling oil prices have empowered the United States and weakened OPEC and Russia. The result is that increased U.S. production in North Dakota has ''fundamentally reordered the world's energy markets.''

This is a national security issue. This is an issue where Russia—I think the break-even point for them is about $110 a barrel. Right now it is at $48. They never dreamed this would happen. Their entire economy is at stake, and hopefully it will cause Mr. Vladimir Putin to start thinking about some of his adventuresome antics around the world.

In addition, the pipeline represents not only everything that the distinguished Senator has brought out but it is a symbol that says that we are going to go ahead with all of our energy production. We are going to go ''all of the above'' here. This is not either-or with green projects or fossil fuels or whatever. So if you vote for the pipeline you are voting for something that really affects our national security.

Think about potential exports to Europe. They could be less dependent on Russia and so Vladimir does not have his choke hold on them, if you will. There is a lot going on with regard to this issue that people haven't thought about.

Additionally, the President told us at a meeting with a group of Republicans 2 years ago—2 years ago—that he would make a decision between 2 and 3 months and that it was just a matter of tying down some legal matters. Now he says he is not for it and obviously he will never be for it. You can make whatever conclusion you want to make about that, but it is not a good conclusion. I thank the Senator.

Mr. HOEVEN. Mr. President, I would like to thank the Senator from Kansas, and with that we will wrap up the colloquy. I would like to thank my colleagues, and we will be back.

Again, we are looking to work with all of our colleagues here in an open process to offer amendments and pass legislation that is important for the American people.

I thank the Presiding Officer, and with that I yield the floor.

The PRESIDING OFFICER. Under the previous order the time until 4:15 p.m. will be controlled by the Democratic leader or his designee.

The Senator from Maryland.

Mr. CARDIN. Thank you, Mr. President. I take this time—and some of my colleagues will be joining me—to express concerns about the first major bill that has been brought to the floor under the Republican leadership dealing with the Keystone Pipeline.

I want to start first by talking about the so-called urgency for us to take this issue up and circumvent the normal process. The normal process would be for this matter to continue through the regulatory review, which is there to protect the public interest. To short-circuit that in an unprecedented way and for Congress to approve a site for a pipeline is not the way it is done.

In order to consider this there must be some urgency. First, let me just share with my colleagues what the American people are experiencing with the price of gasoline at the pump. It is at a historic low over the last 5 years, with $2.19 the average price for gasoline at the pump. So there is certainly no urgency if we are talking about trying to get more oil in the pipelines for the cost of energy. By the way, I think we all understand that our actions here in this Congress will have very little to do with the availability of oil in the near term. It would take some time to construct the pipeline and for it to have an impact on the level of oil that is available.

The second issue that I find somewhat puzzling with regard to the urgency of this issue—and some of my colleagues have pointed it out on both sides of this issue—is that there is already a pipeline that is available that could be used. Admittedly, it is not as efficient as what they are trying to do with the Keystone, and that is to make tar sand, the dirty oil we have, more economically available and feasible to be transported. That makes little sense under today's economics and the price of gasoline makes it even more hard to understand. Construction of this pipeline and the approval of this Congress will have very little to do with the consumer availability of energy here in the United States.

Now, compound the fact that we are talking about Canadian oil, the dirtiest oil—the tar sand oil—that is being transported through the United States because Canada doesn't want to transport it through their own country because of their concerns on the environmental side and which ends up in Texas at the Port Arthur, TX, refinery. Now for those who are not familiar, that is a foreign tax zone which is tax-free. So, therefore, the oil can go into the international marketplace in a very easy manner. Valero, which is one of the potential users—consumers of this oil—is building export facilities in order to handle more exports to the international communities. None of us can speak with any definitive judgment as to how much of this oil will in fact end up in the United States, but the fact that they are transporting it to a southern port—they are not transporting it to a refinery in the Midwest, which would be a lot closer and a lot cheaper—is a clear indication this oil will end up in the international marketplace and will have very little to do

with energy security in the United States. I think we have to make that clear.

We are bypassing the normal process to allow Canadian oil to enter the international marketplace more efficiently with risk to the United States and very little benefit. Why are we doing this? We hear it will give us jobs. I am for job creation. I would like to see us work on a transportation bill where we could create millions of jobs in a far more harmonious way than we can with Keystone. I am for clean energy policies which will create great permanent jobs in the United States. But the job creation estimates for the Keystone Pipeline are that it will create literally a few thousand temporary construction jobs. They are not permanent jobs. There are only a handful of permanent jobs. So it isn't about creating jobs, and it is not about energy security in the United States.

What is this all about? There is very little benefit compared to the risk factors in the United States. Let me talk about the risk factors which give most of us concern. The environmental risk factors have us the most concerned. Tar sand is a multitype of product that is literally mined and processed into a crude oil which is very thick and dirty. There are different ways to get to the tar sand, but one way to get to the tar sand is to take the topsoil off the property and mine it through a strip mining process. That has been done in Canada, and it is still being done in Canada, causing tremendous environmental damage. It is, in and of itself, a process that most of us would want to avoid. Yet this legislation does nothing to prevent that type of processing of the tar sands. Tar sands produce a very thick oil product that can only make its way through the pipeline by it being processed, and it creates additional risk factors because of the way it is processed.

There have been oil spills of the tar sands product. We have seen it in Arkansas and we have seen it in Michigan. It caused devastating damage. It is not easy to clean up. It is not like normal crude. It causes permanent-type damage to a community, as we saw most recently in Michigan. So there are risks associated with taking Canadian oil in an effort to make it easier to reach the international marketplace, unlikely to end up in the United States, creating few permanent jobs. Frankly, a lot of us don't quite understand this.

As I said, it is dirty. The use of this tar sands oil produces a much larger carbon footprint than other crude oil, causing additional problems in dealing with climate change. We have a serious issue with what is happening to our environment. I am proud to represent the State of Maryland. Most of the people in my State live in coastal areas. They know the consequences of global climate change. They understand it. They know what is happening along the coast, and they know we are at risk. They understand the fact that we have inhabitable islands in the Chesapeake Bay that have disappeared and are disappearing. They understand that our seafood crop, the blue crab, is threatened because the warming water affects the sea grass growth which is critically important for juvenile crabs to survive. They understand the risks and want us to be responsible in dealing with climate change. They also know that we are getting a lot more extreme weather in the east coast of the United States and throughout our country.

They know on the west coast. They are getting dry spells and wildfires. They understand the risks. They understand the cost to America of not dealing with climate change issues. The costs involve not only direct damage that is caused but also in the global consequences of climate change.

So we are worried about our carbon fingerprint. We are proud the United States is joining other countries in dealing with climate issues.

I applaud the work of President Obama, in the most recent international meetings, when he dealt with climate change issues. We need to do a better job.

Why are tar sands an issue? Because tar sands produce more carbon emissions than other types of oil. It is about 81 percent higher than the average use of crude oil and 17 percent higher than the well-to-wheels basis of producing oil. That is a concern. That translates into millions and millions of cars—the difference between that and having millions of cars on the roads. It is an important part of our leadership.

If we are trying to establish international credibility and then we facilitate more of this dirty tar sands oil, what message does that send? What type of cooperation should we expect to receive?

I am trying to figure out why this is the new priority of the leadership in the Senate. Why is this the very first bill to come to the floor of the Senate when, as I pointed out earlier, there seems to be no urgency. I have been told it has been delayed and delayed and delayed. The reason it was delayed is because the construction operating firm changed the routes of the pipeline. They had one route mapped out—and no alternative routes—but didn't check to make sure it didn't violate State laws. Now they are wondering why it is taking so long. It is taking so long because they had to change the route. It is not the governmental process that is slowing this down, it is the fact that the proposers of this route did not have their ducks lined up in a row before they submitted the route that could be approved. We are still not sure about that.

As I said earlier, for Congress to dictate where a pipeline should be is wrong. That is not our role. We should let the regulatory process, which is there to protect the public, go forward. It would also trample on States rights. There are some serious legal challenges pending in State courts as to the actions of a Governor dealing with a location issue. That should be resolved by the courts, and we are pretty close to having that ruling. It is very unclear to me what impact this legislation would have on States rights as it is currently being litigated in the State court. Why are we doing that?

The delays have been caused because of the way this pipeline was suggested. The regulatory process that would protect the public safety is moving forward. Considering oil and gasoline prices at the pump there is no urgency. There are serious environmental risk issues.

I understand the State Department report has been mentioned frequently. Look at the State Department report and look at what it is saying about the price for oil. The per barrel price of oil was a lot higher when they did that report. Lower costs have a major impact on what we are talking about here.

I urge my colleagues to let the process go forward. I thank the President for spelling out his concerns and his desire to let the regulatory process reach its conclusion, let the State court decision go forward as to what the State believes is the right thing to be done here. I believe all of that will give us a much better process than us trying to substitute our judgment for what should be done through a regulatory process.

I am going to close by quoting from one of the individuals, Ben Gotschall, from Nebraska, who has been very active on this issue. He said:

> The Cowboy Indian Alliance shows our cooperation and our working together in mutual respect. That shared bond proves that we pipeline fighters are not just a few angry landowners holding out, or environmentalists pushing a narrow agenda. We are people from all walks of life and include people who have been here the longest and know the land best.

I think that is pretty instructive. This is a broad coalition that is concerned about the actions that are being contemplated in the Senate—actions that would overrule landowner rights, actions that would take away State rights, actions that would shortcut regulatory process, actions that help private companies directly without taking into account the regulatory protections that are provided under law.

It seems rather unusual that this would be the very first issue where we could work together in a bipartisan way to expand opportunities for energy in the United States. Clean energy produces a lot more jobs, and we could be talking about incentives so we could have a larger production of clean energy in the United States. Democrats and Republicans would clearly work together to come up with ways we could have more efficient use of energy.

Democrats and Republicans could clearly work together in that regard. There are so many areas where we could work together and show the

American people that we understand their frustration with Congress's failure to deal with many of the issues in the last Congress, but instead it looks as though we are picking an issue that is more about special interest than it is one that will help deal with an energy problem in the United States and has the potential to broaden our environmental challenges in the United States.

For all of those reasons, I hope my colleagues will reject this approach and let us go back and work together to find a common way to help us deal with our environment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I seek recognition to speak for 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MARKEY. Mr. President, the issue we are going to be debating over the next 2 weeks in the United States is really a story about two gasoline stations.

In July of 2008, the average price of gasoline in America was $4.11 a gallon. In January of 2015 in the United States of America the price is $2.21 a gallon. That is great for every driver across our country, and that is great for Americans who buy home heating oil. They are saving a lot of money this winter and the predictions are that it will continue throughout the rest of this year. That is great.

However, it is not great for the oil companies. It is not great for the Canadians. It is not great for Wall Street. They are not happy with this incredible benefit that is now flowing to Americans all across our country who now have a gasoline station that has $2.21, on average, as to what people will pay.

What does the Keystone XL Pipeline truly stand for? It truly stands for the Keystone ''export'' pipeline. That is right. What the Canadians want to do is to basically construct a straw through the United States of America, bring that straw down to Port Arthur, TX, which is a tax-free export zone, and then export the oil out of the United States.

Why would they want to do that since they advertise that it is all about North American energy independence? There is a simple reason. The price of tar sands oil in Canada right now is getting $13 less per barrel than it would get in the United States, but it is $17 less than if they can get it into ships and send it around the world. That is the very simple economic strategy of the Canadians.

How do I know this? Because during a hearing in the House of Representatives I asked the head of the pipeline for TransCanada: Would you accept an amendment to keep all of the oil here in the United States of America? He said: No.

By the way, I asked the same question of the head of the American Petroleum Institute. He said: No.

There is a lot of false advertising going on here. On one hand they say this is great for American energy independence. On the other hand, when we say let's have an amendment on the floor of the Senate that will keep the Keystone oil here in the United States, they say: Oh, no. They are absolutely opposed to that.

Logically, we have to reach the conclusion that their goal is to get the extra $17 per barrel which they will get if they can start selling it to China, Latin America, and other parts of the world. That is the plan. There are no two ways about it.

By the way, that should be their plan. That is what their responsibility is—it is to the shareholders of their companies.

What is the strategy for the American driver? That is whom we have a responsibility to. We need to make sure they get the lowest possible price. My goodness. They have been tipped upside down and had their money shaken out of their pockets at gas stations all across our country for years, and finally the day of deliverance has arrived and they have $2.21, on average, for the price of a gallon of gas, and now we are told the price of oil is too low. We have to get it back up again. Of course, the best way of accomplishing that is to start exporting oil because the less there is in North America, the higher the price will be for American drivers and for American home heating oil consumers. It is a very simple plan.

It is not about helping Americans at the pump. It is about pumping up the prices so oil companies will have new profits. It is very simple. If it is not that, then just accept an amendment that keeps all the oil here. It is a simple thing to do, and then the rhetoric matches with the reality of what is going to happen. The oil should stay here, but they will not accept that, and they have made that clear.

This is all part of a wish list we are going to see on the Senate floor for the rest of this year. This is the Big Oil wish list of 2015. We start with the Keystone ''extra large export'' Pipeline to take oil and send it out of the country. Then they want to lift the ban on the exportation of U.S. crude oil, which is now on the books—a ban on U.S. crude oil. This is Canadian oil. There are no laws against that. Then they want to begin exporting our natural gas, even as consumers and businesses and natural gas vehicle firms are enjoying record-low prices, which in turn is transforming the American manufacturing sector and our relationship with natural gas in America. They essentially want to declare war on the Environmental Protection Agency and their authority to protect Americans against pollution and to make sure the fuel economy standards of the vehicles which we drive continue to rise and rise.

Honestly, if we want to tell OPEC we are serious and keep them awake at night, then we should keep the oil here so the prices will drop, and we also need to increase the fuel economy standards and consume and import less oil. But that is not going to be the agenda that comes out here on the Senate floor from the majority. It is going to be just the opposite. In a way, that is why this first debate is actually a preview of coming attractions of what will be happening out here on the floor of the Senate throughout the course of this entire year.

There is kind of a Keystone kabuki theater that is debuting this afternoon on the Senate floor. The reality is this bill will never become law. The President is going to veto this bill. There are not enough votes to override the veto. So instead what we have is just a preview of this entire agenda, notwithstanding the fact that they are not going to be supporting a national renewable electricity standard or dramatically increasing the energy efficiency laws in our country or making sure the Canadians finally have to pay their taxes for the oil liability trust fund which they are now exempt from. American oil companies have to have a trust fund—in the event there is an oil spill in the pipeline—but the Canadians don't have to have a trust fund. Over 10 years, that is $2 billion that American companies have to pay, which Canadians don't have to pay, to make sure that something is done to protect against oilspills.

Back when the Democrats took over the House and Senate in 2007, we worked together to put together a comprehensive energy bill. What was in it? Dramatically increasing the fuel economy standards of the vehicles in our country, having a new biofuels law to expand that production, and making sure that energy efficiency in America was enhanced dramatically. We worked on a bipartisan basis, and President Bush, a Republican, signed that bill because it was done in a bipartisan, ''all of the above'' approach.

That is not what this is all about. This is not ''all of the above''; this is ''oil above all.'' That is the strategy the Keystone Pipeline embodies—shouts. It is not balanced. It is not where we should be as a country.

So I say let's have an amendment to the bill that keeps the oil here in the United States. Let's have this debate here on the floor. Let's match up the rhetoric of the oil stays here with protection of the American economy and the American driver within the reality that we voted for that to keep it here. Let's have that debate. I think it is important because otherwise the Canadians and the American Petroleum Institute will continue to engage in false advertising about where this oil is going to be used.

So from my perspective, this is the dirtiest oil in the world that is going to contribute mightily to an expansion of global warming. We know that 2014 was the warmest year ever recorded in history—notwithstanding the fact that it snowed here in Washington, DC, yesterday—the warmest year in history. That

is what I think the green generation out there knows as they look at this issue. What are we going to do to make sure we avoid the catastrophic consequences of a dangerously warming planet?

We have to engage in preventive care of this planet. There are no emergency rooms for planets. We have to engage in preventive care to make sure we do not pass on this ever-increasing danger to future generations. We are going to get a chance here to debate this. The Keystone Pipeline is a good example of how there is not, in fact, a balanced policy.

I asked for an amendment on the floor so that we can debate whether the oil goes through a pipeline from Canada—the dirtiest oil in the world—like a straw, potentially causing environmental catastrophes across our country, and then gets exported around the rest of the planet.

The PRESIDING OFFICER (Mr. JOHNSON). The time of the Senator has expired.

Mr. MARKEY. I think this is the kind of debate the American people expect the Senate to engage in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, the truth is that despite our rather big egos, much of what we do in the Senate is pretty quickly forgotten. People have a hard time remembering what we did 2 months ago or yesterday, let alone last year. But I have a feeling that the Keystone Pipeline bill we are now discussing and decisions that will be made about that bill will not soon be forgotten—not by our children or our grandchildren and not by people throughout the world and, in fact, not by history. I believe that decades from now our kids and our grandchildren will scratch their heads and they will say: What world were these people—Members of Congress—living in in 2015 when they voted for this Keystone Pipeline? How did it happen that they did not listen to the overwhelming majority of scientists who told us we have to cut greenhouse gas emissions, not increase them? I think our kids and our grandchildren will be saying to us: Why did you do that to us? Why did you leave this planet less habitable than it could have been?

The issue we are dealing with today is of huge consequence. I fear very much that a majority of the Members in the Senate and in the Congress are poised to make a very dangerous and wrong decision. In that light, I am more than delighted that President Obama has indicated he will veto this Keystone Pipeline bill if it is passed.

Climate change is one of the great threats not only facing our country but facing the entire planet. It has the capability of causing severe harm to our economy, to our food supply, to access to water, and it raises all kinds of international national security issues.

Let me read an excerpt from a letter sent to the Senate back in October 2009:

> Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research demonstrates that the greenhouse gases emitted by human activities are the primary driver. These conclusions are based on multiple independent lines of evidence, and contrary assertions are inconsistent with an objective assessment of the vast body of peer-reviewed science.
>
> Moreover, there is strong evidence that ongoing climate change will have broad impacts on society, including the global economy and on the environment. For the United States, climate change impacts include sea level rise for coastal states, greater threats of extreme weather events, and increased risk of regional water scarcity, urban heat waves, western wildfires, and a disturbance of biological systems throughout the country. The severity of climate change impacts is expected to increase substantially in the coming decades.

This statement was signed by virtually every major scientific organization in this country, including the American Association for the Advancement of Science, the American Chemical Society, the American Geophysical Union, the American Institute of Biological Sciences, the American Meteorological Society, and many other scientific organizations.

Scientists are not the only people warning us about the danger of climate change. Hear what the Department of Defense has to say about the impact of climate change on international and national security. What they point out—and I think what every sensible person understands—is that when people are unable to grow the food they need because of drought, when flood destroys their homes, when people throughout the world are forced to struggle for limited natural resources in order to survive, this lays the groundwork for the migration of people and international conflict. That is what the Department of Defense tells us.

Now, given all of the scientific evidence and given the concerns raised by our own Department of Defense and national security experts all over the world and given the fact that the most recent decade—the last 10 years—was the Nation's warmest on record, one would think that when the National Climate Assessment warns us that global warming could exceed 10 degrees Fahrenheit in the United States by the end of the century—can we imagine this planet becoming 10 degrees Fahrenheit warmer and what this means to the planet? When sea levels have already risen by nearly 7 inches over the last century and are expected to rise another 10 inches to 2.6 feet by the end of the century—when all of that is on the table, one would think this Senate would be saying: All right, we have an international crisis. How do we reverse climate change? Instead, what the debate is about is how we transport some of the dirtiest oil in the world and thereby cause more carbon emissions into the atmosphere.

I suspect our kids and our grandchildren will look back on this period and say: What world were you living in? Why did you do that to us?

It would seem to me that what we should be debating here is how we impose a tax on carbon so that we can break our dependence on fossil fuel. That is what we should be discussing, not how we increase carbon emissions. We should be discussing what kind of legislation we bring forward that moves us aggressively toward energy efficiency, weatherization, and such sustainable energies as wind, solar, and geothermal. That is the kind of bill that should be on the floor. We should be having a debate about legislation that makes our transportation system far more efficient, that expands rail and helps us get cars and trucks off the road. We should be having a debate about how we can create the kind of automobiles that run on electricity and make them less expensive and how we can get cars running 80 to 100 miles per gallon. Those are the kinds of debates and that is the kind of legislation we should be having on the floor, not how do we expand the production and the transportation of some of the dirtiest oil on the planet.

In my view, the U.S. Congress in a very profound way should not be in the business of rejecting science because when we reject science, we become the laughingstock of the world. How do we go forward? How do we prepare legislation if it is not based on scientific evidence? And to say to the overwhelming majority of scientists that we are ignoring what they are telling us and we are going to move in exactly the wrong direction I think makes us look like fools in front of the entire world. How do we go forward and tell China and India and Russia and countries around the world that climate change is a huge planetary crisis at the same time as we are facilitating the construction of the Keystone Pipeline?

So I am delighted the President will veto this legislation if it happens to pass the Congress. Our job now is not to bring more carbon into the atmosphere; it is to transform our energy system away from coal, away from oil, away from fossil fuel, and toward energy efficiency and sustainable energy. That should be the direction of this country, and we should lead the world in moving in that direction.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. ALEXANDER, Mr. BENNET, Mr. BOOKER, Mr. BURR, and Mr. KING pertaining to the introduction of S. 108 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Ohio.

MEDICARE/MEDICAID ANNIVERSARY

Mr. BROWN. Mr. President, in his first legislative message to the 89th Congress in 1965, 50 years ago I believe this month, President Johnson laid out what would become a key marker in the legislative fight for Medicare and Medicaid. Ultimately, the bill was passed in July 1965. President Johnson signed it in Independence, MO, I believe at the home of former President Truman.

President Johnson, in his legislative message to the House and Senate in 1965 said:

> In this century, medical scientists have done much to improve human health and prolong human life. Yet as these advances come, vital segments of our population are being left behind—behind barriers of age, economics, geography or community resources. Today, the political community is challenged to help all our people surmount these needless barriers to the enjoyment of the promise and reality of better health.

Fifty years later we have made historic improvements to our health care system, thanks in large part to a couple of things: No. 1, medical research, funded both by taxpayers and often by drug companies, foundations, universities, and others; and No. 2, because of social insurance programs such as Medicare and Medicaid.

Before the passage of Medicare—listen to these numbers—30 percent of our Nation's seniors lived below the poverty line, only half our Nation's seniors—at this time 50 years ago, early in 1965, had health insurance, and insurance usually only covered visits to the hospital in those days.

Now, thanks to Medicare, 54 million seniors and people with disabilities have access to guaranteed health care benefits.

Let me share a letter a constituent named Donald, from Toledo, OH, wrote to me last Congress, when the House of Representatives threatened to turn Medicare into a voucher program as part of its budget proposal. Donald wrote:

> Thank you for your efforts to keep Medicare from being privatized. At the age of 63, I am going to be eligible for Medicare before too long and looking at the affordability of health care is critical. If Medicare is privatized, we will not be able to afford it any more than we can afford private insurance today.

That is the whole point. The reason there is a government health care program, the reason there is social insurance, is because people, as in 1965, only half the people in the country had any kind of health insurance.

> It is a little disconcerting to know that after working all our lives and living comfortably, that in our retirement years we will either have to try to find full-time employment to be in a position of affording Medicare, privatized Medicare. I am sure I don't need to tell you how difficult finding a job is these days when you are an older citizen.
>
> I know normally I am writing you from the opposing side, but this time we definitely see eye to eye.

Ralph Waldo Emerson, 150 or 160 years ago, said that history has always been a fight between conservators and innovators. There is a legitimate place in society for both, creating the tension that moves our country one way or the other. Conservators want to protect the status quo. They want to preserve privilege and want to hold on to their wealth. Conservators fundamentally don't believe the government should be involved in ensuring a decent standard of living. Innovators—what we might call today progressives—understand our society is only as strong as its most vulnerable members.

If we go back to the key congressional votes—the key congressional votes, not necessarily final passage—to advance debate of a Medicare bill in 1965, most Republicans voted no. Then it was the John Birch Society that opposed it. Today, 50 years later, it is the tea party that opposes social insurance.

Some of the most privileged interest groups in Washington opposed the creation of Medicare. But they were wrong. As I said earlier, 30 percent of seniors lived below the poverty line prior to Medicare. Medicare helped to cut the poverty rate in half by 1973, only 8 years after its passage.

We see the same attacks today. Budgets proposed in the House of Representatives over the past several years have tried to dismantle Medicare, by and large by privatized vouchers, to help offset the cost of tax cuts for the wealthiest Americans. They would privatize the program and undermine its guaranteed benefits.

Ohio's seniors have worked hard, they have paid into Medicare, and they deserve a program that truly meets their health care needs. They deserve better than the underfunded voucher that would put them at the mercy of the private insurance industry. Thankfully, we have been able to block this plan in the Senate. We will continue to do that.

Interestingly, the Affordable Care Act has provided significantly enhanced benefits for Medicare beneficiaries. In my State alone more than 1 million Ohio seniors have gotten free—meaning no copay, no deductible—preventive care benefits under the Affordable Care Act.

If you are on Medicare and your doctor prescribes an annual physical or asks that you be given an osteoporosis screening, a diabetes screening—all the things doctors order for their patients for preventive care—those are provided under the Affordable Care Act and under Medicare, no copays, no deductible.

Many of the efforts to privatize and voucherize Medicare mean taking away preventive care, taking away prescription drug protections added to Medicare under the Affordable Care Act. Others want to raise the Medicare eligibility age from 65 to 67.

I was in Youngstown, OH, a couple of years ago at a townhall. A woman stood up and said: I hold two jobs, and I am barely making it.

I think the two jobs were close to minimum wage, so she was probably making $8 an hour in one and $8.50 in the other. She was a home care worker and doing something else. She had tears in her eyes.

She said: I am 63 years old. I need to stay alive until I can get health insurance.

This was maybe 5 years before we passed the health care law. Imagine being 63 years old and your goal in life is just to find a way to stay alive so you can have health insurance.

Some geniuses in the House and maybe in the Senate think it is a good idea to raise the Medicare eligibility age from 65 to 67. Just because we dress like this and have jobs that aren't all that physical other than walking back and forth from our offices to the floor, just because we have this kind of lifestyle and just because we are privileged enough to get to dress like this and get paid well and get to do these incredibly privileged jobs as Members of the Senate—there are a whole lot of people in this country whose bodies won't last until they are 67. They can't work until they are 67 to get Medicare. They are working at Walmart, standing on floors all day, they are home care workers, they are working at fast food restaurants, they are construction workers.

Both my wife's parents died before the age of 70 in large part because of the work they did, the kind of heavy, strenuous work, and the chemicals they were exposed to and all that. So when I hear my colleagues propose to raise the Medicare eligibility age from 65 to 67—and I know they say we can't sustain these entitlements, whatever that means. What they really want to do is raise the eligibility age. To raise the eligibility age for Medicare to 67, they need to take Abraham Lincoln's advice. His staff wanted him to stay in the White House and win the war, free the slaves, and preserve the Union. President Lincoln said: No. I need to go out and get my public opinion bath.

What did he mean by that? He meant: I have to go out and talk to people. So when I hear Senators say they want to raise the Medicare eligibility age from 65 to 67—whether they are in Gallipolis or Troy or Zanesville, OH—when I hear people say they want to raise the retirement age or the Medicare eligibility age—what I think when I hear Senators say that is they are not out talking to real people.

We know we can do a number of things to improve and strengthen these programs so future generations can continue to move into retirement years with a sense of security.

Last Congress I was an original cosponsor of the Medicare Protection

Act, which would make it difficult for Congress to make changes that would reduce or eliminate guaranteed benefits or restrict eligibility criteria for Medicare beneficiaries. With several of my Senate colleagues, I will submit a resolution commemorating the 50th anniversary of the creation of Medicare and Medicaid, a reminder that these programs must be protected, not weakened, not rolled back, not undercut, not privatized, not voucherized—if that is a word—a reminder that all these programs must be strengthened.

As we move forward in protecting social insurance, we should remember President Johnson's words when speaking to the House and the Senate 50 years ago: Whatever we aspire to do together, our success in those enterprises—and our enjoyment of the fruits that result—will rest finally upon the health of our people.

TRIA

Mr. BROWN. Mr. President, I think it is important to understand that TRIA is legislation that we need, which is the Terrorism Risk Insurance Act. We passed a bill with only two or three ''no'' votes in the Senate last year. But what the House of Representatives has done looks like what they will probably do in the future: They have taken legislation which is really important to the country, which passed the Senate on a bipartisan basis, and they have loaded on to that legislation extraneous provisions.

Frankly, that is what people in this country are tired of—when legislation that must pass and has overwhelming support is about to pass, special interest groups come and add their language to it. That is exactly what happened here. If the House of Representatives gets its way, if Wall Street gets its way, it is the first step to begin to slice away at the Dodd-Frank legislation.

When I hear a number of my colleagues in this body and down the hall in the House of Representatives say they support progrowth policies and deregulation, what they are saying is they want to roll back the protections for consumers in Dodd-Frank, the Wall Street reform bill, and they want to weaken the provisions in the rules that govern Wall Street behavior. I don't quite understand it because what I do understand is less than a decade ago, because of Wall Street greed, because of Wall Street overreach, because this body and the body down the hall weakened the rules on Wall Street, and because the previous administration appointed regulators who would really look the other way, we had terrible damage done to our economy. About a mile north of the ZIP Code I live in in Cleveland had the highest number of foreclosures of any ZIP Code in the United States of America because of deregulation, because of Bush appointees to many of the bank regulatory bodies.

So I caution my colleagues, as we accept this legislation, the TRIA legislation—and I assume we will—to understand that is not going to be behavior that we are going to sanction in the Senate, where they take must-pass legislation and they find ways to attach to this legislation rollback of consumer protections and weakening of Wall Street rules. That is what got us into this. We can't let these special interests who have so much power in the House of Representatives, who have so much influence in the House of Representatives—we can't let them have their way on legislation like this.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

MEDICARE/MEDICAID ANNIVERSARY

Mr. WYDEN. Mr. President, I rise to highlight a Presidential message that was delivered to the Congress 50 years ago today. But before I go into the importance of Medicare and Medicaid—facts that I think all my colleagues and I can agree to—I would like to take a brief look back at where America has been and recall what life was like for so many of those who were poor, disabled, vulnerable, and uninsured or unlucky before these programs, which today are a lifeline, Medicare and Medicaid, were in place.

Those were the days of the ''poor farm'' and the ''almshouse.'' These were the places where the poor and uninsured would go for care, very often on the outskirts of town—out of sight, out of mind. It was not a happy choice, and more often than not for seniors and the poor it was the only choice.

These were places that provided care and was often very basic and very often it carried a stigma. The accommodations were sparse at best. In return for health care and housing, residents were expected to work on an adjoining farm or do housework or other chores to offset the costs of their stay. This was the primary option for someone whose extended family could not offer care—or didn't want to offer care. This was not thousands of miles away from the shores of our country, it was right here in the United States. Not very many Americans remember those days. In fact, I think it is fair to say hardly anybody under 50 remembers those days.

President Johnson submitted his message to the Congress 50 years ago today, and fewer than half of America's older people even had any health insurance. In that era, it was not uncommon for older people who got an illness to be treated like second-class citizens, and many older people without family to care for them and no health care coverage ended up destitute and would often end up on our streets.

It was a time no one wants to revisit. It is a time sociologists described as another America—where 40 to 50 million Americans were poor and lacked adequate medical care and were socially invisible to a majority of the population.

I bring this up because I wish to spend a few minutes this evening talking about how far America has come. I want to make sure that we in the Congress—as we look to this anniversary of these critical programs, Medicare and Medicaid, and the vivid difference they made in the daily lives of Americans, we should all spend just a few minutes talking about the health care advances we have seen over the years.

Here are a couple of facts: Today with rock-solid essential medical services, 54 million Americans—or virtually every senior and those with disabilities—now has access to what we call—and I remember this from my days as director of the Gray Panthers—the Medicare guarantee. It is a guarantee of secure Medicare benefits for our old people.

Medicaid has made a critical difference for 68 million of the Nation's most vulnerable, including more than 32 million kids, 6 million seniors, and 10 million individuals with disabilities. Because Medicare and Medicaid made health care possible for millions of people, they have also been the catalyst for innovation in treatment that benefits people of all ages. I emphasize that fact because it is often not appreciated that Medicare, as the flagship Federal health care program, often is the spark, the catalyst for innovations that get copied in the private sector.

For example, in the first 30 years of Medicare alone, the Medicare Program helped to reduce deaths from heart disease by one-third for people over age 65. By providing coverage and access for millions, these programs became catalysts for change in how medicine is practiced and paid for Americans across the age spectrum and helped us to find the root causes of disease and perfecting better therapies to treat. As time has marched on, these programs evolved and improved and the rest of the health care system followed.

In 1967, Early and Periodic Screening, Diagnostic, and Treatment programs, comprehensive services for all Medicaid youngsters under age 21, was created, and that has helped to improve our country's health, starting with our children. In 1981, home and community-based waivers were established so States could provide services in a community setting, allowing individuals to remain in their home for as long as possible.

Every State uses this option to facilitate better care and services to the Medicaid population, and I think it is fair to say that every single senior—and this is something I heard again and again and again in the those Gray Panthers days—would say: Why can't we

have the option to have good, quality, affordable care at home because it will also save money compared to the alternative, which is institutional care.

In 1983, Medicare took one of many big leaps away from fee-for-service with the advent of a new reimbursement system for hospitals. It was called prospective payment—a system that pays hospitals based on a patient's illness and how serious it is and not solely on how much it costs to treat them. This was a radical change at the time. Today it is commonplace and acceptable.

In 2003, the prescription drug coverage benefit was added to Medicare, providing access to necessary medications to those most likely to need them. As a result of greater access to prescription drugs, senior health has dramatically improved.

In 2010, as a result of health care reform, preventive services became free to patients, prescription drugs became cheaper for beneficiaries who fell into what was known as the doughnut hole, and again Medicare moved further away from fee-for-service, volume-driven care and on to paying for quality and value. Not only was that good for seniors, it was good for taxpayers because it helped to extend the life of the Medicare trust fund.

Finally, in 2012, the Centers for Medicare and Medicaid began releasing for the public to use actual claims data. Access to this information, in my view, is a key element of the challenge with respect to understanding the costs of care, the variations and the way medicine is practiced across the country. Clearly, access to Medicare claims data is part of the path to improving quality and holding down the costs of health care in our country.

These examples are easy to forget—the most recent ones—because now they are commonplace, but that makes them no less remarkable.

I will close with one last point that I hope will be part of what guides the work of the Senate in this session.

I see the distinguished Senator from Illinois, Mr. DURBIN. He is to be joined by the majority leader, Senator MCCONNELL, shortly.

I will just close my remarks with respect to these critical programs by pointing out—and I hope it will be remembered frequently as big issues are tackled in this Congress—Medicare and Medicaid were bipartisan efforts, and the enactment of these programs shows that the Congress can craft bipartisan solutions to complex and politically difficult problems. That is what happened in 1965 when the Senate passed a legislation creating Medicare and Medicaid by a 68-to-32 vote after the House approved it 3 months earlier on a 313-to-115 vote.

As this Congress gets underway, and as the leaders come to the floor to discuss a critical aspect of how we move ahead, I hope all of us take a page from that particular playbook. Let us recognize that with Medicare and Medicaid there was an opportunity to come together to tackle a big issue, and my hope is that this Congress will not use partisan tactics when the solutions have to be bipartisan, and that is the lesson.

Despite sharp differences and partisanship, the Congress of the days I have been speaking of was able to rise above the culture and those challenges to find agreement and make our country a better place.

As this new Congress begins, I hope we can use that 50-year-old spirit to strengthen, protect, and improve Medicare and Medicaid to keep that guarantee strong, ensure health care to those who need it most, and protect a program that has been a lifeline to millions of Americans.

With that, I yield the floor.

The PRESIDING OFFICER. The acting minority leader.

Mr. DURBIN. Mr. President, I commend my colleague from Oregon for reminding us of this 50th anniversary of President Johnson's recommendation to Congress to create Medicare and Medicaid. Today, as we witness 54 million people benefitting in America from Medicare—in my State some 2 million—and 68 million from Medicaid—in my State 3 million—we understand the importance of this program. Almost half the people who live in Illinois are covered with health insurance by Medicare and Medicaid. When we add in the Affordable Care Act, we have literally half the population of my State.

It is a testament to the fact that when we made a commitment and followed through on a bipartisan basis, as the Senator from Oregon said, we created programs that had vibrancy and really served people for a long time.

I read something the Senator from Oregon is, I am sure aware, of, which is that because Medicare was a complete Federal payout, it was implemented throughout the United States almost within a year. It took 17 years for every State to join the Medicaid Program. It wasn't until 1982 that the last State joined into Medicaid—Arizona—because there was a State contribution. Look at the experience we have now with the Affordable Care Act, where some States are reluctant to join in. So that is part of it.

The point I wish to get to and which the Senator made so well is how it changed life for senior citizens and for those who were poor. It gave them a chance for quality health care that didn't bankrupt them in the process.

Medicaid has been a dramatic success. For critics of government health programs and critics of Medicaid, the 2011 survey found that 70 percent of physicians across America accept Medicaid patients. People would believe from some of the critics that the opposite is true. Seventy percent accept Medicaid patients. So it is a good program. The reimbursement attracts 70 percent of physicians willing to treat them.

The last point I will make to the Senator from Oregon particularly, if he happens to know a good bookstore, I would suggest he consider the new book by Dr. Gawande entitled ''Being Mortal.'' I am virtually through it, and he really challenges us to look beyond health care for the elderly to where they are living, how they are living, and how they are being treated.

So I am hoping we can rise to another level of conversation beyond Medicare and Medicaid, celebrating this anniversary but accepting a new responsibility to that generation of seniors who served America so well.

I thank the Senator from Oregon for reminding us of this anniversary.

I am proud to stand with my colleague Senator WYDEN today in support of his resolution honoring President Johnson's commitment to creating the Medicare and Medicaid Programs.

Fifty years ago today, President Lyndon Johnson sent a message to the Congress which he titled ''Advancing the Nation's Health.''

In that message the Johnson quoted President Thomas Jefferson who in 1787 wrote, ''without health there is no happiness. An attention to health, then, should take the place of every other object.'' Those words were true then, true in 1965, and true now.

President Johnson was concerned about the health of our nation because of the staggering effect that no insurance and chronic disease had on the elderly. At that time, 80 percent of people over 65 were disabled or lived with a chronic disease. Unfortunately, 50 percent of people over 65 did not have health insurance.

From his concern and effort came the Medicare and Medicaid programs. Both programs created a social safety net that has improved the lives of millions of Americans.

Today more than 54 million people are enrolled in Medicare, 2 million in Illinois. The vast majority of Medicare enrollees are seniors. They receive quality, affordable, care and access to prescription drugs because of the President Johnson's commitment. In this new Congress, we should work together to ensure this highly successful program remains in place for future generations.

Medicaid has been a lifeline for millions of people, especially for children. Sixty-eight million people are enrolled in Medicaid, 3 million in Illinois. And thanks to the Affordable Care Act, 600,000 became newly eligible for the program last year. Medicaid makes it possible for more than half of the babies born in Illinois to be delivered with medical care. Some argue that Medicaid isn't working because physicians refuse to see people in the program. But the data says that isn't true. 2011 data shows that 70 percent of office-based physicians nationwide were willing to see new Medicaid patients. I call that a success.

As we remember President Johnson's tireless effort today, we should also keep in mind our commitment to these vital programs and work together to strengthen them.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the 50th anniversary of Medicare as well. I commend the remarks of both the senior Senator from Oregon and the senior Senator from Illinois about this 50-year anniversary since President Lyndon Johnson first sent his message to Congress that would later become both the Medicare and Medicaid Programs. As was referred to earlier, there are 100 million Americans benefiting, including over 4.8 million in my home State of Pennsylvania, when we consider both programs together.

When President Johnson sent this message, he said:

> Our first concern must be to assure that the advance of medical knowledge leaves none behind. We can—and we must—strive now to assure the availability of and accessibility to the best health care for all Americans, regardless of age or geography or economic status.

So said President Johnson all those years ago, and how prescient he was and how knowledgeable he was as well to be thinking about the future and to be considering advances in technology and holding all of us to the highest possible standard when it came to health care for older Americans or health care for the poor and for children.

We know that in the ensuing 50 years we have strived to make that vision of President Johnson a reality, first, of course, with Medicare and Medicaid; and then more recently—''recently'' meaning the last 20 years or so—with the Children's Health Insurance Program, known by the acronym CHIP; and then followed by, a number of years after that, the Affordable Care Act, which included an expansion of the Medicaid Program, providing coverage to millions more Americans.

We know that when Medicaid was created in 1965, the U.S. Government put forth a promise to ensure that the most vulnerable members of society would have access to health care. Whether it is our children or whether it is frail, elderly members of our family living in nursing homes or individuals with disabilities, Medicaid ensures they have access to health care. So we have made great strides.

Let me quote again from President Johnson:

> Poor families increasingly are forced to turn to overcrowded hospital emergency rooms and to overburdened city clinics as their only resource to meet their routine health care needs.

Again, President Johnson was way ahead of his time in dealing with what was then a problem and still remains a problem but less so a problem because of Medicaid.

This important lifeline—Medicaid—to health care, having been created 50 years ago, was strengthened in 2010 and helps ensure that millions of Americans have access to quality, comprehensive health care.

We must continue to make sure that we guarantee Medicaid remains strong and provides such needed care to those in our society who often get overlooked. We must never forget that Medicaid is the program that many middle-class families and lower income older citizens who are on assistance and people with disabilities turn to when they need extended nursing home care, sometimes referred to as long-term care. So when it comes to long-term care for poorer families as well as long-term care for middle-class families, often millions of Americans are turning and have turned for their long-term care to Medicaid, and we should remember that.

As we celebrate this 50th anniversary, let's always ensure that both Medicare and Medicaid remain strong programs that so many Americans can turn to. We must do our best to be true to Lyndon Johnson's vision ''that the advance of medical knowledge leaves none behind.'' It is a very important anniversary, and it is a good reminder about our obligations in the Senate to protect both Medicare and Medicaid.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

FUNDING ALLOCATION FOR SENATE COMMITTEES

Mr. MCCONNELL. Mr. President, I ask unanimous consent to engage in a colloquy with Senator DURBIN on behalf of the Democratic leader.

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

Mr. MCCONNELL. Mr. President, in the 112th Congress the Senate adopted a new funding allocation for Senate committees. This approach has served the Senate for the past two Congresses when the Democrats controlled the majority. I believe this approach will continue to serve the interests of the Senate and the public, regardless of which party is in the majority, by helping to retain core committee staff with institutional knowledge. This funding allocation is based on the party division of the Senate, with 10 percent of the total majority and minority salary baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, the minority share of the majority and minority salary baseline will not be less than 40 percent, and the majority share will not exceed 60 percent. It is my intent that this approach will continue to serve the Senate for this Congress and future Congresses.

Mr. DURBIN. Mr. President, this approach met our needs for the last two Congresses, and I too would like to see it continue. In addition, last Congress, special reserves was restored to its historic purpose. We should continue to fund special reserves to the extent possible in order to be able to assist committees that face urgent, unanticipated, nonrecurring needs. Recognizing the tight budgets we will face for the foreseeable future, it is necessary to continue to bring funding authorizations more in line with our actual resources while ensuring that committees are able to fulfill their responsibilities. I look forward to continuing to work with the majority leader to accomplish this.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a joint leadership letter be printed in the RECORD.

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

UNITED STATES SENATE,
Washington, DC, January 7, 2015.

WE MUTUALLY COMMIT TO THE FOLLOWING FOR THE 114TH CONGRESS: The Rules Committee is to determine the budgets of the committees of the Senate. The budgets of the committees, including joint and special committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) from the majority and minority salary baseline to be allocated to the chairman for administrative expenses.

Special Reserves has been restored to its historic purpose. Requests for funding will only be considered when submitted by a committee chairman and ranking member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the chairman and ranking member of the Rules Committee.

Funds for committee expenses shall be available to each chairman consistent with the Senate rules and practices of the 113th Congress.

The division of committee office space shall be commensurate with this funding agreement.

The chairman and ranking member of any committee may, by mutual agreement, modify the apportionment of committee funding and office space.

MITCH MCCONNELL.
HARRY REID.

REMEMBERING EDWARD BROOKE

Mr. SCOTT. Mr. President, I wish to pay tribute to a former member of this Chamber, and note with pleasure the passage of S. Res. 19.

Senator Edward Brooke of Massachusetts passed away on January 3, 2015 at the age of 95. I was deeply saddened by his loss. I had the privilege of hosting an event last year celebrating America's Black Senators. We invited Senator Brooke, but he was unable to attend. We did honor him that day, because as one of the two African Americans to currently serve in this great body, I know that I stand on the shoulders of giants like Senator Brooke and those who have come before me in public service. Senator Brooke was a true trailblazer, and those of us who followed cannot thank him enough. As the first African American Senator to be popularly elected to serve, he was a true inspiration.

From his service to our Nation beginning as a captain in the U.S. Army during World War II, to his service as chairman of the Finance Commission for the city of Boston and then as the Commonwealth of Massachusetts' attorney general before coming to the Senate, Senator Brooke was a committed public servant. Having served

for two terms in the Senate, he was a powerful voice for housing reform and advancing issues like economic opportunity for all Americans. Recognized with both the Presidential Medal of Freedom in 2004 and the Congressional Gold Medal in 2008, our Nation was truly blessed by his life and accomplishments, and his place in history will stand the test of time.

May God bless the family of Senator Brooke.

REMEMBERING MARIO M. CUOMO

Mrs. GILLIBRAND. Mr. President, I wish to speak about the life and extraordinary legacy of former New York State Governor Mario M. Cuomo.

Governor Mario Cuomo inspired a generation of Americans to be unafraid of idealism. He was a role model for Americans with big dreams, and he was a champion for the causes and values that we cherish in this country.

He was a tenacious competitor on the baseball diamond, the basketball court, and in the halls of the capitol in Albany, but it wasn't merely the abstract desire to win that drove him. The quest for justice and fairness in our country motivated him to act, and he used his pulpit as a public servant to push for a better world for all Americans.

Throughout his career, he spoke powerfully to us about the value of equality, and the visionary words of his most famous speech, the Tale of Two Cities, still hold true today, decades later.

Governor Cuomo was a brilliant and generous mentor, and I was honored that he took a risk and helped me when I was an untested Congressional candidate a decade ago. Whenever we met, he was always kind, thoughtful, and always generous.

I know that Mario Cuomo's most cherished title wasn't Governor—it was husband and father. He took these roles as seriously as his governorship, and it is clear that he succeeded in both. He loved his wife and children, and he instilled in his sons and daughters an unwavering commitment to service.

Mario Cuomo was one of the great, motivating, and inspirational leaders of our time, and I will always be grateful to him for his leadership, his service, and his inspirational mentorship. He was a friend that my family and I truly admired.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGES FROM THE HOUSE

At 10:31 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 22. An act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government.

The message also announced that the House has agreed to H. Res. 1, resolving that Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives, and that Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives, and that Ed Cassidy of the State of Connecticut be, and is hereby, chosen Chief Administrative Officer of the House of Representatives, and that Father Patrick J. Conroy of the State of Oregon, be, and is hereby, chosen Chaplain of the House of Representatives.

The message further announced that the House has agreed to H. Res. 2, resolving that the Senate be informed that a quorum of the House of Representatives has assembled; that JOHN A. BOEHNER, a Representative from the State of Ohio, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Fourteenth Congress.

The message also announced that the House has agreed to H. Res. 4, resolving that the Clerk be instructed to inform the President of the United States that the House of Representatives has elected JOHN A. BOEHNER, a Representative from the State of Ohio as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk of the House of Representatives of the One Hundred Fourteenth Congress.

The message further announced that pursuant to House Resolution 3, the Speaker appoints the following Members of the House of Representatives to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make: Mr. MCCARTHY of California and Ms. PELOSI of California.

At 11:41 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 2 U.S.C. 2001, and the order of the House of today the Speaker appoints the following Members to the House Office Building Commission to serve with himself: Mr. MCCARTHY of California and Ms. PELOSI of California.

At 5:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 26. An act to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes.

MEASURES PLACED ON THE CALENDAR

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

S. 1. A bill to approve the Keystone XL Pipeline.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0449)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–2. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters (Type Certificate Currently Held by AgustaWestland S.p.A.) (Agusta)'' ((RIN2120–AA64) (Docket No. FAA–2014–0472)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–3. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0425)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–4. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0132)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0191)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0062)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–7. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0170)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–8. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0489)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–9. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0256)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–10. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0072)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–11. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0159)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–12. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0193)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–13. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various de Havilland Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0701)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–14. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0195)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–15. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2014–0449)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–16. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dowty Propellers Constant Speed Propellers'' ((RIN2120–AA64) (Docket No. FAA–2009–0776)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–17. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0776)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–18. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0235)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–19. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0971)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science , and Transportation.

EC–20. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0452)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–21. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0289)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–22. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0430)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–23. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0836)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–24. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0594)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–25. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc.'' ((RIN2120–AA64) (Docket No. FAA–2014–0437)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–26. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Restricted Category Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0337)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–27. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2013–1066)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–28. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0168)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–29. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64)

(Docket No . FAA–2013–1064)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–30. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0192)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–31. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0288)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–32. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (130); Amdt. No. 3611'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–33. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (67); Amdt. No. 3612'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–34. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (101); Amdt. No. 3614'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–35. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (124); Amdt. No. 3613'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–36. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (60); Amdt. No. 3617'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–37. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (19); Amdt. No. 3616'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–38. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (60); Amdt. No. 3615'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–39. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (296); Amdt. No. 3618'' (RIN2120–AA65) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–40. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Aviation Training Device Credit for Pilot Certification'' (RIN2120–AK62) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–41. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Multiple Air Traffic Service (ATS) Routes; North Central and Northeast United States'' ((RIN2120–AA66) (Docket No. FAA–2014–0986)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–42. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Roanoke Rapids, NC'' ((RIN2120–AA66) (Docket No. FAA–2014–0792)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–43. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class D and E Airspace; Hammond, LA'' ((RIN2120–AA66) (Docket No. FAA–2014–0600)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–44. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; MacDill AFB, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0541)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–45. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Lakeport, CA'' ((RIN2120–AA66) (Docket No. FAA–2014–0309)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–46. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Apalachicola, FL'' ((RIN2120–AA66) (Docket No. FAA–2014–0831)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–47. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Designations; Incorporation by Reference Amendments'' ((RIN2120–AA66) (Docket No. FAA–2014–0540)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–48. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment and Amendment of Class D and E Airspace; Santa Rosa, CA'' ((RIN2120–AA66) (Docket No. FAA–2014–0305)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–49. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0174)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–50. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0232)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–51. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0483)) received in the Office of the President of the Senate on December 16, 2014; to the Committee on Commerce, Science, and Transportation.

EC–52. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Credit Union Ownership of Fixed Assets'' (RIN3133–AE05) received in the Office of the President of the Senate on December 15, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–53. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Bureau of Industry and Security Annual Report

for fiscal year 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–54. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a semiannual report relative to the status of the Commission's licensing activities and regulatory duties; to the Committee on Environment and Public Works.

EC–55. A communication from the Executive Secretary, National Labor Relations Board, transmitting, pursuant to law, the report of a rule entitled ''Representation—Case Procedures'' (RIN3142–AA08) received in the Office of the President of the Senate on December 15, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–56. A communication from the Chief of Staff, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Environmental Quality Incentives Program (EQIP)'' ((RIN0578–AA62) (Docket No. NRCS–2014–0007)) received during adjournment of the Senate in the Office of the President of the Senate on December 15, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–57. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Office's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act; to the Committee on Homeland Security and Governmental Affairs.

EC–58. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Board's fiscal year 2014 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC–59. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–60. A communication from the President and CEO of the African Development Foundation, transmitting, pursuant to law, a report relative to 2014 grant audits; to the Committee on Homeland Security and Governmental Affairs.

EC–61. A communication from the Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to transactions from the Unanticipated Needs Account for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–62. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2014 through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–63. A communication from the Special Counsel, United States Office of the Special Counsel, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Office of Special Counsel's Performance and Accountability Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–64. A communication from the Director, Office of Personnel Management, the President's Pay Agent, transmitting, pursuant to law, a report relative to the extension of locality based comparability payments; to the Committee on Homeland Security and Governmental Affairs.

EC–65. A communication from the United States Trade Representative, Executive Office of the President, transmitting a report relative to the ongoing negotiations of the Environmental Goods Agreement (EGA); to the Committee on Finance.

EC–66. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a section of the Arms Export Control Act (DDTC 14–4160); to the Committee on Foreign Relations.

EC–67. A communication from the Senior Counsel, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''National Instant Criminal Background Check System Regulation'' (RIN1110–AA27) received in the Office of the President of the Senate on December 15, 2014; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Ms. AYOTTE, Mr. ROBERTS, Mr. GRASSLEY, Mr. INHOFE, Mr. ISAKSON, and Mrs. FISCHER):

S. 38. A bill to ensure that long-term unemployed individuals are not taken into account for purposes of the employer health care coverage mandate; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. MANCHIN, Mr. BARRASSO, and Mr. VITTER):

S. 39. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. SANDERS, Mr. WHITEHOUSE, and Mr. HEINRICH):

S. 40. A bill to direct the Federal Communications Commission to promulgate regulations that prohibit certain preferential treatment or prioritization of Internet traffic; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER:

S. 41. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction for travel expenses to medical centers of the Department of Veterans Affairs in connection with examinations or treatments relating to service-connected disabilities; to the Committee on Finance.

By Mr. VITTER:

S. 42. A bill to require the Secretary of Health and Human Services to address certain inconsistencies between the self-attested information provided by an applicant in enrolling in a health plan on an Exchange and being determined eligible for premium tax credits and cost-sharing reductions or in being determined to be eligible for enrollment in a State Medicaid plan or a State child health plan under the State Children's Health Insurance Program and the data received through the Federal Data Services Hub or from other data sources; to the Committee on Finance.

By Mr. VITTER:

S. 43. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain stem cell research expenditures; to the Committee on Finance.

By Mr. VITTER:

S. 44. A bill to provide for the expedited processing of unaccompanied alien children illegally entering the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 45. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. VITTER:

S. 46. A bill to reduce the amount of financial assistance provided to the Government of Mexico in response to the illegal border crossings from Mexico into the United States, which serve to dissipate the political discontent with the higher unemployment rate within Mexico; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 47. A bill to prohibit the implementation of any program that grants temporary legal status to, or adjusts the status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US–VISIT system has been fully implemented at every land, sea, and air port of entry; to the Committee on the Judiciary.

By Mr. VITTER:

S. 48. A bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 49. A bill to include a question to ascertain United States citizenship and immigration status in each questionnaire used for a decennial census of population, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 50. A bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 51. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 52. A bill to close the loophole that allowed the 9/11 hijackers to obtain credit cards from United States banks that financed their terrorist activities, to ensure that illegal immigrants cannot obtain credit cards to evade United States immigration laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 53. A bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit; to the Committee on Finance.

By Mr. VITTER:

S. 54. A bill to amend the Federal Water Pollution Control Act to confirm the scope of the authority of the Administrator of the Environmental Protection Agency to deny or restrict the use of defined areas as disposal sites; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 55. A bill to extend the seaward boundaries of certain States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 56. A bill to prohibit universal service support of commercial mobile service through the Lifeline program; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER:

S. 57. A bill to amend the Food and Nutrition Act of 2008 to prevent the illegal trafficking of supplemental nutrition assistance program benefits by requiring all program beneficiaries to show valid photo identification when purchasing items with program benefits; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 58. A bill to ensure orderly conduct of Nuclear Regulatory Commission actions; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 59. A bill to reject the final 5-year Outer Continental Shelf Oil and Gas Leasing Program for fiscal years 2012 through 2017 of the Administration and replace the plan with a 5-year plan that is more in line with the energy and economic needs of the United States; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 60. A bill to prohibit aliens who are not lawfully present in the United States from being eligible for postsecondary education benefits that are not available to all citizens and nationals of the United States; to the Committee on the Judiciary.

By Mr. VITTER:

S. 61. A bill to provide for the conveyance of certain National Forest System land in the State of Louisiana; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 62. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 63. A bill to require all public school employees and those employed in connection with a public school to receive FBI background checks prior to being hired, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 64. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Finance.

By Mr. VITTER:

S. 65. A bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 66. A bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 67. A bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 68. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 69. A bill to require that the Government give priority to payment of all obligations on the debt held by the public and payment of Social Security benefits in the event that the debt limit is reached; to the Committee on Finance.

By Mr. VITTER:

S. 70. A bill to direct the General Accountability Office to conduct a full audit of hurricane protection funding and cost estimates associated with post-Katrina hurricane protection; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 71. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 72. A bill to allow for the portability of funds under title I of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 73. A bill to prohibit the Federal Government from mandating, incentivizing, or coercing States to adopt the Common Core State Standards or any other specific academic standards, instructional content, curricula, assessments, or programs of instruction; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 74. A bill to amend the Internal Revenue Code of 1986 to provide for dependent care savings accounts; to the Committee on Finance.

By Mr. VITTER:

S. 75. A bill to amend the Internal Revenue Code of 1986 to require the social security number of the student and the employer identification number of the educational institution for purposes of education tax credits; to the Committee on Finance.

By Mr. VITTER:

S. 76. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Finance.

By Mr. VITTER:

S. 77. A bill to repeal the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. VITTER:

S. 78. A bill to impose admitting privilege requirements with respect to physicians who perform abortions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 79. A bill to impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 80. A bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 81. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 82. A bill to suspend sales of petroleum products from the Strategic Petroleum Reserve until certain conditions are met; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself, Mr. KING, Ms. MURKOWSKI, and Ms. COLLINS):

S. 83. A bill to amend the Fair Labor Standards Act of 1938 to improve nonretaliation provisions relating to equal pay requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. MURPHY, Mr. SCHATZ, and Mr. COONS):

S. 84. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Mr. BURR, Mr. WARNER, Mr. RUBIO, Ms. COLLINS, and Mr. ALEXANDER):

S. 85. A bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 86. A bill to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 87. A bill to require the disclosure of determinations with respect to which Congressional staff will be required to obtain health insurance coverage through an Exchange; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 88. A bill to amend the Clean Air Act to clarify the definition of accidental release, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 89. A bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Finance.

By Mr. VITTER:

S. 90. A bill to amend the Migratory Bird Treaty Act to authorize hunting under certain circumstances; to the Committee on Environment and Public Works.

By Mr. HELLER (for himself and Mr. VITTER):

S. 91. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Finance.

By Mr. VITTER (for himself and Ms. HEITKAMP):

S. 92. A bill to reaffirm the importance of community banking and community banking regulatory experience on the Federal Reserve Board of Governors, to ensure that the Federal Reserve Board of Governors has a member who has previous experience in community banking or community banking supervision, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 93. A bill to withhold United States contributions to the United Nations until the United Nations formally retracts the final report of the ''United Nations Fact Finding Mission on the Gaza Conflict''; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 94. A bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 95. A bill to terminate the $1 presidential coin program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 96. A bill to amend the Consumer Financial Protection Act of 2010 to provide consumers with a free annual disclosure of information the Bureau of Consumer Financial Protection maintains on them, and for other

purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 97. A bill to clarify that the anti-kickback laws apply to qualified health plans, the federally-facilitated marketplaces, and other plans and programs under title I of the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 98. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 99. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 100. A bill to amend the Internal Revenue Code of 1986 to provide a tax deduction for itemizers and nonitemizers for expenses relating to home schooling; to the Committee on Finance.

By Mr. VITTER:

S. 101. A bill to amend the Internal Revenue Code of 1986 to expand the Coverdell education savings accounts to allow home school education expenses, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 102. A bill to amend the public charter school provisions of the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:

S. 103. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Appropriations.

By Mr. VITTER:

S. 104. A bill to provide for full and open competition for Federal contracts related to natural disaster reconstruction efforts; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 105. A bill to permit management of the red snapper by Gulf Coast States and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER:

S. 106. A bill to amend the Federal Water Pollution Control Act to permit removal to United States district courts of certain civil actions filed in State courts; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 107. A bill to amend the Financial Stability Act of 2010 to repeal certain designation authority of the Financial Stability Oversight Council , to repeal the Payment, Clearing, and Settlement Supervision Act of 2010, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ALEXANDER (for himself, Mr. BENNET, Mr. BURR, Mr. KING, Mr. ISAKSON, and Mr. BOOKER):

S. 108. A bill to amend the Higher Education Act of 1965 to improve access for students to Federal grants and loans to help pay for postsecondary, graduate, and professional educational opportunities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:

S. 109. A bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified; to the Committee on Rules and Administration.

By Mr. HELLER:

S. 110. A bill to rescind funds made available to the Administrator of the Environmental Protection Agency if the Administrator fails to meet certain deadlines; to the Committee on Environment and Public Works.

By Mr. HELLER:

S. 111. A bill to prohibit a Federal agency from establishing or implementing a policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HELLER:

S. 112. A bill to amend the Endangered Species Act of 1973 to require the Secretary of the Interior to publish and make available for public comment a draft economic analysis at the time a proposed rule to designate critical habitat is published; to the Committee on Environment and Public Works.

By Mr. HELLER:

S. 113. A bill to ensure that Federal Register notices submitted to the Bureau of Land Management are reviewed in a timely manner; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 114. A bill to require the Secretary of Veterans Affairs to provide the public with access to research of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HELLER:

S. 115. A bill to increase oversight of small business assistance programs provided by the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. HELLER:

S. 116. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. CRUZ):

S. 117. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 118. A bill to require the Secretary of Health and Human Services to address certain inconsistencies between the self-at-tested information provided by an applicant in enrolling a health plan on an Exchange and being determined eligible for premium tax credits and cost-sharing reductions or in being determined to be eligible for enrollment in a State Medicaid plan or a State child health plan under the State Children's Health Insurance Program and the data received through the Federal Data Services Hub or from other data sources; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MCCONNELL:

S. Res. 21. A resolution making majority party appointments for the 114th Congress; considered and agreed to.

By Mr. DURBIN (for Mr. REID):

S. Res. 22. A resolution to constitute the minority party's membership on certain committees for the One Hundred Fourteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. VITTER:

S. Con. Res. 1. A concurrent resolution expressing the sense of Congress that a carbon tax is not in the economic interest of the United States; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 12

At the request of Mr. BLUNT, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 12, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

S. 16

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 16, a bill to amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch.

S. 23

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 23, a bill to amend title 17, United States Code, with respect to the definition of ''widow'' and ''widower'', and for other purposes.

S. 29

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 29, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 30

At the request of Ms. COLLINS, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Missouri (Mr. BLUNT), the Senator from Kansas (Mr. MORAN), the Senator from Utah (Mr. HATCH), the Senator from New Hampshire (Ms. AYOTTE), the Senator from South Carolina (Mr. SCOTT), the Senator from Ohio (Mr. PORTMAN), the Senator from North Carolina (Mr. BURR), the Senator from Nebraska (Mrs. FISCHER), the Senator from Iowa (Mr. GRASSLEY), the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. VITTER), the Senator from South Dakota (Mr. THUNE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming (Mr. ENZI), the Senator from Idaho (Mr.

CRAPO), the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. ISAKSON), the Senator from North Dakota (Mr. HOEVEN), the Senator from Illinois (Mr. KIRK), the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. GARDNER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 31

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 31, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. FRANKEN, Mr. SANDERS, Mr. WHITEHOUSE, and Mr. HEINRICH):

S. 40. A bill to direct the Federal Communications Commission to promulgate regulations that prohibit certain preferential treatment or prioritization of Internet traffic; to the Committee on Commerce, Science, and Transportation.

Mr. LEAHY. Mr. President, for nearly a year now, Americans across the country have made their voices heard on the critical issue of how we protect an open Internet. Their message has been loud and clear—they want meaningful rules that protect the Internet as a platform for free expression and innovation. Consumers want to see the online space as we have always known it, as a place where the best ideas and services can reach users on merit rather than based on a financial relationship with a broadband provider. Last Congress I joined with my friend in the House, Representative DORIS MATSUI of California, to introduce bicameral legislation requiring the Federal Communications Commission, FCC, to ban ''pay-to-play'' deals on the Internet. Today, I am pleased to once again join with her to reintroduce this important bill.

When we originally introduced this legislation last June, nearly 300,000 Americans had commented on FCC Chairman Tom Wheeler's open Internet proposal. That number alone would have been an impressive level of public engagement. Since that time, however, the number of public comments filed at the FCC has swelled to nearly 4 million. As the comments show, consumers are concerned that without meaningful rules the Internet will become a place where broadband providers charge tolls to websites or applications for them to reach end users. This would represent a fundamental departure from the way in which consumers and entrepreneurs interact with the Internet. A two-tiered Internet based on ability to pay would harm the innovative and competitive environment we have all come to expect in the online world.

Like an overwhelming number of the public, I have grave concerns that a pay-to-play Internet would allow larger companies to squeeze out their competitors, stifling competition online. A small web company in Vermont that develops an idea to rival the largest Silicon Valley titans should not have to worry that its access to consumers could be blocked because its competitors have a paid arrangement with broadband providers. The next generation of Internet companies and retailers should have the same protections that allowed a company like the Vermont Country Store to become a thriving online success.

Pay-to-play arrangements would also harm consumers, who would not have the assurance that the service they are paying for will provide the speed that they want. Too many Americans currently lack real choice in broadband providers, particularly those in rural areas. A pay-to-play Internet could result in whole swaths of the Internet becoming functionally inaccessible to the customers of certain Internet providers. This is not the Internet we know today, and the FCC or Congress must act to ensure that it does not come to pass.

The Online Competition and Consumer Choice Act is straightforward. It requires the FCC to establish rules preventing providers from charging websites for priority access. It also requires rules to prevent providers from prioritizing their own affiliated content or services. These are simple rules to preserve the equal platform we know online today.

This legislation should not be used by opponents of meaningful open Internet rules to undermine the FCC's important work to craft open Internet rules that will protect consumers and innovators. To the contrary, this bill sets out important policy positions that the FCC should adopt in its current consideration of open Internet rules. The FCC should not hesitate to act at its February meeting to ban these deals outright.

The importance of an open Internet is an issue that resonates in homes and businesses across the country. I spent significant time last year listening to voices outside of Washington, particularly those of Vermonters, so that I could hear firsthand about the impact the Internet has had on small businesses and consumers. The Judiciary Committee held two hearings on this issue, including one in Vermont, where I heard exactly these kinds of stories. These are not people looking for a handout or special treatment—these are entrepreneurs and consumers who simply want the Internet to remain an equalizing tool regardless of where you live or how deep your pockets are.

There should be widespread agreement to prevent special deals that harm consumers and dampen online innovation. The FCC and Congress should rightly focus on this timely and significant issue to protect innovation and competition online.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 40

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Online Competition and Consumer Choice Act of 2015''.

SEC. 2. FCC REGULATIONS PROHIBITING CERTAIN PREFERENTIAL TREATMENT OR PRIORITIZATION OF INTERNET TRAFFIC.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commission shall promulgate regulations that—

(1) prohibit a broadband provider from entering into an agreement with an edge provider under which the broadband provider agrees, for consideration, in transmitting network traffic over the broadband Internet access service of an end user, to give preferential treatment or priority to the traffic of such edge provider over the traffic of other edge providers; and

(2) prohibit a broadband provider, in transmitting network traffic over the broadband Internet access service of an end user, from giving preferential treatment or priority to the traffic of content, applications, services, or devices that are provided or operated by such broadband provider, or an affiliate of such broadband provider, over the traffic of other content, applications, services, or devices.

(b) RULES OF CONSTRUCTION.—

(1) CERTAIN TRAFFIC NOT AFFECTED.—Nothing in this section shall be construed as superseding any obligation or authorization a broadband provider may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities, consistent with or as permitted by applicable law, or as limiting the ability of the provider to do so.

(2) CLARIFICATION OF AUTHORITY.—Nothing in this section shall be construed as limiting the authority of the Commission under any other provision of law, including the authority to promulgate regulations prohibiting or limiting preferential treatment or prioritization of the traffic of an edge provider by a broadband provider under GN Docket No. 14–28 (relating to the matter of protecting and promoting the open Internet).

(c) ENFORCEMENT.—For purposes of sections 503(b) and 504 of the Communications Act of 1934 (47 U.S.C. 503(b); 504), this section shall be considered to be a part of such Act. With respect to enforcement under this section only, the following modifications of such section 503(b) shall apply:

(1) Paragraph (5) shall not apply.

(2) Paragraph (6) shall be applied by substituting the following: ''No forfeiture penalty shall be determined or imposed against any person under this subsection if the violation charged occurred more than 3 years prior to the date of issuance of the required notice or notice of apparent liability.''.

(d) DEFINITIONS.—In this section:

(1) AFFILIATE.—The term ''affiliate'' has the meaning given such term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(2) BROADBAND INTERNET ACCESS SERVICE.—The term ''broadband Internet access service'' has the meaning given such term in section 8.11 of title 47, Code of Federal Regulations.

(3) BROADBAND PROVIDER.—The term ''broadband provider'' means a provider of broadband Internet access service.

(4) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(5) EDGE PROVIDER.—The term ''edge provider'' means an individual, institution, or other entity that provides—

(A) any content, application, or service over the Internet; or

(B) a device used for accessing any content, application, or service over the Internet.

(6) END USER.—The term ''end user'' means an individual, institution, or other entity that uses a broadband Internet access service.

By Mrs. FEINSTEIN:

S. 81. A bill to authorize preferential treatment for certain imports from Nepal, and for other purposes; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Nepal Trade Preferences Act.

This legislation is simple and straightforward. It grants duty-free status to imports of Nepalese garments for a ten year period.

I have been a friend of Nepal and the Nepalese people for over 25 years. I have witnessed its political struggle and sadly the deterioration of its ready-made garment industry.

The Nepal Trade Preferences Act bill will promote much-needed economic development and contribute to lasting political stability in one of the world's poorest countries.

Allow me to go over some basic facts of everyday life in Nepal.

Nepal has a per capita income of $730.

Approximately 25 percent of the Nepal's 24 million people live in poverty.

The unemployment rate in Nepal stands at a staggering 47 percent; and most Nepalese live on $2 a day.

The 2005 phase-out of the Micro-Fiber Arrangement, which established export quotas from developing nations, has deeply damaged Nepal's apparel industry.

Instead of continuing to import garments from Nepal, U.S. importers have shifted their orders to China, Bangladesh and other low-cost labor markets.

In fact, the number of people employed by the Nepalese garment industry dropped from over 90,000 people to less than 5,000 today; textile and apparel exports from Nepal to the United States fell from approximately $95 million in 2005 to $45 million in 2013; and the number of garment factories plummeted from 212 to 30.

Despite Nepal's poverty and the near-collapse of the garment industry, Nepalese garment imports are still subject to an average U.S. tariff of 11.7 percent and can be as high as 32 percent.

In essence, we are unfairly taxing the imports of a highly impoverished country that cannot afford it. Taxing textile and apparel imports from Nepal, which constitute .01 percent of all U.S. imports, makes no sense.

I would point out that U.S. tariffs on Nepalese garments stand in contrast to the policies of the European Union, Canada, and Australia, which all allow Nepalese garments into their markets duty free.

It should come as no surprise, then, that while the U.S. share of Nepalese garment exports has fallen, the European Union's share has risen from 18.14 percent in 2006 to 46 percent in 2010.

The purpose of the ''Nepal Trade Preferences Act'' is to ensure that we provide Nepal with the same trade preferences afforded to it by other developed countries. No more, no less.

Humanitarian and development assistance programs should be critical components of our efforts to help Nepal. I was proud to support the President's budget request of $77 million for Nepal in fiscal year 2015.

But assistance is no substitute for organic economic development. We should help the Nepalese people help themselves by reopening the U.S. market to a once thriving export industry.

In the end, economic growth and prosperity can be best achieved when Nepal is given the chance to compete and grow in a free and open global marketplace.

With this legislation, the United States can make a real difference now to help revitalize the garment industry in Nepal and promote economic growth and higher living standards.

There is no doubt that Nepal has struggled to draft a new constitution and coalesce around a governing majority.

While only Nepal can chart its political course, passing this measure would undoubtedly help regenerate Nepal's stagnant economy.

Let us show our solidarity with the people of Nepal by passing this commonsense measure.

I urge my colleagues to support the Nepal Trade Preferences Act.

By Mr. ALEXANDER (for himself, Mr. BENNET, Mr. BURR, Mr. KING, Mr. ISAKSON, and Mr. BOOKER):

S. 108. A bill to amend the Higher Education Act of 1965 to improve access for students to Federal grants and loans to help pay for postsecondary, graduate, and professional educational opportunities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I ask consent that the Senator from Colorado, Mr. BENNET, and I, along with the Senator from Maine, Mr. KING, the Senator from New Jersey, Mr. BOOKER, the Senator from Georgia, Mr. ISAKSON, and the Senator from North Carolina, Mr. BURR, be able to engage in a colloquy on higher education for the next half hour.

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

Mr. ALEXANDER. I further ask unanimous consent to use a piece of demonstrative evidence in my remarks.

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

Mr. ALEXANDER. The Senator from Colorado, MICHAEL BENNET, and I have been working for 1 year to make it easier for the 20 million American families who fill out the Federal application form each year in order to receive grants and loans for college.

The piece of demonstrative evidence that Senator BENNET and I have been carrying around in Tennessee and Colorado is the Free Application for Federal Student Aid or FAFSA. This is the form that 20 million Americans fill out. It is familiar to many families as it has 108 questions, and it is important to them because about half of the American families who have students in college have a Federal grant or loan to help pay for college.

The problem with the 108 questions is that they are generally unnecessary. Senator BENNET and I were at a Health, Education, Labor and Pensions Committee hearing. We heard four witnesses representing different perspectives in our country saying that we only need two questions to know whether we could make a Federal grant or loan to a student from Wisconsin who wanted to go to community college with roughly 95 percent accuracy.

So today we are introducing legislation which is named the Federal Aid Simplification and Transparency, or FAST, Act. It will turn these 108 questions into two—one about the amount of family income and one about the size of family. It will free students and their families from the dreaded FAFSA. It will eliminate thousands of hours of busywork by guidance counselors, college administrators, parents, and accountants.

I will use a specific example. On Friday I am going to Tennessee with President Obama, who has been attracted to our great State because we have become the first State to say to all of our high school graduates that community college is tuition-free. How can we do that in Tennessee? Tuition at community colleges, like in some places in the country, is about $3,600 per year, and the Pell grant can pay up to $5,700, but on average needy students receive about $3,300. So for about half the students, there is only a small gap between the amount the Federal Pell grant pays and what tuition costs. Tennessee has committed to make up the difference.

But here is the catch: The major obstacle to Tennesseans who want to

take advantage of the new Tennessee Promise Program is the 108-question form. The president of the community college in Memphis, Southwest Tennessee Community College, tells me he thinks he loses 1,500 students a semester because of the complexity of the form. They just don't fill it out.

So it is a terrific example of how the Federal Government, with good intentions, has built up over the years an enormous amount of paperwork that is getting in the way of the single greatest need our State has, which is to have more of our students better trained. This will help the businesses that are attracted there offering good jobs will be able to hire people who are properly trained.

In addition to that, our bill does the following things:

It not only eliminates the 108 questions and replaces them with 2, it tells families the result earlier in the process. For example, if you have a daughter who is a junior in high school, now you will be able to go online and find out—answering two questions—how much money you are eligible for in grants and loans. Now you have to wait until the second semester of your senior year.

The next thing it does is it streamlines the Federal grant and loan programs by combining two Federal programs into one Pell Grant Program and reduces the six different Federal loan programs into three—one undergraduate loan program, one graduate loan program, and one parent loan program—resulting in more access for students.

Fourth, it enables students to use a Pell grant in a manner that works for them. They can use it year-round—now they cannot use it for three straight semesters—or at their own pace.

Next, it discourages overborrowing. Too many students borrow extra money they do not need to go to college. For example, under the Federal rules a student is entitled to borrow the same amount of money if they go full time as they are if they go half time. That makes no sense. It saddles students with debt they cannot pay back.

Finally, it simplifies the repayment options. Now there are nine different ways to make repayments. We suggest two.

Senators KING and BURR have their own bill, which they will be introducing today and talking about a little later, that streamlines repayment options.

I have been delighted to work with Senator BENNET. I congratulate him. His background as the Denver school superintendent and as a father has made him a very effective advocate for this effort. We have listened to educators and parents in our own States. The bill has been out there now for more than half a year. We have attracted other sponsors, including Senator BOOKER and Senator ISAKSON. We hope other Senators will want to join us.

Finally, I would say before going to Senator BENNET that as chairman of the Senate committee that handles education—the Health, Education, Labor and Pensions Committee—we are ready to move on this. As soon as we can finish our work on fixing No Child Left Behind, which we have been working on for 6 years and have held 24 hearings. In addition, almost all of the members of the current committee were there last year when we reported a bill—as soon as we can finish that work, we will be ready to move to reauthorize the Higher Education Act to deregulate higher education starting with the FAST Act and the legislation Senators KING and BURR have promoted.

I thank the Senator from Colorado for his partnership on this. I salute him for his leadership.

The PRESIDING OFFICER. The Senator from Colorado

Mr. BENNET. Mr. President, I am delighted to be on the floor today with, among others, Senator ALEXANDER, who has worked so hard on the bill we are talking about today. Through the Chair, I want to wish him well in his new role as chair of the Health, Education, Labor and Pensions Committee on which I serve. He is quite right to have said this bill came to us as a result of testimony in front of that committee by a variety of witnesses but all of whom agreed that the current system is completely unwieldy. I would also like to thank the other cosponsors—Senators BURR, BOOKER, ISAKSON, and KING—for joining the efforts and for being here today as well.

I first became aware of this problem when I was superintendent of the Denver public schools. We had a couple who very generously donated $50 million for scholarships for kids who were graduating from the Denver public schools and who had applied to college. One of the things we learned in that process was how terrible the process was for filling out the financial aid forms for the Federal Government. That was a requirement we had for people to be able to be eligible for this scholarship. We literally had to put new rooms in our schools, in our high schools, and staff them with people in order to fill out these forms.

Every year tens of thousands of students and parents in Colorado and millions more across the country fill out the FAFSA as part of the college application process. It is the gateway to financial aid. By some estimates, over 2 million people who are eligible for financial aid and Pell grants do not get it simply because of the complexity of the form.

I ask unanimous consent to show some demonstrative evidence.

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

Mr. BENNET. Here is this year's form. It is a different color than the one we had last year. This is the form a student has to fill out—108 questions. This is the instruction manual that goes with the form, which is something in the neighborhood of 66 pages long. It is very tiny print.

To be honest, the ridiculousness of this form would be funny if it were not for the lost time, money, and energy our country spends on it. Here are some of the examples of the questions families have to put up with on this form. Several times there are questions about income. We have been told by the witnesses we had that we only need two questions. There are a number of questions about income, investments, and assets. Each requires notes and instructions which are contained in here.

Question 36: What was your and your spouse's adjusted gross income for 2014?

Question 37: Enter your and your spouse's income tax for 2014.

Question 39: How much did you earn from working in 2014?

Question 40: How much did your spouse earn from working in 2014?

It is ridiculous.

The questions become even more complicated.

Question 42: As of today, what is the net worth of your and your spouse's investments, including real estate but don't including the home you live in?

That is the kind of reaction we get all over the country when we talk about this at home.

The instruction form here says, for question No. 43, the net worth of businesses and/or investments.

Business or farm value includes the current market value of land, buildings, machinery, equipment, inventory, et cetera. Do not include your primary farm. Do not include the net worth of a family-owned and controlled small business with more than 100 full-time or full-time equivalent employees.

Just to make it really clear, in dark print, bolded print, it says: business/farm value minus business/farm debt equals net worth of business. This is as complicated as any tax form.

At a time when the demands of the global economy require us to have more college access, not less, it is a shame that this bureaucratic piling up of questions is making it harder and harder for people to go to college.

So I think this is going to be great for our students, to get it down to a postcard that has two questions. The estimate is that the time saved by moving away from this existing form is the equivalent of 50,000 jobs that could be spent actually providing college guidance to young people who will now have the benefit of knowing, as Senator ALEXANDER said so eloquently, what financial aid they will be eligible for in their junior year before they apply to college rather than waiting until their senior year, until they have already been admitted to college. That makes no sense to the people we represent, and there is a reason for it—it is because it makes no sense.

My hope is that this is a bill we will be able to move this year. Again, I thank Senator ALEXANDER for his tremendous leadership.

Mr. ALEXANDER. Mr. President, I thank Senator BENNET.

I would like to send to the desk the FAST Act that Senator BENNET and I are introducing, with the cosponsorship of Senator BOOKER, Senator BURR, Senator KING, and Senator ISAKSON.

In this colloquy, I would like now to recognize the Senator from New Jersey for 5 minutes to comment on the bill, if he would like.

Mr. President, following that—the Senator from North Carolina and the Senator from Maine, who are cosponsors of this bill, are here, but they also have a separate bill on income repayments which they will discuss.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. I wish to thank Senators BENNET and ALEXANDER for their work on this legislation. It is going to help our Nation's students make better, smarter, and more-informed decisions about higher education.

Historically, the United States has been the leader globally in expanding college opportunity. We understand that an educated workforce is essential to our Nation's economic competitiveness. Without highly skilled workers, America will not be able to compete in the global economy.

The average price of a college degree in the United States is climbing—about $13,856. Please put that in perspective with our competitor nations, nations that are keeping the cost of college low, knowing that their long-term competitiveness as a country depends on the education of their children, nations such as the United Kingdom, where a college education costs less than half of ours, and Germany, where kids pay a mere $933.

The average American student now is graduating from college with around $29,000 in loans. In New Jersey, that is up from an average of $27,000 in 2011 and $23,000 and change in 2010. This is unacceptable. Mounting debt is undermining not only the success of our individual young people in our country, but it is undermining the long-term competitiveness our Nation has in a global knowledge-based economy. That is one reason why it is important that we work to make the process of obtaining financial aid simpler and more straightforward.

We saw the ridiculousness which Senator BENNET held up in the length of the form and the explanation document. Well, this has to change. This is something I recognized when I was mayor of the city of Newark. We had classes. Literally we called it, I think, Financial Aid University, where we brought experts in just to try to help students navigate all of that. We spent so many resources knowing that for our kids from Newark to be competitive, we had to help them navigate this labyrinth of challenging questions and documents that it takes perhaps a college degree or even more to figure out.

When I first came to the Senate about 13 months ago, one of the first pieces of legislation I offered, having had that experience, was a way of simplifying these forms. There is an urgency here because the College Board estimates that 2.3 million students do not fill out the FAFSA form, the free application for financial aid. Because the form is a gateway to financial aid, having 2.3 million being deterred from actually filling it out is a harm to our Nation, not just to those individual students. Many students who qualify for Federal aid skip the form because they find it—as we obviously saw—too complex.

Because eligibility is currently based on income information for the year immediately preceding enrollment, financial aid deadlines mean that tax data is not yet available. As a result, students must determine how to fill out financial aid questions on the FAFSA form and take additional steps then to submit later the tax documents.

We know more can be done to make this process simpler and accessible, which is why I am pleased. I was really rejoicing when Senator ALEXANDER and Senator BENNET showed me there was a way we could work—even further than the legislation I introduced in the last Congress—to reduce it to two questions—saving time, saving energy, saving stress but even more importantly empowering students to get their education and contribute to our economy so that we can compete with those other countries that seem to be doing a much better job than we are in keeping the cost of college low.

This bill streamlines the financial aid system, simplifies the FAFSA form, discourages overborrowing—which is a problem—and, most importantly, gives students and families better information earlier in the process to enable them to make better decisions for them. This bill is a good step.

This bill is a great step. I am looking forward to working with the higher education community as well as students and families in New Jersey on how we can be successful in simplifying this process, increasing access to college and boosting not only enrollment but the economic output of our citizenry.

Again, I thank Senator ALEXANDER and Senator BENNET for their work and leadership. I am pleased to be with them in this effort, and I look forward to continuing the conversation this year.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. The Senator from New Jersey is known in his State and across the country as a pioneer in education, putting children first.

Having his support and advice on this bill will be a great advantage in helping it go from the Senate floor through the House to the President's desk and into law.

In 2013 the Congress and President Obama made significant steps forward in improving the student loan program—a $100 billion per year Federal program to help students go to college. That law created a market-based, market-pricing system, and it had the effect in that year of reducing the rate for undergraduates, cutting it about in half.

The two Senators who led that were the Senator from North Carolina, Mr. BURR, and the Senator from Maine, Mr. KING. Senator BURR and Senator KING have continued to work on student loans, making it easier for students to go to college, easier for them to pay their loans, and easier for them to pay them back.

We are proud to have them as cosponsors, but they have their own legislation on student loan repayments, which I am pleased to cosponsor and which will be a top priority in the Senate HELP Committee as soon as we finish fixing No Child Left Behind.

I now yield in this colloquy to Senator BURR.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. I thank Senator ALEXANDER and Senator BENNET, and I thank them for what they propose in the FAST Act.

As a parent who went through two kids going to college, when I was presented that form, I realized I wasn't capable of doing it.

I remember a story still today of a dear colleague of mine in the House of Representatives—many know Sonny Bono. We asked Sonny one day: Why did you come to Congress? How did you get into politics?

He said: Well, I became mayor of a city for one reason—because I opened a restaurant. When I went to get a sign permit, they gave me 50 pages to fill out. I didn't graduate from high school, but I figured out it was easier for me to run for mayor, win, and make the sign permit 1 page than it was for me to fill out 50 pages.

That is how he got his start in politics.

I might say, as a parent, to be able to—on a post card—apply and know whether I was eligible for my children's student aid would be a tremendous thing for all parents.

Senator KING and I are on the floor to talk specifically about the Repay Act.

As we have looked at student loans and as the government has become the primary loan component for student loans, what we have seen is that the consolidation of one's loans has dramatically increased in an incoherent way. Now, some might say that is exactly what government does. We say we are going to fix a problem, and we fix it in a way that you don't understand it; it is way too cumbersome.

What we have tried to do is we have made an effort to provide more avenues for or options for children to choose or parents to choose how to pay back student loans. What we have done is we have made it as complicated as the form that Senator BENNET showed, which determines eligibility.

Currently, the Federal Government offers 12 repayment options for students. Among these 12 options, students are offered a series of terms and

conditions that often overlap amongst several other programs with very similar sounding names and stated benefits. The problem gets worse annually.

The administration continues to do new regulations every time we see a problem, and those regulations then overlap with existing regulations on student loans to where individuals don't know exactly what their options are—what Senator KING and I want to do.

We will introduce, hopefully later today, the Repay Act. It provides two options that kids choose from: a fixed-rate option for repayment and an income-based option for repayment.

We also realize that under the income-based options that are out there today an individual who is married could file as married—filing an individual tax form—and their household income isn't considered for the amount they are going to repay on a monthly basis. That is not how we designed it.

We designed it so what their income capability was, their repayment would reflect it. In other words, we have people who are gaming the system today because their one spouse makes a lot of money and one spouse doesn't make much, and they pay a minimal amount of monthly student loan repayments. When they do that, they cheat the other students behind them because they take money out of the system that can be used for those individuals who desperately need it.

The Repay Act streamlines a multitude of loan programs and creates a fixed-base and income-based repayment. It does it by consolidating all income-based repayment programs into one repayment program that caps borrowing at $57,500 for 20 years and limits to 25 years the repayment period for loans over $57,500, while ensuring the monthly payments rise at a reasonable rate based upon that annual income level—again, the household income level.

The benefit for students is they will up front have the knowledge they need of what they will expect to pay based upon the amount they borrow.

We believe this will drive smarter borrowing decisions and will lead students to limit the amount of debt they take prior to going to school. Behavioral economists argue that when an individual's options are less complex and straightforward, individuals are more likely to make rational decisions.

Senator KING and I believe the changes included in the Repay Act will promote those rational decisions that will ultimately lead to smarter borrowing that leads to repayment and ultimately healthier financial situations for our Nation's graduates.

Why are we here? It is because only 80 percent of our student loans are being repaid. That means 20 percent is in default.

What we want to do is we want to see kids get a great education. We want to see the ability for that to be paid for, and we want that money to be repaid based upon their success in the marketplace. I believe this act will put us on that road to do it.

Now, I don't want to pretend, and I don't think Senator KING will pretend, this isn't something that we crafted and created. This is the result of ideas that were put forward by the National Association of Student Financial Aid Administrators, the Lumina Foundation for Education, the Education Finance Council, the American Council on Education, the Young Invincibles, the Institute for College Access and Success, the New America Foundation, and many other groups.

This is truly Congress, the Senate at its best, reaching out to organizations that do this day in and day out, just as I think the chairman did on the application-card student aid form.

We have tried to search the best ideas. From that we have gleaned them and put them into the Repay Act. We will introduce this bill. I thank the chairman. It does complement very much the FAST Act.

I thank my colleague, Senator KING, for his help on the introduction of this bill.

I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from North Carolina. No one was more instrumental in the work in 2013 that reformed student loans to reduce the interest rate for undergraduates by nearly half that year.

In his State of North Carolina there are many of the best universities and 2-year colleges in the country, and I know education has been and is foremost for him.

I look forward to working with him, the members of our committee and every Senator on the floor, as we go through the process with a full and honest debate on important issues using an open amendment process. Then I hope we are able to work with President Obama again this year in the same way we were in 2013 to achieve a result.

A forceful advocate for that result in 2013 was the Senator of Maine who has the advantage of having been a Governor, Senator KING, and we will let him have the final say in this colloquy.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Economic development and jobs is what unites us in this body. That is what we all want. That is what everyone here is striving to achieve—jobs and opportunity for the people of this country.

There are many factors that contribute to that, and we can discuss and debate all of them this year. I suspect that we will. There is infrastructure, tax policy, smart regulation, and regulatory reform. But the one about which there is very little dispute is education.

The single greatest job creation and economic development act in the history of the United States was the GI bill, subsequent to World War II, which opened the doors of college and higher education, to millions of Americans and literally built the middle class in this country. Education is what it is all about and education is even more important now than it was then.

There was a time in this country when you could graduate from high school and get a pretty good job in a mill, make good money, have two cars in the garage, and lead a successful life. That is much more difficult today. Even those jobs in those mills require more education.

In my State of Maine we did a survey a few years ago that showed 70 percent of the jobs had people touching a computer every day. That is what takes an education, and to get an education takes access.

I will share one rather chilling statistic in terms of the competitive nature of the 21st century. We are engaged in competition. We are engaged in competition with the entire world and they want our jobs.

A little statistic is the top 8 percent of high school graduates in China are equal in number to all the high school graduates in the United States. Think about that for a minute—the top 8 percent in China are equal in number to all the high school graduates of the United States.

We are going to have to work to compete, and the only way we are going to be able to do that is if we work smart, and the only way we are going to be able to work smart is with education and expanded opportunity and access to education. Higher education in the 21st century, I would submit, is more important than ever.

There has been attention to this over the years by State governments, local governments, by parents, by students, and by the Federal Government, going back to the midst of the Civil War, when one of the great education bills of all time was passed, the land grant college system in 1864. Support for research at our great universities has been a Federal effort.

Student loans have been a part of what we have tried to contribute to this system for many years. Then, of course, we have Pell grants, which have enabled millions of students to find opportunity in higher education. But, ironically, the very programs that are designed to increase access to higher education have, themselves, become inaccessible.

Senator ALEXANDER and Senator BENNET made a dramatic showing today with these ridiculous forms. When you read the forms the conclusion is: I guess my kid isn't going to go to college.

We have created a system where you need an accountant, a lawyer at your shoulder in order to fill out a form for financial aid, and the people who need it the most are the least likely to have the resources to bring those experts to bear on the process. Programs designed to promote access have themselves become inaccessible.

So that is what today is all about. That is what our discussion is all about. It is about accessibility and simplification. Senators ALEXANDER and BENNET and BOOKER have brilliantly articulated the power of the idea behind the FAST Act: reduce the questions to just a few simple questions to get the necessary information. You don't need 80 pages of instructions to answer two questions. It will open the doors to literally millions of students whom we need. This isn't nice to have; this is need to have. This is an economic security and a national security question. We need these people. The current form is discouraging the very people we want: those who may or may not take the plunge into higher education. The simple fact is you shouldn't need an accountant to figure out whether you can get financial aid to go to college.

The complementary bill Senator BURR and I are introducing today, along with Senator RUBIO and Senator WARNER, is called the Repay Act. The bill Senator ALEXANDER is speaking to is about accessibility and simplification on the front end. Our bill is accessibility and simplification on the back end, dealing with the issue of repayment. It basically reduces eight current options—and I have a chart that would make Rube Goldberg blush in terms of the complexity of the current options—to two. One is a 10-year fixed repayment plan, which certain students can select if it makes sense for them, and the other is a variable income-driven plan.

As Senator BURR pointed out, the ideas for this bill came from across the spectrum—from students, financial aid offices, financial aid administrators, Republicans, Democrats, and President Obama in his most recent budget.

By the way, one of the groups Senator BURR mentioned is the Young Invincibles. I would like to be a Young Invincible. I would like to see where I can join that group because sometimes I don't exactly feel that way. But this is an idea I think is invincible because it just makes so much common sense.

Borrowers can switch between the fixed payment and the variable payment depending upon their circumstances, but they never pay more than 15 percent of their disposable income.

I think another important provision is if a borrower is totally and permanently disabled and the loan is forgiven, they do not have to pay tax on the loan that is forgiven. Under current law, they have to pay an income tax on the phantom income of the loan that is forgiven.

I particularly thank Senators WARNER and RUBIO for joining us on this bill. They had their own bill on this repayment structure last year, and they have generously decided to join forces with us on this bill, and I believe that will add substantial weight to our work. They have already made contributions to the drafting of the bill, and I think that will help us considerably as we move forward with this legislation.

Quite often around here we talk about things we can't do—we can't do—problems we can't fix. This is something we can do. This is a human problem of our making by layering programs over one another and having the bureaucratic rules build over the years to the point where, as I said, it has created an accessibility problem for the very program designed to give access.

These are important bills. They are not necessarily the bills that are going to get the headlines or cause all the fights and the friction, but these are the quiet kinds of changes that will change our country. They will provide opportunity for our students, for our families, and for our country. I am proud to join Senator ALEXANDER, the chair of the HELP Committee, and Senator BURR particularly, who has worked so hard on this bill. I think we have a combination of bills that will make a difference in people's lives and in the future of this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, as the colloquy is concluding, I want to thank the Senators from Maine and New Jersey for their leadership and the Senator from North Carolina. I can assure them the King-Burr bill, with the support of Senator RUBIO and Senator WARNER, will be combined with our bill and be front and center on the agenda of the HELP Committee as early as we can this year. As far as I am concerned, it is the next priority after we fix No Child Left Behind. I am hopeful we can bring it to the floor by the spring, give the full Senate a chance to consider it, combine it with action of the House and work with the President, just as we did in 2013.

I am going to turn to Senator BENNET for just a minute to let him have a concluding word, but I wanted to say this. As I mentioned, President Obama is going to Tennessee on Friday. He is going to celebrate an initiative Tennessee has taken by itself to say to all high school graduates: Two years of community college education is tuition free. Of course, that is based upon the Pell grant. The State just makes up the difference, which isn't that much.

I am going to have an opportunity to say to the President: Mr. President, the one thing the Federal Government can do to make it easier for more Tennesseans to take advantage of Tennessee Promise is to get rid of the FAFSA. Because the President of Southwest Tennessee Community College in Memphis says 1,500 students a semester are not enrolling in community college, who ought to be going, just because they and their families are intimidated by this form or can't fill it out.

There is no excuse for that, and we are going to fix that. Maybe the solution is three questions, maybe it is four questions, but surely it is not 108 questions, and 70 or 80 pages of instructions, wasting the time of administrators, guidance counselors, parents, accountants, students, and discouraging Americans from taking advantage of education.

I ask unanimous consent to have printed in the RECORD a one-page summary of the FAST Act.

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

FINANCIAL AID SIMPLIFICATION AND TRANSPARENCY (FAST) ACT

A Bill introduced by Senators Alexander and Bennet to simplify the federal financial aid programs and application process.

What the Bill Does:

Eliminates the Free Application for Financial Student Aid, or FAFSA, by reducing the 10-page form to a postcard that would ask just two questions: What is your family size? And, what was your household income two years ago?

Tells families early in the process what the federal government will provide them in a grant and loan by using earlier tax data and creating a look-up table to allow students in their junior year of high school to see how much in federal aid they are eligible for as they start to look at colleges.

Streamlines the federal grant and loan programs by combining two federal grant programs into one Pell grant program and reducing the six different federal loan programs into three: one undergraduate loan program, one graduate loan program, and one parent loan program, resulting in more access for more students.

Enable students to use Pell grants in a manner that works for them by restoring year-round Pell grant availability and providing flexibility so students can study at their own pace. Both provisions would enable them to complete college sooner.

Discourages over-borrowing by limiting the amount a student is able to borrow based on enrollment. For example, a part-time student would be able to take out a part time loan only.

Simplifies repayment options by streamlining complicated repayment programs and creates two simple plans, an income based plan and a 10-year repayment plan.

Mr. ALEXANDER. I thank the Presiding Officer for the time, I thank my fellow Senators, and I yield for the final words of the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I again say thank you to the chairman of the HELP Committee for all his leadership and his work dealing with this form. We have been after this for about 1 year.

This might be a quiet bill, as Senator KING said earlier, but in my travels around the State I can't find anybody who is unhappy with this legislation except for the people who have already filled out the form, who are asking: Where were you 5 years ago when I was having to do this for my students or where were you when I was having to fill this out for my college education?

It makes absolutely no sense. I am sure many of these questions are well intentioned, but what we have learned in the hearings we have had, in the testimony, is they are not necessary. If

they are not necessary, we shouldn't be asking them. Our students would be a lot better off spending their time figuring out what college they want to attend, figuring out what course of study they want to undertake than spending their time with this bureaucratic nightmare.

I am enormously optimistic that we are going to get this passed with the chairman's leadership, and I look forward to working with my colleagues on that. I would like to thank the Senator from New Jersey again for signing on as one of the original cosponsors.

With that, I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 21—MAKING MAJORITY PARTY APPOINTMENTS FOR THE 114TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 21

Resolved, That the following be the majority membership on the following committees for the remainder of the 114th Congress, or until their successors are appointed:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Boozman, Mr. Hoeven, Mr. Perdue, Mrs. Ernst, Mr. Tillis, Mr. Sasse, Mr. Grassley, Mr. Thune.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran, Mr. McConnell, Mr. Shelby, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Kirk, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Cassidy, Mr. Lankford, Mr. Daines.

COMMITTEE ON ARMED SERVICES: Mr. McCain (Chairman), Mr. Inhofe, Mr. Sessions, Mr. Wicker, Ms. Ayotte, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Mrs. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Lee, Mr. Graham, Mr. Cruz.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Shelby, Mr. Crapo, Mr. Corker, Mr. Vitter, Mr. Toomey, Mr. Kirk, Mr. Heller, Mr. Scott, Mr. Sasse, Mr. Cotton, Mr. Rounds, Mr. Moran.

COMMITTEE ON BUDGET: Mr. Grassley, Mr. Enzi, Mr. Sessions, Mr. Crapo, Mr. Graham, Mr. Portman, Mr. Toomey, Mr. Johnson, Ms. Ayotte, Mr. Wicker, Mr. Corker, Mr. Perdue.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Rubio, Ms. Ayotte, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Johnson, Mr. Heller, Mr. Gardner, Mr. Daines.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski (Chairman), Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Hoeven, Mr. Alexander, Mrs. Capito.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Inhofe, Mr. Vitter, Mr. Barrasso, Mrs. Capito, Mr. Crapo, Mr. Boozman, Mr. Sessions, Mr. Wicker, Mrs. Fischer, Mr. Rounds, Mr. Sullivan.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Coats, Mr. Heller, Mr. Scott.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker, Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. Gardner, Mr. Perdue, Mr. Isakson, Mr. Paul, Mr. Barrasso.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Enzi, Mr. Alexander, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Ms. Murkowski, Mr. Kirk, Mr. Scott, Mr. Hatch, Mr. Roberts, Mr. Cassidy.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. McCain, Mr. Johnson, Mr. Portman, Mr. Paul, Mr. Lankford, Ms. Ayotte, Mr. Enzi, Mrs. Ernst, Mr. Sasse.

COMMITTEE ON THE JUDICIARY: Mr. Hatch, Mr. Grassley, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Vitter, Mr. Flake, Mr. Perdue, Mr. Tillis.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Alexander, Mr. McConnell, Mr. Cochran, Mr. Roberts, Mr. Shelby, Mr. Blunt, Mr. Cruz, Mrs. Capito, Mr. Boozman, Mr. Wicker.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Vitter, Mr. Risch, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Fischer, Mr. Gardner, Mrs. Ernst, Ms. Ayotte, Mr. Enzi.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Isakson, Mr. Moran, Mr. Boozman, Mr. Heller, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

COMMITTEE ON INDIAN AFFAIRS: Mr. McCain, Ms. Murkowski, Mr. Barrasso, Mr. Hoeven, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran.

COMMITTEE ON ETHICS: Mr. Roberts, Mr. Isakson, Mr. Risch.

COMMITTEE ON INTELLIGENCE: Mr. Burr, Mr. Risch, Mr. Coats, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Lankford, Mr. Cotton.

COMMITTEE ON AGING: Ms. Collins, Mr. Hatch, Mr. Kirk, Mr. Flake, Mr. Scott, Mr. Corker, Mr. Heller, Mr. Cotton, Mr. Perdue, Mr. Tillis, Mr. Sasse.

JOINT ECONOMIC COMMITTEE: Mr. Coats, Mr. Lee, Mr. Cotton, Mr. Sasse, Mr. Cruz, Mr. Cassidy.

SENATE RESOLUTION 22—TO CONSTITUTE THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FOURTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. DURBIN (for Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 22

Resolved, That the following shall constitute the minority party's membership on the following committees for the One Hundred Fourteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Ranking), Mr. Leahy, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Donnelly, Ms. Heitkamp, Mr. Casey.

COMMITTEE ON APPROPRIATIONS: Ms. Mikulski (Ranking), Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Tester, Mr. Udall, Mrs. Shaheen, Mr. Merkley, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy.

COMMITTEE ON ARMED SERVICES: Mr. Reed (Ranking), Mr. Nelson, Mrs. McCaskill, Mr. Manchin, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Hirono, Mr. Kaine, Mr. King, Mr. Heinrich.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Brown (Ranking), Mr. Reed, Mr. Schumer, Mr. Menendez, Mr. Tester, Mr. Warner, Mr. Merkley, Ms. Warren, Ms. Heitkamp, Mr. Donnelly.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Nelson (Ranking), Ms. Cantwell, Mrs. McCaskill, Ms. Klobuchar, Mr. Blumenthal, Mr. Schatz, Mr. Markey, Mr. Booker, Mr. Udall, Mr. Manchin, Mr. Peters.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Cantwell (Ranking), Mr. Wyden, Mr. Sanders, Ms. Stabenow, Mr. Franken, Mr. Manchin, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Warren.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mrs. Boxer (Ranking), Mr. Carper, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Merkley, Mrs. Gillibrand, Mr. Booker, Mr. Markey.

COMMITTEE ON FINANCE: Mr. Wyden (Ranking), Mr. Schumer, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, Mr. Bennet, Mr. Casey, Mr. Warner.

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez (Ranking), Mrs. Boxer, Mr. Cardin, Mrs. Shaheen, Mr. Coons, Mr. Udall, Mr. Murphy, Mr. Kaine, Mr. Markey.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mrs. Murray (Ranking), Ms. Mikulski, Mr. Sanders, Mr. Casey, Mr. Franken, Mr. Bennet, Mr. Whitehouse, Ms. Baldwin, Mr. Murphy, Ms. Warren.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Carper (Ranking), Mrs. McCaskill, Mr. Tester, Ms. Baldwin, Ms. Heitkamp, Mr. Booker, Mr. Peters.

SELECT COMMITTEE ON INTELLIGENCE: Mrs. Feinstein (Ranking), Mr. Wyden, Ms. Mikulski, Mr. Warner, Mr. Heinrich, Mr. King, Ms. Hirono and Mr. Reed (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Ranking), Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Franken, Mr. Coons, Mr. Blumenthal.

COMMITTEE ON THE BUDGET: Mr. Sanders (Ranking), Mrs. Murray, Mr. Wyden, Ms. Stabenow, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Ms. Baldwin, Mr. Kaine, Mr. King.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Ranking), Mrs. Feinstein, Mr. Durbin, Mr. Udall, Mr. Warner, Mr. Leahy, Ms. Klobuchar, Mr. King.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Cardin (Ranking), Ms. Cantwell, Mrs. Shaheen, Ms. Heitkamp, Mr. Markey, Mr. Booker, Mr. Coons, Ms. Hirono, Mr. Peters.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Blumenthal (Ranking), Mrs. Murray, Mr. Sanders, Mr. Brown, Mr. Tester, Ms. Hirono, Mr. Manchin.

SPECIAL COMMITTEE ON AGING: Mrs. McCaskill (Ranking), Mr. Nelson, Mr. Casey, Mr. Whitehouse, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Warren, Mr. Kaine.

JOINT ECONOMIC COMMITTEE: Ms. Klobuchar (Ranking), Mr. Casey, Mr. Heinrich, Mr. Peters.

SELECT COMMITTEE ON ETHICS: Mrs. Boxer (Co-Chair), Mr. Coons, and Mr. Schatz.

COMMITTEE ON INDIAN AFFAIRS: Mr. Tester (Ranking), Ms. Cantwell, Mr. Udall, Mr. Franken, Mr. Schatz, and Ms. Heitkamp.

SENATE CONCURRENT RESOLUTION 1—EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX IS NOT IN THE ECONOMIC INTEREST OF THE UNITED STATES

Mr. VITTER submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 1

Whereas a carbon tax is regressive in nature and would unfairly burden those vulnerable individuals and families in the United States that are already struggling with increasing electricity rates and a slow economic recovery;

Whereas a carbon tax would increase the cost of every good manufactured in the United States;

Whereas a carbon tax would harm the entire United States manufacturing sector;

Whereas European nations that have adopted carbon policies and regulatory regimes have forced energy poverty on their citizens and undermined their economies;

Whereas the increase in production of domestic fossil energy resources on private and State-owned land has created significant job growth and private capital investment; and

Whereas affordable and reliable energy sources are critical to maintaining the United States global competitiveness: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that a carbon tax would be detrimental to families and businesses in the United States, and is not in the interest of the United States.

PRIVILEGES OF THE FLOOR

Mr. SANDERS. Mr. President, I ask unanimous consent that floor privileges be granted to my science policy fellow, Adria Wilson, through the end of the session.

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

MAKING MAJORITY PARTY APPOINTMENTS FOR THE 114TH CONGRESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 21, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 21) making majority party appointments for the 114th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 21) was agreed to, as follows:

S. RES. 21

Resolved, That the following be the majority membership on the following committees for the remainder of the 114th Congress, or until their successors are appointed:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Cochran, Mr. McConnell, Mr. Roberts, Mr. Boozman, Mr. Hoeven, Mr. Perdue, Mrs. Ernst, Mr. Tillis, Mr. Sasse, Mr. Grassley, Mr. Thune.

COMMITTEE ON APPROPRIATIONS: Mr. Cochran, Mr. McConnell, Mr. Shelby, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Kirk, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Cassidy, Mr. Lankford, Mr. Daines.

COMMITTEE ON ARMED SERVICES: Mr. McCain (Chairman), Mr. Inhofe, Mr. Sessions, Mr. Wicker, Ms. Ayotte, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Mrs. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Lee, Mr. Graham, Mr. Cruz.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Shelby, Mr. Crapo, Mr. Corker, Mr. Vitter, Mr. Toomey, Mr. Kirk, Mr. Heller, Mr. Scott, Mr. Sasse, Mr. Cotton, Mr. Rounds, Mr. Moran.

COMMITTEE ON THE BUDGET: Mr. Grassley, Mr. Enzi, Mr. Sessions, Mr. Crapo, Mr. Graham, Mr. Portman, Mr. Toomey, Mr. Johnson, Ms. Ayotte, Mr. Wicker, Mr. Corker, Mr. Perdue.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Rubio, Ms. Ayotte, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Johnson, Mr. Heller, Mr. Gardner, Mr. Daines.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski (Chairman), Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Flake, Mr. Daines, Mr. Cassidy, Mr. Gardner, Mr. Portman, Mr. Hoeven, Mr. Alexander, Mrs. Capito.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Inhofe, Mr. Vitter, Mr. Barrasso, Mrs. Capito, Mr. Crapo, Mr. Boozman, Mr. Sessions, Mr. Wicker, Mrs. Fischer, Mr. Rounds, Mr. Sullivan.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Coats, Mr. Heller, Mr. Scott.

COMMITTEE ON FOREIGN RELATIONS: Mr. Corker, Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Flake, Mr. Gardner, Mr. Perdue, Mr. Isakson, Mr. Paul, Mr. Barrasso.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Enzi, Mr. Alexander, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Ms. Murkowski, Mr. Kirk, Mr. Scott, Mr. Hatch, Mr. Roberts, Mr. Cassidy.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. McCain, Mr. Johnson, Mr. Portman, Mr. Paul, Mr. Lankford, Ms. Ayotte, Mr. Enzi, Mrs. Ernst, Mr. Sasse.

COMMITTEE ON THE JUDICIARY: Mr. Hatch, Mr. Grassley, Mr. Sessions, Mr. Graham, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Vitter, Mr. Flake, Mr. Perdue, Mr. Tillis.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Alexander, Mr. McConnell, Mr. Cochran, Mr. Roberts, Mr. Shelby, Mr. Blunt, Mr. Cruz, Mrs. Capito, Mr. Boozman, Mr. Wicker.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Vitter, Mr. Risch, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Fischer, Mr. Gardner, Mrs. Ernst, Ms. Ayotte, Mr. Enzi.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Isakson, Mr. Moran, Mr. Boozman, Mr. Heller, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan.

COMMITTEE ON INDIAN AFFAIRS: Mr. McCain, Ms. Murkowski, Mr. Barrasso, Mr. Hoeven, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran.

SELECT COMMITTEE ON ETHICS: Mr. Roberts, Mr. Isakson, Mr. Risch.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Burr, Mr. Risch, Mr. Coats, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Lankford, Mr. Cotton.

SPECIAL COMMITTEE ON AGING: Ms. Collins, Mr. Hatch, Mr. Kirk, Mr. Flake, Mr. Scott, Mr. Corker, Mr. Heller, Mr. Cotton, Mr. Perdue, Mr. Tillis, Mr. Sasse.

JOINT ECONOMIC COMMITTEE: Mr. Coats, Mr. Lee, Mr. Cotton, Mr. Sasse, Mr. Cruz, Mr. Cassidy.

Mr. McCONNELL. For the information of all Senators, we are designating the full membership of each committee, plus the chairmen of the Armed Services and Energy and Natural Resources Committees tonight. We will appoint the rest of the chairmen tomorrow once we have had a quick meeting of the Republican conference to ratify the names.

CONSTITUTING THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FOURTEENTH CONGRESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 22, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 22), to constitute the minority party's membership on certain committees for the One Hundred Fourteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 22) was agreed to, as follows:

S. RES. 22

Resolved, That the following shall constitute the minority party's membership on the following committees for the One Hundred Fourteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow (Ranking), Mr. Leahy, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Donnelly, Ms. Heitkamp, Mr. Casey.

COMMITTEE ON APPROPRIATIONS: Ms. Mikulski (Ranking), Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Tester, Mr. Udall, Mrs. Shaheen, Mr. Merkley, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy.

COMMITTEE ON ARMED SERVICES: Mr. Reed (Ranking), Mr. Nelson, Mrs. McCaskill, Mr. Manchin, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Hirono, Mr. Kaine, Mr. King, Mr. Heinrich.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Brown (Ranking), Mr. Reed, Mr. Schumer, Mr. Menendez, Mr. Tester, Mr. Warner, Mr. Merkley, Ms. Warren, Ms. Heitkamp, Mr. Donnelly.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Nelson (Ranking), Ms. Cantwell, Mrs. McCaskill, Ms. Klobuchar, Mr. Blumenthal, Mr. Schatz, Mr. Markey, Mr. Booker, Mr. Udall, Mr. Manchin, Mr. Peters.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Cantwell (Ranking), Mr. Wyden, Mr. Sanders, Ms. Stabenow, Mr. Franken, Mr. Manchin, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Warren.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mrs. Boxer (Ranking), Mr. Carper, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Merkley, Mrs. Gillibrand, Mr. Booker, Mr. Markey.

COMMITTEE ON FINANCE: Mr. Wyden (Ranking), Mr. Schumer, Ms. Stabenow, Ms. Cantwell, Mr. Nelson, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, Mr. Bennet, Mr. Casey, Mr. Warner.

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez (Ranking), Mrs. Boxer, Mr. Cardin, Mrs. Shaheen, Mr. Coons, Mr. Udall, Mr. Murphy, Mr. Kaine, Mr. Markey.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mrs. Murray (Ranking), Ms.

Mikulski, Mr. Sanders, Mr. Casey, Mr. Franken, Mr. Bennet, Mr. Whitehouse, Ms. Baldwin, Mr. Murphy, Ms. Warren.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Carper (Ranking), Mrs. McCaskill, Mr. Tester, Ms. Baldwin, Ms. Heitkamp, Mr. Booker, Mr. Peters.

SELECT COMMITTEE ON INTELLIGENCE: Mrs. Feinstein (Ranking), Mr. Wyden, Ms. Mikulski, Mr. Warner, Mr. Heinrich, Mr. King, Ms. Hirono and Mr. Reed (ex officio).

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Ranking), Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Franken, Mr. Coons, Mr. Blumenthal.

COMMITTEE ON THE BUDGET: Mr. Sanders (Ranking), Mrs. Murray, Mr. Wyden, Ms. Stabenow, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Ms. Baldwin, Mr. Kaine, Mr. King.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Ranking), Mrs. Feinstein, Mr. Durbin, Mr. Udall, Mr. Warner, Mr. Leahy, Ms. Klobuchar, Mr. King.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Cardin (Ranking), Ms. Cantwell, Mrs. Shaheen, Ms. Heitkamp, Mr. Markey, Mr. Booker, Mr. Coons, Ms. Hirono, Mr. Peters.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Blumenthal (Ranking), Mrs. Murray, Mr. Sanders, Mr. Brown, Mr. Tester, Ms. Hirono, Mr. Manchin.

SPECIAL COMMITTEE ON AGING: Mrs. McCaskill (Ranking), Mr. Nelson, Mr. Casey, Mr. Whitehouse, Mrs. Gillibrand, Mr. Blumenthal, Mr. Donnelly, Ms. Warren, Mr. Kaine.

JOINT ECONOMIC COMMITTEE: Ms. Klobuchar (Ranking), Mr. Casey, Mr. Heinrich, Mr. Peters.

SELECT COMMITTEE ON ETHICS: Mrs. Boxer (Co-Chair), Mr. Coons, and Mr. Schatz.

COMMITTEE ON INDIAN AFFAIRS: Mr. Tester (Ranking), Ms. Cantwell, Mr. Udall, Mr. Franken, Mr. Schatz, and Ms. Heitkamp.

Mr. DURBIN. Mr. President, I would just say for the RECORD, following the comments of the majority leader, these are the minority committee assignments and ranking member positions for all of the standing committees.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 95–277, as amended by the appropriate provisions of Public Law 102–246, and in consultation with the majority leader, the appointment of the following individual to serve as a member of the Library of Congress Trust Fund Board for a 5-year term: George Marcus of California.

The Chair announces, on behalf of the Democratic leader, pursuant to Public Law 70–770, the appointment of the following individual to the Migratory Bird Conservation Commission: the Honorable Martin Heinrich of New Mexico.

ORDERS FOR THURSDAY, JANUARY 8, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. tomorrow, Thursday, January 8, 2015; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. MCCONNELL. Tomorrow the energy committee is scheduled to mark up the Keystone bill so that we can move to that bill next week. We anticipate a full and robust debate on that bill, with a fair and open amendment process.

In addition, the House sent us the TRIA bill a few moments ago. That bill passed the House 416 to 5. We will look to vote on it tomorrow and send it to the President for signature as soon as possible.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:56 p.m., adjourned until Thursday, January 8, 2015, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ASHTON B. CARTER, OF MASSACHUSETTS, TO BE SECRETARY OF DEFENSE, VICE CHARLES TIMOTHY HAGEL.

FEDERAL RESERVE SYSTEM

ALLAN R. LANDON, OF UTAH, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2002, VICE SARAH BLOOM RASKIN, RESIGNED.

ALLAN R. LANDON, OF UTAH, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2016. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

LORETTA E. LYNCH, OF NEW YORK, TO BE ATTORNEY GENERAL, VICE ERIC H. HOLDER, JR.

THE JUDICIARY

JEANNE E. DAVIDSON, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE DONALD C. POGUE, RETIRED.

ARMANDO OMAR BONILLA, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE EDWARD J. DAMICH, TERM EXPIRED.

NANCY B. FIRESTONE, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

THOMAS L. HALKOWSKI, OF PENNSYLVANIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE LYNN JEANNE BUSH, TERM EXPIRED.

PATRICIA M. MCCARTHY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE EMILY CLARK HEWITT, RETIRED.

JERI KAYLENE SOMERS, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE GEORGE W. MILLER, RETIRED.

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE ANTHONY J. SCIRICA, RETIRED.

KARA FARNANDEZ STOLL, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE RANDALL R. RADER, RETIRED.

ANN DONNELLY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE SANDRA L. TOWNES, RETIRING.

DALE A. DROZD, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE ANTHONY W. ISHII, RETIRED.

LASHANN MOUTIQUE DEARCY HALL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE NICHOLAS G. GARAUFIS, RETIRED.

GEORGE C. HANKS, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE NANCY FRIEDMAN ATLAS, RETIRED.

ROSEANN A. KETCHMARK, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI, VICE GARY A. FENNER, RETIRING.

TRAVIS RANDALL MCDONOUGH, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE CURTIS L. COLLIER, RETIRED.

JOSE ROLANDO OLVERA, JR., OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE HILDA G. TAGLE, RETIRED.

JILL N. PARRISH, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE DEE V. BENSON, RETIRED.

ALFRED H. BENNETT, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE KENNETH M. HOYT, RETIRED.

DEPARTMENT OF JUSTICE

MICHAEL GRECO, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE JOSEPH R. GUCCIONE, TERM EXPIRED.

RONALD LEE MILLER, OF KANSAS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS, VICE WALTER ROBERT BRADLEY, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL TONY D. BAUERNFEIND
COLONEL VINCENT K. BECKLUND
COLONEL STEVEN J. BLEYMAIER
COLONEL RICHARD A. COE
COLONEL WILLIAM T. COOLEY
COLONEL BARRY R. CORNISH
COLONEL CHRISTOPHER E. CRAIGE
COLONEL ANDREW A. CROFT
COLONEL ALLAN E. DAY
COLONEL TRENT H. EDWARDS
COLONEL ANDREW J. GEBARA
COLONEL GERALD V. GOODFELLOW
COLONEL JOHN R. GORDY II
COLONEL STACEY T. HAWKINS
COLONEL CAMERON G. HOLT
COLONEL KEVIN A. HUYCK
COLONEL JAMES A. JACOBSON
COLONEL DARREN V. JAMES
COLONEL DAVID J. JULAZADEH
COLONEL KEVIN B. KENNEDY
COLONEL CHAD T. MANSKE
COLONEL MICHAEL A. MINIHAN
COLONEL WAYNE R. MONTEITH
COLONEL DANIEL J. ORCUTT
COLONEL LENNY J. RICHOUX
COLONEL CARL E. SCHAEFER
COLONEL JOHN E. SHAW
COLONEL BRAD M. SULLIVAN
COLONEL BILLY D. THOMPSON
COLONEL PAUL A. WELCH
COLONEL WILLIAM P. WEST

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRYAN K. ANDERSON

EXTENSIONS OF REMARKS

PROCEDURES FOR THE USE OF STAFF DEPOSITION AUTHORITY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. SESSIONS. Mr. Speaker, pursuant to section 3(b)(2) of House Resolution 5, 114th Congress, and section 4(c)(5)(B) of House Resolution 567, 113th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee staff for printing in the CONGRESSIONAL RECORD:

1. Notice for the taking of depositions shall specify the date, time, and place of examination (if other than within the committee offices). Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths.

2. Consultation with the ranking minority member shall include three business days' notice before any deposition is taken. All members of the committee shall also receive three-business days notice that a deposition has been scheduled.

3. Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons, or for agencies under investigation, may not attend.

4. At least one member of the committee shall be present at each deposition taken by the committee, unless the witness to be deposed agrees in writing to waive this requirement.

5. A deposition shall be conducted by any member or staff attorney designated by the chair or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no more than two committee staff attorneys permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chair and the other by the ranking minority member. Other committee staff members designated by the chair or ranking minority member may attend, but may not pose questions to the witness.

6. Questions in the deposition shall be propounded in rounds, alternating between the majority and minority. A single round shall not exceed 60 minutes per side, unless the members or staff attorneys conducting the deposition agree to a different length of questioning. In each round, a member or committee staff attorney designated by the chair shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

7. Any objection made during a deposition must be stated concisely and in a non-argumentative and non-suggestive manner. The witness may refuse to answer a question only to preserve a privilege. When the witness has objected and refused to answer a question to preserve a privilege, the chair of the committee may rule on any such objection after the deposition has adjourned. If the chair overrules any such objection and thereby orders a witness to answer any question to which a privilege objection was lodged, such ruling shall be filed with the clerk of the committee and shall be provided to the members and the witness no less than three days before the reconvened deposition. If a member of the committee appeals in writing the ruling of the chair, the appeal shall be preserved for committee consideration. A deponent who refuses to answer a question after being directed to answer by the chair in writing may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed on appeal.

8. Committee staff shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of depositions. If either objects in writing to a proposed release of a deposition or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of rule XI of the Rules of the House of Representatives and these procedures.

HONORING BOB WIECKOWSKI

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HONDA. Mr. Speaker, I rise today to honor California State Senator Bob Wieckowski. On January 11, 2015, State Senator Wieckowski will be honored for his support of the arts in the Tri-City area during Come Embark on Noah's Ark, a benefit for the Fremont Opera. It is appropriate to extend him the gratitude of the Tri-City arts community and the public.

State Senator Wieckowski has been a generous and continuous supporter of the arts community. For many years, State Senator Wieckowski has, through his advice, service, advocacy, and performance, assisted many arts organizations in the Tri-City area, including the Fremont Cultural Arts Council, the Fremont Opera, the Fremont Symphony Orchestra, Music at the Mission, the StarStruck Theater, and Yoko's Academy of Dance & Performing Arts.

State Senator Wieckowski has even appeared on stage in essential roles in the Fremont Opera's productions of La Boheme, The Barber of Seville, and La Traviata, delighting audiences with his varied and ingenious characterizations. Every year since 2005, State Senator Wieckowski has appeared in Yoko's Academy of Dance & Performing Arts' production of Tchaikovsky's The Nutcracker. His work as the lead role of Drosselmeyer in The Nutcracker ballet is an eagerly-anticipated annual treat for Tri-City audiences of all ages.

State Senator Bob Wieckowski's energy, enthusiasm, and dedicated work in support of the arts has deeply enriched the communities in which he serves.

Mr. Speaker, I commend State Senator Bob Wieckowski for all that he has done to champion the arts in the Tri-City area, and I am confident that his efforts will continue to support the arts for many more years to come.

SUPPORT FOR MINORITY LEADER NANCY PELOSI

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. CICILLINE. Mr. Speaker, I rise today to express my support for House Minority Leader NANCY PELOSI to continue her leadership in the 114th Congress. As the Democratic leader of the U.S. House of Representatives since 2002, Leader PELOSI has led our caucus with exceptional resolve and integrity. Her commitment to Democratic values is evident in her focus on expanding the middle class, growing the economy, expanding affordable access to education, and empowering America's women and families.

From 2007 to 2011 Leader PELOSI served as Speaker of the House and under her leadership the 111th Congress was hailed as ''one of the most productive Congresses in history.''

Among her many accomplishments, Leader PELOSI shepherded passage of the American Recovery and Reinvestment Act to create and save millions of American jobs; historic health care reform to expand coverage and lower health care costs for millions of Americans; and strong Wall Street reforms to protect consumers and rein in the big banks. She has also fought discrimination in the workplace and passed into law the Lilly Ledbetter Fair Pay Act and stands for progressive policies that support child nutrition, energy efficiency, transparency in government, affordable housing and veterans.

Leader PELOSI is an extraordinary public servant and tested leader. I am proud to support her as leader of the Democratic Caucus and look forward to serving the American people alongside her in the 114th Congress.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HIGGINS. Mr. Speaker, yesterday I attended the funeral of the former Governor of New York, Mario Cuomo, in New York City. Consequently I missed several votes in the House of Representatives.

I would like to submit how I intended to vote on these roll call votes had I been present:

On Roll Call 1, the Quorum Call of the House, I would have voted PRESENT.

On Roll Call 2, the Election of the Speaker of the House of Representatives, I would have voted for Representative NANCY PELOSI of California.

On Roll Call 3, to Table the Motion to Refer H. Res. 5, Adopting rules for the One Hundred Fourteenth Congress, I would have voted NAY.

On Roll Call 4, Ordering the Previous Question on H. Res. 5, I would have voted NAY.

On Roll Call 5, the Motion to Recommit H. Res. 5 with Instructions, I would have voted YEA.

On Roll Call 6, Agreeing to H. Res. 5, I would have voted NAY.

On Roll Call 7, the Motion to Suspend the Rules and Pass H.R. 22, I would have voted YEA.

RECOGNIZING GWEN BENSON-WALKER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Ms. NORTON. Mr. Speaker, I ask the House to join me in recognizing Gwen Benson-Walker, who has served as my Chief of Staff for three years and has been a valuable member of my staff for most of my service in Congress. On December 31, 2014, Gwen transitioned from my office to a well-deserved retirement. Gwen's strong work ethic, intelligence, and enthusiastic personality will surely be missed by her colleagues in the House, the residents of the District of Columbia, and especially my office.

Gwen was not born into the advantages offered to many in our society. Instead, she has always worked her way to success. Aside from her work in my office, Gwen has owned and operated several business ventures. She is a highly-regarded public speaker and a published author.

Gwen Benson-Walker performed with excellence and energy whatever work she was asked to do in my office. She served as a caseworker, and her capacity for hard work and her wise head, led her to roles as scheduler/executive assistant and finally as chief of staff. Even when Gwen moved away from the District of Columbia, she has always returned to our staff upon her return. When not on staff, Gwen was the enthusiastic volunteer coordinator for the annual Children's Christmas Party in the Capitol, lavishing love on the city's low-income children. Most recently, Gwen served as my Chief of Staff, a position in which she flourished, skillfully organizing and running a busy congressional office.

Gwen was a confidant to whom I turned to for advice and a friend and a mentor to staff. She led by example in her professionalism and insistence on excellence, her dedication, generosity, collegiality and good humor. Gwen is off to retirement in Spain, but she leaves too many family members and friends not to return often to her native land. Gwen now becomes a treasured life member of Team Norton.

I ask my colleagues to join me in recognizing Gwen Benson-Walker for outstanding service to the House of Representatives and my office, and to the residents of the District of Columbia.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 6, I was absent while attending the funeral of Governor Mario M. Cuomo in New York.

Had I been present, I would have voted ''nay.''

RECOGNIZING THE JAMESTOWN HIGH SCHOOL VARSITY FOOTBALL TEAM

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. REED. Mr. Speaker, I rise today to recognize and congratulate the Jamestown High School varsity football team on winning the 2014 New York State Public High School Athletic Association championship.

Led by head coach Tom Langworthy, Jamestown claimed the Class AA title by defeating Newburgh Free Academy 41–20 in front of a raucous crowd at the Carrier Dome in Syracuse, New York. This marks the fourth time since 1994 that Jamestown High School has captured the state football championship.

The Red Raiders put on an impressive performance and excelled in all facets of the game. Quarterback Nikkolas Holland led the offense by accounting for four touchdowns. Running back Devan Jackson contributed on both sides of the ball, by rushing for a touchdown and returning a fumble for a touchdown. Senior captain Zack Panebianco was named Most Valuable Player after scoring a touchdown, kicking five extra-points, and making several outstanding defensive plays. Jamestown's defense continued its season-long run of dominance by forcing turnovers and containing Newburgh's high-powered offense.

Although football is a team game, I would like to recognize a few notable awards received by individual Jamestown players. Stephen Carlson was named the 2014 Connolly Cup winner, awarded to Western New York's top scholastic football player. Stephen was also named the Section 6 Class AA Defensive Player of the Year. Zack Panebianco was named Offensive Player of the year. Joe Mistretta was named winner of the Trench Trophy, awarded annually to the top lineman in Western New York. Tom Langworthy was named Buffalo Bills/NFL Coach of the Year after guiding his team to an outstanding regular season, winning 12 games and finishing undefeated in their division.

The hard work and dedication displayed by these young men is truly inspiring. The team is a source of pride within Chautauqua County and across New York's 23rd Congressional District.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 5, I was absent while attending the funeral of Governor Mario M. Cuomo in New York.

Had I been present, I would have voted ''yea.''

HONORING THE LIFE AND LEGACY OF FORMER NEW YORK GOV. MARIO CUOMO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life and legacy of Governor Mario Cuomo, who passed away on January 1, 2015 at the age of 82. A highly respected public servant and brilliant orator, Mario Cuomo served as Governor of New York State for three terms, from 1983 to 1994.

Governor Cuomo was born on June 15, 1932, in his beloved Borough of Queens. Hailing from a family of Italian immigrants, he worked in the family's grocery store in South Jamaica growing up. The governor graduated from St. John's Preparatory School, and went on to play baseball on the freshman team at St. John's University. An aggressive player, he showed great talent and promise. Indeed, he was signed as a prospect in the Pittsburgh Pirates organization, earning a signing bonus

that exceeded that of a contemporary prospect—Mickey Mantle—that was later the subject of joking between the two men.

Shortly after beginning to play for the Class D Brunswick Pirates in Georgia, the young future Governor Cuomo was struck in the head by a fastball, forcing his retirement from baseball. He then returned to St. John's University, graduating in 1953. There he met his wife, a fellow student, Matilda Raffa Cuomo. Together they had five children: Andrew Cuomo, the current Governor of New York, Dr. Margaret I. Cuomo, Maria Cuomo Cole, Madeline Cuomo O'Donohue and Christopher Cuomo, a journalist at CNN; and fourteen grandchildren.

Upon graduation, Cuomo enrolled in St. John's Law School on scholarship, where he graduated at the top of his class. Cuomo experienced success in his law career early on, often fighting on behalf of many blue-collar and middle class families like his own.

His success did not go unnoticed, and in 1974 he was the Democratic Party's choice for Lieutenant Governor of New York. Although he lost the primary election, newly elected Governor Hugh Carey named him New York's Secretary of State. In 1978, Governor Carey asked Cuomo to be his running mate as Lieutenant Governor, and the pair won the election handily.

In 1982, when Carey did not run for re-election, Cuomo sought and won the office of Governor of New York. In his inaugural speech, Cuomo called on the state government to be "a positive source for good," espousing an energetic optimism and true belief in government. An elegant spokesman for liberal politics, his keynote address at the 1984 Democratic National Convention is widely regarded as one of the finest political speeches of our time.

Gov. Cuomo served proudly as New York's 52nd Governor for three terms, leading the state with a philosophy of "progressive pragmatism" that resulted in fiscal and ethics reforms for the state, and a broader economic reach for the state in the global marketplace. At his lead, New York became renowned for passing more "first in the nation" types of legislation than any other state. From automobile safety to education reforms to public safety, Mario Cuomo's leadership, more than anyone else's, succeeded in ensuring New York's rightful place at the Empire State.

On a personal level, I was always an admirer of Governor Mario Cuomo, from his first election right up until his unfortunate passing. Shortly after my initial election to Congress in 2004, I made an appointment to meet with Gov. Cuomo at his New York law office. Scheduled as I was for a brief meeting, I was surprised to spend nearly two hours in the Governor's office, absorbing his advice and hearing of his many experiences in government and private life. To this day, to gain inspiration and to learn more about how to say what is on my mind, I consult many of Gov. Cuomo's writings. His voice still teaches and his message still resonates all these many years later.

Mr. Speaker, thank you for allowing me a few moments to honor the life of Governor Mario Cuomo. I ask that my colleagues join me in expressing our deepest condolences to the Cuomo family, and our most sincere gratitude for his dedication to creating a better state and nation.

PERSONAL EXPLANATION

HON. BARRY LOUDERMILK

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. LOUDERMILK. Mr. Speaker, on rollcall No. 3, I missed the vote yesterday. I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 7, I was absent while attending the funeral of Governor Mario M. Cuomo in New York.

Had I been present, I would have voted "yea."

RECOGNIZING MR. JEREMY M. JACOBS FOR HIS OUTSTANDING BUSINESS AND PHILANTHROPIC ACCOMPLISHMENTS

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. COLLINS of New York. Mr. Speaker, today I rise to honor Mr. Jeremy M. Jacobs, an outstanding businessman and philanthropist from East Aurora, New York. Mr. Jacobs will step aside as CEO of Delaware North, a global food service and hospitality company headquartered in Buffalo, New York, where he has worked since 1968.

Mr. Jacobs took over what was then called Sportservice, at the age of 28, after the death of his father who helped start the company in 1915. During his time as CEO, Mr. Jacobs transformed the company from selling popcorn at local movie theaters into a business with over $3 billion in annual revenue. Delaware North currently ranks number 169th on the Forbes list of largest privately held companies in the United States.

Mr. Jacobs is also recognized by Forbes for his philanthropic endeavors working with the United Way, the Boys and Girls Clubs of America, and is an active member of the Jeremiah Milbank Society. In 2008, he generously donated $10 million to the University at Buffalo associated with the Gates Vascular Institute to support research on the causes, treatment, and prevention of heart and vascular diseases.

Mr. Jacobs' contributions to Western New York have had an everlasting impact on the region and I look forward to seeing what endeavors Mr. Jacobs undertakes next.

RECOGNIZING HARRY C. MCLAUGHLIN ON HIS NINETY-FIFTH BIRTHDAY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the life and accomplishments of Harry C. McLaughlin, a distinguished member of the Western New York community, on his ninety-fifth birthday.

Mr. McLaughlin was born in Salamanca, New York on December 31st, 1919. After marrying his beloved wife Marjorie, he enlisted in the United States Armed Services.

A member of the 17th Airborne Division, he served as a Cook, a Motor Sergeant, and a Sergeant Major. His position as a Motor Sergeant was especially notable; in charge of a Motor Pool containing one hundred fifty-four assorted vehicles, Mr. McLaughlin personally performed difficult repairs such as engine overhauls, transmissions, transfer cases, differentials, relined brakes, and aligned wheels. His respectable service and loyalty to the military earned him a certificate of thanks from President Harry S. Truman, citing his "heartfelt thanks" for McLaughlin's "fortitude, resourcefulness and calm judgment."

Unfortunately his wife Marjorie passed away at a young age due to an illness. In 1960, Mr. McLaughlin married Mary, moved to Eden, New York and adopted eight children: James J., James H., Dan, Harry Jr., Debby, Judith, Maria, and Michael. Four were Mary's, while the other four were foster children. For over twenty-five years, the couple continued to take in and raise foster children. This honorable endeavor provided emotional and physical safety, as well as a loving, stable home for many children in need.

Mr. McLaughlin joined the East Eden Fire Department until his retirement in 1981 and practiced carpentry. He was also an active member of the American Legion Post 880 in Eden.

Mr. Speaker, it is with great pride that I rise today to celebrate the life and numerous accomplishments of Harry C. McLaughlin. I ask you to join me in wishing Mr. McLaughlin a very happy birthday and congratulate him for reaching such an exciting milestone.

HONORING SPRING AVENUE ELEMENTARY SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Spring Avenue Elementary School for receiving the prestigious 2014 U.S. Department of Education National Blue Ribbon School Award.

In 1982, The Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify aspects of thriving American schools in order

to replicate their success. I am proud that Spring Avenue Elementary School in La Grange has been honored as one of those exceptional schools.

Led by Principal Elizabeth Webb Peterman, the mission of Spring Avenue School is to empower students to pursue their interests and dreams. The teachers support and nurture the students while they work to empower these talented students to achieve their highest potential in every area. Each student at Spring Avenue School feels that they are a valued member of the school community and will be prepared for their future academic and career success. With the help of the community, the faculty and staff work to create a positive difference for each student.

The key to Spring Avenue School's success is their goal-based school improvement plan. Their professional development is focused around how to help each and every child advance at the expected rate of improvement and beyond. Together with the community, the faculty is helping create a safe, advanced learning environment.

Mr. Speaker, I ask my colleagues to join me in recognizing Spring Avenue Elementary School for this significant achievement and congratulating the staff, parents, students, and community.

HONORING SHARON JOSEPHSON ON HER RETIREMENT

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. PETERSON. Mr. Speaker, I rise today to recognize the dedicated service of my long time district staff assistant, Sharon Josephson.

After 24 years of service to me and the constituents of Minnesota's Seventh District, Sharon retired at the end of the 113th Congress.

Sharon began working for me when I was elected to Congress in 1990, and very ably served the people of Minnesota's Seventh District, handling nearly every issue and concern that our office faced. Over the years, Sharon drove countless miles through a geographically large and rural district to help constituents, communities and businesses navigate federal issues.

In the wake of severe flooding events, Sharon worked with community leaders throughout the Red River Valley as they dealt with the challenges of clean up, recovery and mitigation of future events. She was a steady presence at meetings of watershed districts, the Red River Basin Commission, the Fargo/Moorhead Diversion, the Red River Retention Authority and many others.

As a former educator, Sharon enjoyed speaking to classrooms around the district about the workings of Congress and the political process. She also coordinated the Military Academy nominations process, helping many high school students achieve their dreams of attending places like West Point, the Air Force Academy, and the Naval Academy.

Sharon was a trusted advisor that I called on for advice on a regular basis. It will be difficult to see her leave and she will be missed by so many.

After many years of dedicated public service, Sharon will now be able to enjoy more time with her husband Roger, children Sarah, Dan, and Martha, granddaughter Sophia, and another grandchild who will be born later this month.

So again, Mr. Speaker, I am proud to recognize Sharon's service to the House of Representatives and her dedication to Minnesota's Seventh District. I wish her all the best in her retirement.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 1 I was absent while attending the funeral of Governor Mario M. Cuomo in New York. Had I been present, I would have voted "present."

HONORING THE LIFE OF LEON HARE, SR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life and legacy of Leon Hare, Sr., who recently passed away at the age of 92.

A distinguished World War II veteran, Mr. Hare was born in Buffalo, New York to William and Lillie Hare on January 10, 1923. In his youth, he was an accomplished basketball player during his time as a student at Hutchinson Central High School.

In 1942, Mr. Hare was drafted into the United States Army, serving with distinction in Italy and Germany. He later returned to the U.S. and married Margaret Eileen Sealy, and began a career as a steelworker. He and Margaret had three children, Frances, L. Nathan, and Lorna.

Mr. Hare was an avid bowler as well. He worked at Ellicott Lanes, managing and administering the business, and becoming a father figure to thousands of young men and women, teaching and mentoring them not just in bowling, but also in life.

Mr. Speaker, thank you for allowing me to take the time to honor the life of Leon Hare, Sr., and I ask that my colleagues join me in offering our deepest condolences to the Hare family.

HONORING JUDGE STELLA HARTMAN SAXON

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to honor the exceptional career of Judge Stella Hartman Saxon of Karnes City, Texas.

Judge Saxon was born in 1948 in El Paso, Texas, to parents Pete and Helen Hartman. The eldest of six children, she graduated from the University of Texas with a Bachelor of Arts degree in Government, and subsequently earned her law degree from the University of Houston.

Prior to becoming the 218th Judicial District Judge, Stella Hartman Saxon worked as an Assistant District Attorney. During that time, she was selected as the Aerl Jernigan Law Enforcement Officer of the Year for her successful prosecution of cases from a large undercover operation. Judge Saxon was first elected as District Judge in 1990, and has served admirably for over two decades, boldly advocating for the citizens and employees of Atascosa, Frio, Karnes, LaSalle and Wilson Counties. Throughout her career, she has been a shining example of kindness and fairness and an ever-present role model to those around her.

In addition to her exemplary career, Judge Saxon is a committed wife, mother, grandmother, Girl Scout leader, and breast cancer survivor.

Mr. Speaker, I am honored to have the opportunity to recognize Judge Stella Hartman Saxon. Her dedication to the citizens of Texas has truly made her community a better place to live and work.

HONORING SEVENTH AVENUE ELEMENTARY SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Seventh Avenue Elementary School for receiving the prestigious 2014 U.S. Department of Education National Blue Ribbon School Award.

In 1982, The Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify aspects of thriving American schools in order to replicate their success. I am proud that Seventh Avenue Elementary School in La Grange has been honored as one of those exceptional schools.

Principal Erin Hall is committed to ensuring success for her students. This begins at the start of the school year with fall tours of the school which give students and parents the opportunity to meet their new teachers. Students and teachers develop a mutual respect for one another which continues to develop until the 6th Grade Farewell event in which the community comes together to celebrate the year at an all-school picnic with families in the park. These and other events, such as service learning opportunities during the first few months of school, bring together students across all grades and backgrounds.

At Seventh Avenue School teachers are encouraged to use individual student data to create instructional groups in reading and math so that each student's needs are met. Students are pushed to think critically and overcome academic challenges through problem solving. Parents are thanked for their support and presence and encouraged to participate in assemblies, classroom presentations, and parent conferences. Ms. Hall recognizes that the Blue Ribbon award is due to the successes of the staff, students, and parents and would not be possible without any of them.

Mr. Speaker, I ask my colleagues to join me in recognizing Seventh Avenue Elementary School for this significant achievement and congratulating the staff, parents, students, and community.

HONORING GREGORY P. MONTANARO

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor The Union League of Philadelphia and the 69th President of this patriotic organization, Hon. Gregory P. Montanaro.

Founded in 1862, the Union League has been one of the leading supporters of our nation and of our Constitution.

Its 3,600 members pledge "support of the United States Constitution", and are leaders in business, education, medicine and the arts. The Foundations of the Union League, three non-profit charities that provide constitutional and leadership education, college scholarships, and the opportunity to research and explore one of the most important Civil War collections in the United States.

In December of 2014, the League elected my friend Gregory P. Montanaro as its 69th President. Mr. Montanaro embodies the qualities that the League stands for today: leadership, patriotism, service to the community, and a dedication to preserving the promise of liberty and freedom embodied in our constitution.

Mr. Speaker, I encourage my colleagues to join me in honoring The Union League of Philadelphia and its president Mr. Gregory P. Montanaro for its 153 years of service to the United States of America.

HONORING THE LIFE AND LEGACY OF FRANK CIMINELLI

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life and legacy of Frank L. Ciminelli, who passed away on December 26, 2014 at the age of 80. A highly respected member of Western New York's business and construction community, Mr. Ciminelli's contributions to our region were many and varied.

Mr. Ciminelli was born in Buffalo, New York on October 6, 1934, and grew up on the city's East Side. As a curious young man, he would assist with his father's concrete business, learning the trade as he was completing high school. Mr. Ciminelli graduated from Erie County Technical Institute in 1954.

An extraordinary businessman, Mr. Ciminelli started his own concrete company in 1960, the Frank L. Ciminelli Construction Co., which grew steadily and ultimately became the largest general contractor & construction firm in Western New York. This company was sold to his son Louis in 1987 and is now known as LPCiminelli. Like his father, Louis continues to expand the company based on the values of honesty, integrity, and commitment to excellence.

In 1981, Mr. Ciminelli founded a real estate company, the Ciminelli Real Estate Corp, which expanded to four states and manages over 12 million square feet of real estate. The company is now owned by his son Paul, who was inspired by his father's business acumen, and possesses similar strengths as a business leader within our community.

Mr. Ciminelli was a dynamic figure in the region, dedicated to his business, and behind many well-known construction projects including expansion projects at Millard Fillmore Suburban Hospital and Roswell Park Cancer Institute, the General Motors Tonawanda Engine Plant, the Ford Motor and the Natural Sciences Building on the North Campus of the University of Buffalo, as well as numerous others.

An active philanthropist, Mr. Ciminelli was also involved with the Roswell Park Alliance, the Sisters Hospital Foundation, Catholic Charities, the University at Buffalo Foundation, St. Luke's Mission of Mercy, Business Backs the Bills, and countless other causes.

Mr. Ciminelli was a hardworking and loyal family man, and he leaves behind his loving wife, Rosalie G. Savarino Ciminelli, his six children, Louis, Gary, Paul, John, Susan, and Mary, eleven grandchildren, and three great-grandchildren, as well as a host of friends and associates.

Mr. Speaker, thank you for allowing me a few moments to honor Mr. Frank Ciminelli. I ask that my colleagues join me in expressing our deepest condolences to the Ciminelli family and our gratitude for their contributions to Western New York.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, regrettably, I was unable to attend the opening session of the 114th Congress yesterday, January 6, as I joined many of my colleagues and friends to memorialize the life of former New York Governor Mario Cuomo.

Had I been present at the opening session, I would have voted for my friend and colleague from California, Rep. NANCY PELOSI, to serve as Speaker of the House.

As the Speaker in the 110th and 111th Congresses, and the first woman to hold this position, Rep. PELOSI accumulated an unparalleled record of accomplishments to support the middle class and hardworking American families, and I would have been proud to support her election to a third term as Speaker.

RECOGNIZING THE PASSING OF FORMER REP. HERBERT HARRIS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. CONNOLLY. Mr. Speaker, it is with great sadness that I rise with the members of the Virginia delegation to inform our colleagues of the passing of a former Member of this Chamber, Herbert Harris.

Herb died at the age of 88 on Christmas Eve at his home in the Mount Vernon neighborhood of Fairfax County.

He served three terms in the House from 1974 to 1980, representing what was then Virginia's 8th District.

Like his predecessor, Stan Parris, my predecessor, Tom Davis, and me, Herb served on the Fairfax County Board of Supervisors prior to his election to Congress, and that experience served him well here. He was a champion for the region, helping secure the necessary federal funds to complete construction of the Metro system and to expand the Manassas National Battlefield Park.

He stood out as an outspoken liberal at a time when most of Virginia, even Northern Virginia, was still largely conservative. During his tenure on the Fairfax County Board, he fought for community infrastructure investments, particularly for transportation and sewer system modernization. He also helped with Inova Health System's expansion to Mount Vernon. It was during these years that he served on regional transportation boards, including the Metro Board of Directors, and became one of its chief regional advocates.

Upon his election to Congress, he pushed to secure the necessary federal funds to complete the regional Metro system, and he was an early proponent for expanding the system further into Virginia to reach Dulles International Airport and other communities. A veteran of the Navy, Herb fought the Carter Administration on proposed cuts in national defense and military pay. And based on his experience in local government, he became an advocate for granting full voting representation in the House for the District of Columbia. After narrowly losing his bid for re-election in 1980 and then a rematch in 1982, Herb put his political career aside, telling one confidant that the time required by today's Members to raise campaign funds put too much emphasis on chasing money rather than exchanging ideas.

He returned to private law practice after leaving the House.

Our former colleagues, Representatives Moran, Davis, and Wolf collaborated in 2001 to name a new Post Office building in the Mount Vernon area to honor Herb's service.

Many of us attended funeral services for Herb yesterday, and flags were flown at half-mast at the Fairfax Government Center and the capitol in Richmond.

Mr. Speaker, I ask my colleagues to join us in extending our gratitude for his public service and sympathy on his passing to Herb's family and friends by standing with us to observe a moment of silence.

INTRODUCTION OF LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO DENY THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT TO INDIVIDUALS WHO ARE NOT AUTHORIZED TO BE EMPLOYED IN THE UNITED STATES AND TO TERMINATE THE USE OF CERTIFYING ACCEPTANCE AGENTS TO FACILITATE THE APPLICATION PROCESS FOR ITINS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. BILIRAKIS. Mr. Speaker, today I introduced legislation to prevent illegal immigrants from claiming the refundable portion of the child tax credit. The refundable child tax credit provides cash payment to low-income families who pay no income tax. The program was intended to be an additional cash benefit for families who receive the earned-income tax credit. While administered through the tax code, it is a means-tested welfare expenditure. Since Social Security numbers are issued only to those who have the legal right to work in the United States, illegal immigrants use Individual Taxpayer Identification Numbers (ITIN), which are issued by the IRS regardless of legal status. ITINs allow a person to file a tax return and thus claim the tax credit. The Internal Revenue Service's (IRS) Certifying Agent Program, which allows a person to apply for an ITIN on behalf of an individual with no verification of their immigration status, has compounded the abuse of ITINs for fraudulent tax claims. With no verification of a person's status on their tax return or at the issuance of an ITIN, the system has a significant fault, which allows taxpayer dollars to go to those who are not eligible.

The Treasury Department's Inspector General for Tax Administration (TIGTA) has reported that illegal immigrants claimed $4.2 billion through this child tax credit in 2010. With the federal government borrowing heavily to finance deficits of nearly $1 trillion, we need to ensure federal benefits are only going to law-abiding citizens.

We must take steps to solve this waste of taxpayer money by ending this gap in the tax code. If enacted, this legislation would require those claiming the tax credit to list their social security number or other proof of lawful immigration status on their tax return. It would also require the IRS to verify the proper documentation before issuing ITINs. The TIGTA has estimated this legislation would reduce federal spending by $8.4 billion over two years.

At a time when the federal government is operating under significant deficits, we must ensure scarce taxpayer dollars are used responsibly. Allowing them to go to those who are in this country illegally is grossly irresponsible. This simple and common sense measure will ensure better accountability to all taxpayers, while also saving money.

In short, this legislation will ensure this welfare program is only available to its intended recipients, ensuring those who follow the law can continue to receive this assistance. I look forward to working with my colleagues to move this legislation through Congress.

IN HONOR OF THOMAS J. HAMMER, JR.

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Ms. MATSUI. Mr. Speaker, it is with sadness that I rise in honor of Thomas J. Hammer, Jr. who passed away at the beginning of December in Sacramento. With Tom's passing, our country has lost a true leader, philanthropist and family man who has left an indelible mark on the Sacramento region, our state, and our nation.

Tom's life is an American success story. Born in 1932 in Birmingham, Alabama, he and his family moved to Sacramento when he was 12. A graduate of McClatchy High School, Tom went on to earn a bachelor's degree and a law degree from the University of California, Berkeley. He also spent two years as an Army counterintelligence officer. Tom married Phyllis MacAulay, and they raised four remarkable daughters, Dayna Joonas, Noel Richardson, Katie Brown and Tanis McGregor. Phyllis and Tom have twelve grandchildren and one stepchild.

Almost 50 years ago, Tom and his brother-in-law, Gordon T. MacAulay, purchased Shasta Linen Supply in Sacramento. For the first twenty-five years of operating the company, Tom also practiced law. Over the years, Shasta Linen Supply has grown to be a leading supplier of linens and uniforms for restaurants and medical institutions, and importantly it has always remained a family run business.

Beyond his successful business endeavors, Tom's philanthropic efforts were immense. Bob and I had the pleasure of serving with him in a number of capacities and he also held leadership positions with the Downtown Rotary Club of Sacramento, Mercy Foundation, Teichert Foundation, and the Sacramento-Yolo Port District, among many other organizations. Tom was also fascinated by, and loved, California's rich cultural history and the majestic beauty that defines our state. In order to preserve our state's history, he was active in the California Historical Society, the Sacramento Trust for Historic Preservation and the Sacramento History Museum, and the California Railroad Museum.

Mr. Speaker, I ask that my colleagues join me today in paying honor to Thomas J. Hammer, Jr. for his exemplary service to those of us in Sacramento and across the nation. His life and legacy—as a husband, father, friend, leader and philanthropist—is an inspiration to us all. I ask that we take a moment and extend our utmost respect and condolences to his family.

EXPRESSING GRATITUDE TO TED EDLICH

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. GOODLATTE. Mr. Speaker, I am honored today to express my gratitude to Ted Edlich of Roanoke, Virginia, for his 40-year commitment and service to Total Action for Progress (TAP).

For Ted, this year brings to a close four decades at the helm of TAP. His tremendous career has been dedicated to this organization and the goal of serving others in need. It has been a highlight of my service as the U.S. Representative for Virginia's Sixth District to have worked with Ted to help preserve the community action mission set out by the organization's founder, Cabell Brand.

Through Ted's hard work, he has helped to transform TAP into a trusted place that the men, women, and children in poverty in the Roanoke Valley can turn to in their hours of need. As TAP's Executive Director, Ted has been determined to not allow them to be forgotten and he has succeeded by providing methods of care that are a model for similar organizations around America that provide a hand up to a better life.

In life, we are called on to adhere to the Golden Rule, which Ted clearly took to heart thanks in part to his roots in the ministry. The Roanoke Valley is forever thankful that Ted followed a calling. TAP's umbrella is a wide one—from the Food Bank to the Child Health Investment Partnership, from This Valley Works to the Dumas Center, from Head Start and the Terrace Apartments to Virginia CARES and Project Discovery. The commitment of everyone who has worked with Ted under that sheltering umbrella is very evident, thanks in part to his leadership in constructing a path to a brighter future for so many people.

As Ted closes this chapter at TAP, he can be certain that the steadfastness he has demonstrated has prepared those following in his footsteps to continue carrying out the organization's mission. I wish to express my deepest appreciation to Ted Edlich for sharing so much of himself with those fortunate to have been able to work beside him and for all of his work on behalf of those in the Roanoke Valley.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker on rollcall No. 2. I was absent while attending the funeral of Governor Mario M. Cuomo in New York.

Had I been present, I would have voted for Ms. PELOSI.

HONORING OGDEN AVENUE ELEMENTARY SCHOOL FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Ogden Avenue Elementary School for receiving the prestigious 2014 U.S. Department of Education National Blue Ribbon School Award.

In 1982, the Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify

aspects of thriving American schools in order to replicate their success. I am proud that Ogden Avenue Elementary School in La Grange has been honored as one of those exceptional schools.

Ogden Avenue School's mission statement is "we build bridges to the future by inspiring one another to succeed." Principal Pattii Waldo does an outstanding job perpetuating this motto by encouraging students to help one another and building a foundation of respectful relationships.

The school features a nurturing environment with a social-emotional learning curriculum which provides for high academic standards. The school's belief is that social-emotional growth is interwoven into academic learning. Also, partnering with parents and the community are essential to the growth of students and the school as a whole.

Ogden Avenue School hosts a cross-grade Buddy program as well as various other programs to enrich students' lives and provide for a better school experience. I commend the school for going above and beyond with their offerings for students and hope that other schools use Ogden Avenue School as an outstanding example to follow.

Mr. Speaker, I ask my colleagues to join me in recognizing Ogden Avenue Elementary School for this significant achievement and congratulating the staff, parents, students, and community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,091,316,602.62. We've added $7,464,332,689.54 to our debt in 5 years. This is over $7.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. NADLER. Mr. Speaker, I remained in New York yesterday to attend the funeral of former Governor Mario Cuomo. Had I been present, I would have voted for The Honorable NANCY PELOSI for Speaker of the House.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. CROWLEY. Mr. Speaker, on January 6, 2015 I missed recorded votes #1–7 as I was attending the funeral of Governor Mario Cuomo in New York.

I would like to submit how I would have voted if I were here and sworn into office:

On Roll Call #1 I would have voted present (Quorum Call).

On Roll Call #2 I would have voted for NANCY PELOSI for Speaker.

On Roll Call #3 I would have voted no.

On Roll Call #4 I would have voted no.

On Roll Call #5 I would have voted yes.

On Roll Call #6 I would have voted no.

On Roll Call #7 I would have voted yes.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 3. I was absent while attending the funeral of Governor Mario M. Cuomo in New York. Had I been present, I would have voted nay.

RECOGNIZING THE RANDOLPH HIGH SCHOOL VARSITY FOOTBALL TEAM

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. REED. Mr. Speaker, I rise today to recognize and congratulate the Randolph High School varsity football team on winning the 2014 New York State Public High School Athletic Association championship.

Led by head coach Brent Brown, Randolph claimed the Class D title by defeating Chester Academy 48–41 in front of a raucous crowd at the Carrier Dome in Syracuse, New York. Randolph won the state championship for the third straight year, becoming the first school from Section 6 to ever win three consecutive state titles.

The Cardinals put on an impressive offensive performance on the strength of their ground game. Quarterback Bryce Morrison rushed for 175 yards and five touchdowns; running back Devyn Nelsen rushed for 289 yards and one touchdown. Before hoisting the championship trophy, Randolph had to overcome a large deficit. The team trailed 27–6 at halftime before scoring on all of their second-half possessions, including 28 consecutive points. In a game that featured two high-powered offenses and 89 total points, the defining moment was an outstanding defensive play. With less than 30 seconds remaining in the game, Bryce Morrison intercepted a pass to complete the comeback and secure Randolph's third straight state championship.

Although football is a team game, I would like to recognize a few notable accomplishments by individual Randolph players. Bryce Morrison was named Section 6 Class D Co-Offensive Player of the Year. In addition, Morrison, Devyn Nelsen, Mason Bosley, Michael Bowers, Jeff Andrews, and Tyler Stahley were named "First Team All-Stars."

The hard work and dedication displayed by these young men is truly inspiring. The team is a source of pride within Cattaraugus County and across New York's 23rd Congressional District.

HONORING ST. CLETUS SCHOOL FOR RECEIVING THE NATIONAL BLUE RIBBON SCHOOL AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor St. Cletus Elementary School, an exemplary Catholic school in La Grange, Illinois, for receiving the prestigious 2014 U.S. Department of Education National Blue Ribbon School Award.

In 1982, The Department of Education established the National Blue Ribbon Schools Program to recognize public and private schools boasting high or significantly improved achievement. The program's goal is to identify aspects of thriving American schools in order to replicate their success. Only 50 private schools across the country were awarded Blue Ribbons in 2014.

Led by Principal Margaret Hayes, the mission of St. Cletus School is "to focus on faith, family, and future." In addition, "The Catholic formation of students is strengthened through academic excellence. Self-worth and individuality are respected." Since September 1953, the school has offered a rigorous and engaging curriculum. The core academic program is supplemented with instruction in art, music, physical education, hands-on science lab activities, technology, and Spanish classes. This prestigious elementary school offers an integrated curriculum to motivate students to understand the connection between the classroom and the student's call to faith. St Cletus School has made a rigorous effort to improve student performance, while also creating a strong partnership between parents and teachers.

I am delighted that the exemplary work of the teachers and support staff at St. Cletus School, as well as that of the parents and students, has been acknowledged on a national stage. I also want to congratulate and acknowledge the work of the priests of St. Cletus Parish, Pastor Bob Clark and Associate Pastors Ken Baker and Edgar Rodriguez.

Please join me in celebrating the accomplishments of St. Cletus School. Their pursuit of academic excellence is inspiring, and I hope that their success can be replicated across the nation.

PERSONAL EXPLANATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Ms. VELÁZQUEZ. Mr. Speaker, on January 6, 2015 I was unavoidably detained. Had I been present, I would have voted on rollcall No. 2 for the Honorable NANCY PELOSI.

PERSONAL EXPLANATION

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. TONKO. Mr. Speaker, on rollcall No. 4. I was absent while attending the funeral of Governor Mario M. Cuomo in New York. Had I been present, I would have voted nay.

IN RECOGNITION OF MR. TONY BARBA

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 7, 2015

Mr. VALADAO. Mr. Speaker, I rise today to congratulate Tony Barba on his retirement after 20 years of dedicated service to the people of Kings County, California.

Mr. Barba was born on June 13, 1935 in Hanford, California. He spent his entire youth in Hanford, where he attended local schools. He attended College of the Sequoias and later joined the U.S. Army.

In 1964, after completing his service in the U.S. Army, Mr. Barba began his career with the California Highway Patrol (CHP). Mr. Barba was initially assigned to the Baldwin Park area, however, in 1965 he was transferred back to his hometown of Hanford, where he was the first Latino CHP officer. He would serve the Hanford community as a CHP officer for the rest of his 26 year career with the patrol.

Mr. Barba was elected to represent District Four on the King County Board of Supervisors in 1994. He was the first Latino to serve on the Kings County Board of Supervisors. Mr. Barba has been reelected to serve on the board five times and is the longest serving District Four Supervisor.

After completing his fifth term, Mr. Barba is retiring on December 31, 2014.

District Four and the entire Kings County community have been extremely fortunate to have a dedicated representative such as Mr. Barba to ensure the wellbeing of their community.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Tony Barba for his 20 years of dedicated public service in Kings County and congratulating him on his recent retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 8, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

January 13

10 a.m.

Committee on Foreign Relations

To hold hearings to examine articulating the case for American leadership in the world, focusing on the national interest.

SD–419

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S27–S68

Measures Introduced: Eighty-one bills and three resolutions were introduced, as follows: S. 38–118, S. Res. 21–22, and S. Con. Res. 1. **Pages S57–59**

Measures Passed:

Majority Party Appointments: Senate agreed to S. Res. 21, making majority party appointments for the 114th Congress. **Page S67**

Minority Party Committee Membership: Senate agreed to S. Res. 22, to constitute the minority party's membership on certain committees for the One Hundred Fourteenth Congress, or until their successors are chosen. **Pages S67–68**

Appointments:

Library of Congress Trust Fund Board: The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 95–277, as amended by the appropriate provisions of Public Law 102–246, and in consultation with the Majority Leader, the appointment of the following individual to serve as a member of the Library of Congress Trust Fund Board for a five year term: George Marcus of California vice Elaine Wynn. **Page S68**

Migratory Bird Conservation Commission: The Chair announced, on behalf of the Democratic Leader, pursuant to Public Law 70–770, the appointment of the following individual to the Migratory Bird Conservation Commission: Senator Heinrich. **Page S68**

Nominations Received: Senate received the following nominations:

Ashton B. Carter, of Massachusetts, to be Secretary of Defense.

Allan R. Landon, of Utah, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2002.

Allan R. Landon, of Utah, to be a Member of the Board of Governors of the Federal Reserve System for the term of fourteen years from February 1, 2016.

Loretta E. Lynch, of New York, to be Attorney General.

Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International Trade.

Armando Omar Bonilla, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Nancy B. Firestone, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Thomas L. Halkowski, of Pennsylvania, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Patricia M. McCarthy, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Jeri Kaylene Somers, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit.

Ann Donnelly, of New York, to be United States District Judge for the Eastern District of New York.

Dale A. Drozd, of California, to be United States District Judge for the Eastern District of California.

LaShann Moutique DeArcy Hall, of New York, to be United States District Judge for the Eastern District of New York.

George C. Hanks, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Roseann A. Ketchmark, of Missouri, to be United States District Judge for the Western District of Missouri.

Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Jose Rolando Olvera, Jr., of Texas, to be United States District Judge for the Southern District of Texas.

Jill N. Parrish, of Utah, to be United States District Judge for the District of Utah.

Alfred H. Bennett, of Texas, to be United States District Judge for the Southern District of Texas.

Michael Greco, of New York, to be United States Marshal for the Southern District of New York for the term of four years.

Ronald Lee Miller, of Kansas, to be United States Marshal for the District of Kansas for the term of four years.

31 Air Force nominations in the rank of general.

A routine list in the Army. **Page S68**

Messages from the House: **Page S54**

Measures Placed on the Calendar: **Pages S27, S54**

Executive Communications: **Pages S54–57**

Additional Cosponsors: **Pages S59–60**

Statements on Introduced Bills/Resolutions: **Pages S60–67**

Additional Statements:

Privileges of the Floor: **Page S67**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:56 p.m., until 11 a.m. on Thursday, January 8, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S68.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 181–203 and 5 resolutions, H.J. Res. 10; and H. Res. 18, 20–22 were introduced. **Pages H103–04**

Additional Cosponsors: **Page H105**

Reports Filed: A report was filed on January 2, 2015 as follows:

Activities of the House Committee on Oversight and Government Reform, One Hundred Thirteenth Congress (H. Rept. 113–734).

A report was filed today as follows:

H. Res. 19, providing for consideration of the bill (H.R. 3) to approve the Keystone XL Pipeline, and providing for consideration of the bill (H.R. 30) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours (H. Rept. 114–1). **Page H103**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thompson (PA) to act as Speaker pro tempore for today. **Page H51**

Recess: The House recessed at 10:34 a.m. and reconvened at 12 noon. **Page H55**

Administration of the Oath of Office: Representatives-elect Crowley, Engel, Higgins, Lowey, Carolyn B. Maloney (NY), Sean Patrick Maloney (NY), Meeks, Meng, Nadler, Rangel, Tonko, and Velázquez presented themselves in the well of the House and were administered the Oath of Office by the Speaker. **Page H55**

Clerk Designations: Read a letter from the Clerk wherein she designated Robert Reeves, Deputy Clerk, and Kirk D. Boyle, Legal Counsel, to sign any and all papers and do all other acts in case of her temporary absence or disability. **Page H55**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Terrorism Risk Insurance Program Reauthorization Act of 2015: H.R. 26, to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, by a ⅔ yea-and-nay vote of 416 yeas to 5 nays with one answering "present", Roll No. 8; **Pages H59–71, H92–93**

Low-Dose Radiation Research Act of 2015: H.R. 35, to increase the understanding of the health effects of low doses of ionizing radiation; **Pages H82–83**

National Windstorm Impact Reduction Act Reauthorization of 2015: H.R. 23, to reauthorize the National Windstorm Impact Reduction Program, by a ⅔ yea-and-nay vote of 381 yeas to 39 nays, Roll No. 10; and **Pages H83–87, H94**

Tsunami Warning, Education, and Research Act of 2015: H.R. 34, to authorize and strengthen the tsunami detection, forecast, warning, research, and mitigation program of the National Oceanic and Atmospheric Administration. **Pages H87–92**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Promoting Job Creation and Reducing Small Business Burdens Act: H.R. 37, to make technical corrections to the Dodd-Frank Wall Street Reform and Consumer Protection Act, to enhance the ability of small and emerging growth companies to access capital through public and private markets, and to reduce regulatory burdens, by a ⅔ yea-and-nay vote of 276 yeas to 146 nays, Roll No. 9.

Pages H71–82, H93

Joint Economic Committee—Appointment: The Chair announced the Speaker's appointment of the following Member of the House to the Joint Economic Committee: Representative Brady (TX).

Page H94

Whole Number of the House: Under clause 5(d) of Rule 20, the Chair announced to the House that, in light of the administration of the Oath to Members-elect, the whole number of the House is 428.

Page H94

Oath of Office: The House agreed to H. Res. 20, providing for the authority to administer the Oath of Office to the Honorable Alan Nunnelee of Mississippi. Subsequently, the Chair appointed the Honorable Judge Michael Mills of the Northern District of Mississippi, United States District Court, to administer the Oath of Office. **Page H95**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H92–93, H93, H94. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:50 p.m.

Committee Meetings

ORGANIZATIONAL MEETING; KEYSTONE XL PIPELINE ACT; SAVE AMERICAN WORKERS ACT OF 2015

Committee on Rules: Full Committee held an organizational meeting for the 114th Congress; and a hearing on H.R. 3, the ''Keystone XL Pipeline Act''; and H.R. 30, the ''Save American Workers Act of 2015''. The committee adopted its rules of procedure for the 114th Congress. The committee granted, by record vote of 7–4, a closed rule for H.R. 3. The rule provides one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Additionally, the rule also granted a closed rule for H.R. 30. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Testimony was heard from Chairman Ryan of Wisconsin, Chairman Shuster, and Representatives Levin, Courtney, Pallone, and Cramer.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 8, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources: business meeting to consider an original bill to approve the Keystone XL Pipeline, 10 a.m., SD–366.

Select Committee on Intelligence: to hold a closed roundtable briefing on certain intelligence matters, 9:15 a.m., SH–219.

House

No hearings are scheduled.

Next Meeting of the SENATE

11 a.m., Thursday, January 8

Senate Chamber

Program for Thursday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, January 8

House Chamber

Program for Thursday: Consideration of H.R. 3—Keystone XL Pipeline Act (Subject to a Rule) and H.R. 30—Save American Workers Act of 2015 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bilirakis, Gus M., Fla., E26
Brady, Robert A., Pa., E25
Cicilline, David N., R.I., E21
Coffman, Mike, Colo., E27
Collins, Chris, N.Y., E23
Connolly, Gerald E., Va., E25
Crowley, Joseph, N.Y., E27
Cuellar, Henry, Tex., E24
Goodlatte, Bob, Va., E26
Higgins, Brian, N.Y., E22, E22, E23, E24, E25
Honda, Michael M., Calif., E21
Lipinski, Daniel, Ill., E23, E24, E26, E27
Loudermilk, Barry, Ga., E23
Maloney, Carolyn B., N.Y., E25
Matsui, Doris O., Calif., E26
Nadler, Jerrold, N.Y., E27
Norton, Eleanor Holmes, D.C., E22
Peterson, Collin C., Minn., E24
Reed, Tom, N.Y., E22, E27
Sessions, Pete, Tex., E21
Tonko, Paul, N.Y., E22, E22, E23, E24, E26, E27, E28
Valadao, David G., Calif., E28
Velázquez, Nadia M., N.Y., E27

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.