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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 4, 2015.

I hereby appoint the Honorable DAVID W. JOLLY 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.

OPENING OF THE FLORIDA CENTER FOR CYBERSECURITY AT UNIVERSITY OF SOUTH FLORIDA

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

Mr. ROSS. Mr. Speaker, I rise this morning to bring to the attention of my colleagues an important event taking place this Friday in the 15th Congressional District of Florida which I have the privilege to represent.

With the opening of the Florida Center for Cybersecurity on the campus of the University of South Florida, also known as USF, in Tampa this Friday, our State marshals the strength of all of Florida's public universities to respond to our Nation's cybersecurity workforce needs.

The center will help develop the next generation of technology to prevent cyber attacks and provide a resource for Florida businesses to help them prevent and, if necessary, respond to cyber threats.

I want to congratulate the board of governors for our State university system, our Florida State Legislature, and our Florida Governor for recognizing the critical importance of the growing cyber threat to Florida residents and businessowners throughout the world. These leaders are doing something about that threat by establishing the Florida Center for Cybersecurity.

They recognized that with our growing reliance on Internet connectivity each and every day, cybersecurity becomes increasingly more vital. Cybersecurity reaches every facet of modern life, from national security to personal communication, from data storage to banking security, from health care privacy to transportation safety.

In just 7 short months, the center has enrolled its first 100 students in a special cybersecurity master's degree program. Just last October, the program at USF became only the second in the Nation to be designated as a National Center of Academic Excellence in Information Assurance and Cybersecurity.

The center continues to address the serious shortfall in our Nation's cybersecurity workforce by bringing online degree, certificate, and training programs to facilitate industry-recognized specializations to enhance the cybersecurity workforce, mitigate cybersecurity threats, and attract new businesses to Florida and across our great Nation.

Most importantly, the university will reach out to our Nation's heroes who have proudly served in uniform and return to civilian life to allow them to continue to protect our homeland.

Tampa is the perfect home for this new cyber mission with its close proximity to the headquarters of the U.S. Central Command, U.S. Special Operations Command, and the Joint Cyber Command at MacDill Air Force Base.

The Tampa Bay region is also a center for our State's financial and health care industries. National, State, and local businesses—large and small—will benefit from the continuing outreach and educational programs offered by the Florida Center for Cybersecurity at USF.

Mr. Speaker, I applaud USF's energy and innovation in responding to the national and international cyber threat. This is the type of quick and thorough response our Nation needs as we bring together the best our public and private sectors have to offer in protecting our citizens and our businesses from this ongoing threat to our national security, our personal security, and economic security.

Congratulations to USF, and go, Bulls.

AWARE ACT

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

Mr. BLUMENAUER. Mr. Speaker, one of the areas where Congress has repeatedly come together in a nonpartisan fashion to make real progress has been legislation dealing with the protection of animals. This is something that unites us as we have been able to deal with a series of simple, commonsense steps to assure we meet the standard of care.

That is why it was so horrific to read the terrible front-page article in The New York Times on January 20 about the Federal Meat Animal Research Center in Clay Center, Nebraska. Moving from the front page to two full

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pages on the inside were truly grotesque and horrifying examples of animal abuse.

A young cow had its head locked in a cagelike device to keep her immobile while she was repeatedly—you can only describe it as sexually tortured for hours by as many as six bulls being studied for their sexual libido. Her back legs were broken, her body—in the words of one of the observers—was ''torn up,'' and the cow understandably died from her injuries.

There were other experiments detailed, sheep and pigs, without consideration of animal health impact. It detailed horrifying and often unsuccessful results. At least 6,500 animals were known to have starved to death at this facility, and unknown numbers died from negligence from easily treatable infections, exposure to bad weather, or attacks by predators—all of this at a cost of almost $200 million of taxpayer money over the last 10 years, resulting in this grotesque abuse of animals.

There is the ability to abuse, neglect, and even torture farm animals because there is no law that requires their protection. There is a loophole in the Animal Welfare Act which exempts farm animals used for research.

Think about it. If you are abusing, neglecting, or even torturing farm animals for agricultural research, you don't have to obey the Animal Welfare Act. It is absolutely unjustified and outrageous.

This week, Congressman MICHAEL FITZPATRICK—my cochair of the Congressional Animal Protection Caucus—and I are introducing the AWARE Act which would require that in Federal facilities, farm animals used in agricultural research be included in the definition of ''animal'' under the Animal Welfare Act.

It seems rather simple. It would ensure that these animals are treated like other warmblooded animals in other Federal research facilities. It is time that we step up to stop this horrific abuse. There is no reason that the USDA agricultural research facilities experimenting on farm animals should not be held to the same standards as Federal research facilities that conduct lifesaving disease research with the same kinds of animals.

I strongly urge my colleagues to support this AWARE Act, the Animal Welfare and Agricultural Research Endeavors. It is supported by The Humane Society, the Society for Prevention of Cruelty to Animals, the Humane Legislative Fund, and countless people across the country who deeply believe in animal welfare.

This is our job in Congress, and this is a small step that we can quickly make to show that we respond to animal abuse and that the Federal Government will lead by example.

I would urge my colleagues to join Congressman FITZPATRICK and me as members of the Congressional Animal Protection Caucus to work together on behalf of God's creatures who cannot speak for themselves.

PUERTO RICO STATEHOOD ADMISSION PROCESS ACT

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

Mr. PIERLUISI. Mr. Speaker, today, I am introducing the most forceful and ambitious statehood admission bill for Puerto Rico in U.S. history. The bill, fittingly, has 51 original cosponsors from both parties.

Before I describe the bill, let me explain its background. In 2012, the Puerto Rico government sponsored a referendum in which voters rejected Puerto Rico's current territory status and expressed a clear preference for statehood.

In the 113th Congress, at my initiative, the President proposed and Congress approved an appropriation of $2.5 million to fund the first federally sponsored status vote in Puerto Rico's history. The funding will remain available until it is used by the Puerto Rico government.

While the law does not prescribe the exact format of the ballot, it does establish important conditions; namely, the law provides that the U.S. Department of Justice must certify that the ballot and voter education materials are consistent with U.S. law and policy.

The bipartisan bill I am introducing today flows from and builds upon the 2012 referendum and the Federal appropriation enacted in response to that referendum. In other words, this bill is being filed now because the strategic foundation is firmly in place.

Every action I take is designed to advance the statehood cause because it is beyond dispute that territory status is the main source of Puerto Rico's grave economic and social problems. My constituents have no interest in symbolic gestures or empty rhetoric. They care only about concrete steps that bring Puerto Rico closer to equality.

My bill would authorize a vote to be held in Puerto Rico within 1 year of the bill's enactment—that is, by no later than the end of 2017. The ballot would contain a single question: Shall Puerto Rico be admitted as a State of the United States?

To conduct this vote, the Puerto Rico government may use the $2.5 million that Congress already approved since this format clearly satisfies the conditions of the appropriations law. If a majority of voters affirm their desire for admission, the bill provides for an automatic series of steps to occur.

First, by February 2018, the President would issue a proclamation to begin Puerto Rico's transition to statehood.

Second, the President would appoint a commission to prepare a report that describes the Federal laws that treat the territory of Puerto Rico differently than the States. The commission would complete the report by July 2018. The congressional committees of jurisdiction could then enact legislation to phase in equal treatment of Puerto Rico during the transition period so the admission process is structured and orderly.

Third, in November 2020, the American citizens of Puerto Rico would vote for President and Vice President, two U.S. Senators, and voting Members of the U.S. House.

Finally, on January 1, 2021, the President would proclaim Puerto Rico to be a State. Puerto Rico's congressional Representatives would be sworn into office, and Puerto Rico would be treated on equal footing with all other States.

My bill is modeled on the legislation enacted by Congress with respect to Alaska and Hawaii. When Alaska and Hawaii were territories, they each held votes sponsored by their local governments in which voters expressed a desire for statehood. This is also what occurred in Puerto Rico in 2012.

Ultimately, Congress enacted an admission act for Alaska in 1958 and an admission act for Hawaii in 1959. Those acts of Congress provided for admission to occur once a majority of voters in each territory affirmed in a federally sponsored vote that they desired statehood. That is precisely what my bill would do with respect to Puerto Rico.

Every Member of Congress who cosponsors this bill is standing up for a powerful, powerful principle, which is this: the people of Puerto Rico are U.S. citizens, they have enriched the life of this Nation for generations, and they have fought and died to defend her.

If a majority of Puerto Rico's voters affirm their desire in a federally sponsored vote to become a full and equal part of the American family, the will of the people should be honored. Democracy requires no less.

SERVICEMEMBER ASSISTANCE FOR LAWFUL UNDERSTANDING, TREATMENT, AND EDUCATION ACT

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, last week, my fellow Chester County Congressman, PATRICK MEEHAN, introduced the Servicemember Assistance for Lawful Understanding, Treatment, and Education Act, otherwise known as the SALUTE Act.

I want to praise Congressman MEEHAN for his leadership on this issue and speak a little bit about it in support of the SALUTE Act.

□ 1015

It is going to help veterans overcome addictions and PTSD by providing yearly Federal funding for Veterans Treatment Courts. This is an opportunity for all of us to help troubled veterans break free of the cycle and get the help that they need.

It is estimated that one in five veterans returning from Afghanistan and Iraq will experience a stress-related

mental illness. Veterans Treatment Courts assist soldiers who are charged with nonviolent crimes and who are struggling with certain addictions or mental illnesses. Veterans Treatment Courts provide an opportunity for them to get their lives back on the right track and to not spiral down a track of addiction.

Pennsylvania, as you may know, is a hub of veterans courts, as 18 counties have them. In fact, three counties that I represent—Chester, Montgomery, and Berks—have Veterans Treatment Courts, and I have seen firsthand as the Chester County commissioner how impactful and effective they can be. I have witnessed firsthand how important it is to the lives of returning veterans. So I share with you a quote that I received from Chester County District Attorney Tom Hogan:

> These brave men and women have sacrificed so much to serve our country and protect our freedom. We owe it to them to help them when they return home. Veterans court provides the structure and support to address the unique needs of combat veterans who find themselves in the criminal justice system. It is our duty to thank our veterans by offering help as they readjust to civilian life.

I am proud to be an original cosponsor of the SALUTE Act, and I want to thank, again, Congressman MEEHAN for introducing it. When the time comes, I encourage my colleagues to full-heartedly support the SALUTE Act. It is commonsense legislation that will help our Nation's heroes.

IN SUPPORT OF THE PRESIDENT'S FISCAL YEAR 2016 BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. JEFFRIES) for 5 minutes.

Mr. JEFFRIES. Mr. Speaker, I rise today in full support of President Obama's fiscal year 2016 budget.

It is a budget that is firmly rooted in middle class economics, designed to benefit working families and middle-income Americans. It is a budget that will facilitate access to quality, affordable child care and will dramatically expand prekindergarten education in a way that will allow the children of middle class Americans to get off to a faster start in life.

President Obama's budget, with the full support of House Democrats, will also address wage stagnation. It is designed to put more income—more money—in the pockets of middle class Americans and of those who aspire to be part of the middle class. It will address the fact that, since the early 1970s, the productivity of the American worker has increased consistently, yet middle class wages have remained stagnant. That is a systematic problem that President Obama, Leader PELOSI, and House Democrats are determined to address on behalf of the middle class.

President Obama's budget is also designed to increase the affordability of a college education. We know that Americans right now are burdened with more than $1 trillion in student loan debt. That type of debt limits the ability of younger Americans to purchase a home, to start a family, to open up a new business, to take a chance. It limits their ability to robustly access the American Dream. President Obama's budget is designed to allow the sons and daughters of the middle class to pursue their dreams in a more meaningful fashion.

When President Obama took office, he inherited an economic train wreck as a result of the Great Recession that was handed to him by the policies of the previous Republican administration. Through the leadership of President Obama, working closely with Democrats in the House and the Senate, we have turned the economy around. We have gotten it back on the right track.

So the question that we in this Congress face today is: Will we continue the policies of middle class economics, which are designed to benefit working families and moderate income Americans, or are we going to regress to the policies of trickle-down economics, which have failed middle class Americans time and time again?

I am in my second term. When I first got to the Congress, I assumed that trickle-down economics was dead, doomed by the fact that it has failed over and over again. Apparently, it has been revived.

In its most recent incarnation, House Republicans would like to drop the top tax rate from 39.6 percent on the wealthiest Americans all the way down to 25 percent. Their argument is: ''Don't worry, everybody is going to benefit.'' But that hasn't worked in the past. In fact, I am convinced that middle class economics is far more preferable to trickle-down economics, which, as it relates to the middle class, simply means you may be lucky to get a trickle, but you are guaranteed to stay down. That is what the record says.

Bill Clinton inherited a recession. The top tax rate on high-income earners was 31 percent. He raised it to 39.6 percent, and the purveyors of trickle-down economics predicted economic doom and gloom. What happened when President Clinton focused on the middle class? More than 20 million jobs were created. He then handed over a budget surplus to President Bush and his coconspirators in the Congress, and like drunken sailors, they blew that budget surplus on failed wars in Iraq and Afghanistan and on a tax cut that disproportionately benefited the wealthy and the well off. Did trickle-down economics work when they dropped the top tax rate to 35 percent? No. During the Bush Presidency, 650,000-plus jobs were lost.

President Obama inherited this economic mess, and in partnership with Democrats in the House and in the Senate, he renewed his focus on the middle class. He even raised the top tax rate back up to 39.6 percent. Doom and gloom was predicted, but what happened? The economy is humming. The stock market is way up. Gas prices are way down. The unemployment rate has come down. Economic growth is exceeding all of the competitors across the world.

There is more to be done, but for us to be successful, we have got to abandon the focus on the wealthy and the well off and pursue middle class economics.

JOHN TEDORE, A HERO

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor a native Iowan—John Tedore from West Des Moines—for his service to our great country.

Mr. Tedore was a member of the elite First Special Service Force that became renowned for their missions in Italy and southern France in World War II.

Mr. Tedore was in Washington, D.C., yesterday—in the great Capitol Building here—along with nearly 40 of his fellow veterans, known as the Devil's Brigade, to receive the prestigious Congressional Gold Medal, which is the highest honor Congress can bestow upon civilians. For the men of the Devil's Brigade, this is an honor highly deserved. John Tedore—this hero, this Iowan—stood for all of those who could not be here so that they may never be forgotten for their selfless and heroic service.

We must never forget those who answered the call to serve to protect our rights and our liberties and to make this a safer world for this Nation and the cause of freedom.

To John Tedore and your fellow members of the Devil's Brigade, from a grateful nation and from this grateful Iowan, congratulations on this highest of honors, and God bless you.

THE NEXT AMERICAN CENTURY

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

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise to speak briefly about two aspects of the President's budget that really struck me and a number of my constituents in Philadelphia and Montgomery County as so important.

As a new Member, it has been a special honor to be serving in this Chamber, and I have had a few incredibly special moments that all Americans can identify with. One is the swearing-in of a new Congress, something that dates back to right after our First Congress was sworn in right after the U.S. Constitution was signed in Philadelphia. One of those other moments—a constitutionally mandated moment—is

when the President comes to Congress to give a report on the state of the Union from time to time, as the Constitution says.

Sitting right here in this Chamber and hearing President Obama speak about the state of our Union would be exciting in any year, in any circumstance, but it was especially this year because, for the first time in 6 years—after the deepest and darkest recession in almost a century—we have turned the page. After 6 rather difficult years of digging our way out of a ditch, we now can build a foundation to move forward. With that, there were two areas specifically that the President focused on.

One was a universal college education. As the first of my family to go to college, I know I wouldn't have had the opportunities that I have had in life without having a higher education. I needed a combination of scholarships and student loans and every sort of work-study job imaginable to get there, as well as help from parents and even grandparents. That is a story similar to so many working and middle class Americans, but for too many Americans today the cost of a higher education is simply unaffordable.

The question is: Do you go without it at all even though two-thirds of the jobs by the end of this decade will require some form of a higher education? Do you just forgo a higher education altogether, or do you take on tens of thousands in student loans and then be burdened with paying back that debt upon graduation? Either scenario is far from ideal.

What the President said—and I completely agree—is let's make 2 years of community college universal and free in this country. Now, that may be unthinkable today. 100 years ago, it was unthinkable that a free, fully funded high school education would be universal. Yet, for us, that is the reality today. It would be unthinkable for Americans of my age and even of an older age to imagine a time in which high school was not universal. Let's get there with 2 years of a college education.

The second area the President focused on was the child care tax credit. For so many working families and young families, affording child care is simply unaffordable. We have an opportunity through this budget to change that, to build on the successes of the last 6 years and to finally prepare to make this century the second American Century. Ensuring that we have good, high-quality, affordable child care is vital to this middle class.

The reason the last century was the American Century was that we had the largest and most productive middle class in the world. Access to higher education and access to child care are two necessary ingredients in making sure we have a strong and vibrant middle class in the 21st century.

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 28 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

Reverend Dean Curry, Life Center Church, Tacoma, Washington, offered the following prayer:

Father, what an honor it is to be in Your presence here today. We celebrate this morning what You have done through the United States of America.

We acknowledge the hand of providence in our history and the force of inspiration for our future.

Be with us here now most significantly in our present that we could see what others do not see, that we could do what others fear to do, so that we could change what others are afraid to change.

We are reminded that we are so small and You are so big. Our problems are daunting, and our responsibilities are many. But we look to You today, to Your principles and to Your goodness, that we could be everything You designed for us to be, that we could do everything You planned for us to do, that others may be free.

Today, may every decision made, every plan contemplated, be sprinkled with Your grace and be inspired from Heaven. Change us; change our minds and our hearts that we may change our destiny and the destiny of others both here and around the world.

I pray all of this with respect to all faiths in the name of Jesus of Nazareth.

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 gentlewoman from Indiana (Mrs. WALORSKI) come forward and lead the House in the Pledge of Allegiance.

Mrs. WALORSKI 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.

WELCOMING REVEREND DEAN CURRY

The SPEAKER. Without objection, the gentleman from Washington (Mr. KILMER) is recognized for 1 minute.

There was no objection.

Mr. KILMER. Mr. Speaker, I rise to honor today's guest chaplain, Reverend Dean Curry, from Tacoma, Washington.

We are blessed to have such a remarkable pastor with us today who is a leading figure in the region that I represent. Reverend Curry's Life Center Church in Tacoma is a vibrant place where folks young and old come for worship.

He knows what it means to give back to your community. Each month, he brings together civic and elected leaders in Tacoma for a faith breakfast, and volunteers from his church are always helping out those going through hard times.

The motto of his church sums up his work pretty remarkably: ''It's all about the people.'' That is why it is fitting to have Reverend Curry here today. Like the United States House of Representatives, his mission is to serve the people.

Reverend Curry is an example of how we should do more to listen, respect, and understand one another better so we can leave a place for future generations where opportunities are available for everyone.

Reverend Curry has also led humanitarian missions to troubled regions like Iraq and Afghanistan to offer assistance and hope to those suffering through tragedies. He is someone who ''walks the walk'' when it comes to fighting for equality, religious freedom, and social justice both in his community and around the world.

Whether he is listening to stories in refugee settlements or helping out with a national prayer breakfast, his passion for others shines through, and it is an honor to welcome him today.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 2015.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 4, 2015 at 9:22 a.m.:

Appointment:

Commission on Security and Cooperation in Europe (Helsinki).

United States Senate Caucus on International Narcotics Control.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

RECOGNIZING THE SAFE FEDERAL CREDIT UNION 60TH ANNIVERSARY

(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, congratulations to SAFE Federal Credit Union which on January 14 celebrated the 60th anniversary of its Federal charter.

In January 1955, 15 civilian employees at Shaw Air Force Base organized the SAFE Federal Credit Union. Throughout the years, SAFE's membership has expanded to nearly 500 additional groups and eight underserved communities. SAFE, headquartered in Sumter, South Carolina, is now the largest credit union serving the South Carolina Midlands with 108,000 members and $903 million in assets.

I am grateful for the work of SAFE's employees who have developed a reputation of exemplary service, knowledge, and trust under the leadership of SAFE's CEO and president, Beverly Gagne. They have also been on the cutting edge of fraud prevention which is critical as we address new cyber cases of crime.

With their professionalism in lending practices, members have created many opportunities and prompted thousands of new jobs. I know firsthand as a real estate attorney closing loans for SAFE.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

Our prayers for the people of Jordan as the latest victims of terrorism.

INVESTING IN OUR INFRASTRUCTURE

(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, infrastructure investment is key to growing our economy and creating jobs which is why President Obama committed to a 40 percent increase in infrastructure funding in his budget released this week.

Despite the fact that every billion dollars invested in infrastructure creates 30,000 jobs, over the past 50 years, our investment in infrastructure has shrunk by half. Meanwhile, China is investing four times as much as we do in transportation.

We need these investments in Chicago where we have got a century-old transit system that needs updates to keep up with increased capacity. By the way, the Chicago Transit Authority carries more people in a month than Amtrak does in a year. We also need 1,000 miles of roads to be repaired, and 675 bridges are structurally deficient or functionally obsolete.

Our crumbling infrastructure is slowing economic growth, and without serious long-term investments, we simply will not be able to compete in today's global economy.

The President outlined his 21st century infrastructure plan this week. Now, it is time for Democrats and Republicans in Congress to work together on the long-term transportation bill the American people are asking for.

MILITARY SEXUAL TRAUMA BENEFICIARY TRAVEL ACT

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

Mrs. WALORSKI. Mr. Speaker, I rise today after listening to the stories of veterans and their families. It is very apparent the VA is not doing enough to help victims overcome the physical and psychological pain of military sexual trauma.

This week, I introduced H.R. 642, a bill that would make victims of military sexual trauma eligible for VA travel benefits. Those who fight for our freedom have faced enough challenges along the way. Expecting them to pay for their own travel to receive care or treatment for the sexual trauma they endured by serving our country is unfair.

I am grateful today to work with Representative KUSTER, Representative COFFMAN, and Representative RUIZ on this important legislation, and I am hopeful it is a step in the right direction by helping veterans access much-needed care.

I encourage support for H.R. 642.

GO RED FOR WOMEN CAMPAIGN

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

Mrs. BEATTY. Mr. Speaker, I rise today in support of Go Red for Women.

More than 600,000 women's lives have been saved from heart disease since Go Red for Women was created in 2004, but heart disease still remains the number one killer for women and men and causes more deaths than all forms of cancer.

As a National Heart Association Board member, one of Columbus, Ohio's first Go Red chairs, and a member of the Congressional Heart Caucus, I rise today to recognize survivors, those battling with heart disease, and those who are fighting and working to find cures and improve treatments.

Today, Members of Congress will stand together, Democrats and Republicans, in red to send a message to the Nation that as colleagues, we can stand and celebrate the American Heart Association and its Go Red for Women campaign.

Mr. Speaker, working together, we will make a difference.

RECOGNIZING BILLY KIRKBRIDE

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

Mr. STEWART. Mr. Speaker, I stand here today to recognize a true American hero, Utah veteran Billy Kirkbride, who was just awarded the Congressional Gold Medal.

Billy joined the Army in 1942, and he was chosen to be part of the unique program called the First Special Service Force which was the forerunner of today's Special Forces. It was here that he became a member of the very elite Devil's Brigade.

The Congressional Gold Medal is awarded to those who have performed amazing feats leaving permanent impacts upon American culture and history. As a former Air Force pilot, I know the sacrifice and the dedication that it takes to become one of America's elite warriors.

It is an honor to stand here today not just before the American people, but before his lovely wife and daughters to pay tribute to the sacrifice and dedication that Billy showed through his service to this great Nation.

He doesn't just represent the strength of the Armed Forces, he represents American values that continue to make our Nation great, and millions of us are grateful for his service.

PASS A VETERANS JOBS BILL

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

Ms. KELLY of Illinois. Mr. Speaker, today, I rise on behalf of the many Illinois veterans that I represent and their families to draw attention to the high rate of veteran unemployment in America. After fighting for our Nation, far too many military heroes are being forced to fight for a job here at home.

Despite many veterans having the leadership skills and work ethic that businesses are looking for, the unemployment rate for post-9/11 veterans is 6.9 percent, far higher than the national average of 5.6 percent.

I am committed to reducing veteran unemployment and helping our heroes find quality work. Last week, I released an updated edition of my veterans resource guidebook to help our veterans get the benefits they have earned and employment resources to get them and their families back in the workforce, but we need to do more.

I urge my colleagues to work with me to pass a veterans job bill to put the half million unemployed veterans back to work.

BENEFICIARY TRAVEL FOR VETERANS SEEKING TREATMENT OR CARE FOR MILITARY SEXUAL TRAUMA

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

Mr. COFFMAN. Mr. Speaker, today, I join my colleagues as we address one of the challenges within Veterans Affairs—our goal: ensuring our veterans are provided the best possible care to heal from the wounds associated with being a victim of military sexual trauma.

As has been noted by the Veterans Affairs inspector general, obtaining travel authorization to the most appropriate clinics to address the specialized care required of military sexual trauma victims has been an obstacle. This bill, H.R. 642, will take care of that.

The bottom line is that victims of military sexual assault trauma should be able to obtain the specific care necessary to address their individual needs and not be trapped by a bureaucracy that fails to give them access to treatment because it cannot reconcile how to pay for travel to get to and from a treatment facility.

Please join me and my colleagues as we stand up for veterans who are victims of military sexual trauma and enable them to obtain the treatment that they need.

□ 1215

PRESIDENT OBAMA'S FISCAL YEAR 2016 BUDGET PROPOSAL

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

Mr. PALLONE. Mr. Speaker, President Obama's budget proposal for fiscal year 2016 lays out a fiscally responsible plan to invest in our future and makes sure that hardworking Americans are able to benefit from an economy that is finally improving. I am particularly pleased that the President is committed to making strategic investments in our Nation's research and development.

The budget invests $146 billion for R&D across the Federal Government, which is a 6 percent increase. The budget provides for $7 billion in clean energy funding throughout the Federal Government and $2.4 billion to further advance manufacturing technologies. This funding improves our scientific knowledge, creates technologies with widespread benefits, and strengthens U.S.-global competitiveness.

The budget also makes investments in public health, including $31 billion for the National Institutes of Health, which is a $1 billion increase over the 2015 level, and $1.2 billion across several agencies to combat antibiotic resistant bacteria, for advanced precision medicine, and for targeted therapies for patients.

I mention all of these, Mr. Speaker, because I do believe—and every evidence shows—that research investment creates jobs, promotes innovation, and increases economic development. That means more jobs. I hope that the Republicans will support the President's budget.

HAROLD EATMAN

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

Mr. PITTENGER. Mr. Speaker, I rise today to honor Harold Eatman of Matthews, North Carolina, who is a 99-year-young brave patriot who volunteered for the 82nd Airborne at the start of World War II because he wanted a tough assignment.

Mr. Eatman is one of the few paratroopers to make all four World War II jumps—into Sicily, Italy, Holland, and Normandy. For his bravery in helping to liberate France from Nazi brutality, the French Government on Tuesday awarded Mr. Eatman the prestigious Legion of Honor medal, an award created by Napoleon.

Mr. Eatman's dedication extends beyond the battlefield. Following his discharge after World War II, he volunteered for another year's Active Duty to help escort the bodies of fallen soldiers as they were returned home.

Please join me in thanking Harold Eatman for his bravery and sacrifice in fighting for freedom—an exemplary example of the Greatest Generation.

MS. WALTER BARBOUR, A TRUE TRAILBLAZER

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

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of a true trailblazer, Ms. Walter Barbour—the first Black woman to serve on the Fort Worth City Council.

Just like many of the constituents I serve, Ms. Barbour was a product of the segregated I.M. Terrell High School in Fort Worth. Ms. Barbour graduated from I.M. Terrell in 1937 and went on to earn her bachelor's degree from Prairie View A&M University and her master's degree from Atlanta University in Georgia.

Ms. Barbour served on the Fort Worth City Council from 1977 to 1979. During her tenure on the council, she advocated for a health clinic that now sits in the Stop Six community, which is where she lived; for summer food programs for low-income children; for recreational facilities for the community; and she cleared the way for the first fire station in the Stop Six-Eastwood area on Ramey Avenue and Edgewood Terrace.

Ms. Barbour is survived by her daughter, Hollie; her son, Robert Barbour, Jr.; as well as two grandchildren.

I ask my colleagues to join me today in honoring a true legend, Ms. Walter Barbour, who broke so many barriers at a time when women and African Americans faced so many obstacles, but she still worked hard to live the American Dream.

PRESIDENT OBAMA'S FISCAL YEAR 2016 BUDGET PROPOSAL

(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, while I am very proud to represent Punxsutawney, Pennsylvania, we woke up on Groundhog Day to a budget proposal that feels like the infinite loop—loaded with the same tax-and-spend policies that have not worked for the President or for the American people.

The President's budget proposal is a hard left U-turn that attempts to undo the three consecutive years of more responsible, less discretionary spending. While Congress only has the power of the purse, this budget altogether ignores our staggering national debt, which is more than $18.1 trillion.

Despite $2.1 trillion in proposed tax increases, President Obama's budget never balances—ever. Since 2009, $7.5 trillion has been added to the national debt, and expenditures amount to more than $21.1 trillion. The President's budget request recommends adding a staggering additional $8.5 trillion to the debt.

Mr. Speaker, we need smart budgeting to fund our priorities without doing harm to families, small businesses, and future generations. The American people deserve no less.

THE PRESIDENT'S BUDGET

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

Mr. CICILLINE. Mr. Speaker, this week, President Obama unveiled his fiscal year 2016 budget, which outlines his funding priorities for the year ahead.

This proposal builds on the economic progress we have made by properly focusing on middle class initiatives, and it supports initiatives that create jobs, educate young people, increase access to affordable child care, repair our crumbling roads and bridges, and keep communities safe—all to ensure that the American economy works for everyone and that recovery reaches all Americans.

The President's proposal is a strong starting point for Congress to work together to produce a smart and sensible budget that reflects the priorities of working Americans, that keeps our country safe and our economy growing.

I urge my Republican colleagues to drop their misguided proposals that benefit special interests, that repeal the Affordable Care Act, and that restrict women's health care decisions, and to focus instead on a bipartisan

budget agreement that ensures all Americans share in our country's growing recovery and that makes the right investments for our future.

TAXPAYERS RIGHT-TO-KNOW ACT

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

Mr. WALBERG. Mr. Speaker, I rise today because I believe the American people deserve to know how their hard-earned tax dollars are spent. That is why I introduced the Taxpayers Right-to-Know Act.

Congress is known for its complex bills, but this one is pretty simple. It requires each Federal agency to provide taxpayers an annual report card of what they are doing with the money they have been given. With a government this large it is no secret we have waste and duplication. By better tracking government spending, we can look back and identify the outdated programs that should be eliminated or streamlined to save money.

As the people's representatives, we are here to be responsible stewards of their tax dollars, and this bipartisan bill is a good start to stopping wasteful spending.

CAMPAIGN FINANCE

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

Mr. CARNEY. Mr. Speaker, I rise today to urge my colleagues to pass legislation that limits the role of money in politics. Since the Citizens United decision in 2010, the role of fundraising and spending in political campaigns has gotten even more out of control than it was before.

That is why I introduced a constitutional amendment, H.J. Res. 24, which allows Congress and the States to rein in campaign contributions. It is also why I cosponsored the DISCLOSE Act, the Government By the People Act, and the democracy for all amendment—all designed to limit the influence of money in our political system.

The American people need to know that their elected officials are here to serve them and not big campaign contributors. The overwhelming amount of money spent on campaigns weakens people's faith in our political system.

Mr. Speaker, I urge House leadership to take up legislation to address this issue. We need to change our laws to get money out of politics and to keep our focus where it belongs—doing the right thing for the American people.

SUPPORTING OUR ALLIES

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

Mr. PITTS. Mr. Speaker, with the rise of ISIS—or ISIL—in Syria and Iraq, we have seen the brutality of Islamic extremism to an extent previously unimaginable.

In just the last week, ISIL beheaded two Japanese citizens and revealed that a Jordanian pilot had been burned alive in a cage. This is why it is more critical than ever that we support our moderate allies in the region and praise their efforts to protect religious minorities.

In Egypt, President el-Sisi recently became the first modern leader in the country's history to visit a Coptic Christian church on Christmas Eve. The cathedral he visited had been attacked just 2 years earlier by Islamic extremists. By contrast, in regions controlled by ISIL, groups that have lived in the same community for more than 1,000 years have been killed or have fled for their lives.

We must never forget that the mission of the extremists is not regional but global dominance, and it is aimed at all who refuse to submit to their harsh interpretation of their religion. We must stand together with leaders like the King of Jordan and the President of Egypt, who speak up and act to defeat Islamic extremism, and give them our strong support.

VACCINATIONS

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

Mr. FOSTER. Mr. Speaker, once again, our country is seeing the dangerous effects of failing to listen to science.

In 2000, the United States had effectively eliminated endemic measles—an effort 40 years in the making—but all of that progress is quickly coming undone, not by an act of nature but by willful ignorance.

Last year, there were 644 cases of measles in the United States—the highest number in 20 years. Already this year, there have been 102 cases in 14 States, including in my home State of Illinois.

This is a dangerous game and one that some elected officials are encouraging. As leaders, it is our duty to inform the public of the truth. For those of us with scientific and medical backgrounds, this duty falls even more seriously.

When you fail to vaccinate, it is not just yourself and your children that you are putting in danger; it is everyone you come into contact with. And when politicians give voice to misinformation and paranoia, they are putting us all at risk.

Measles may not spread as fast as erroneous sound bites and tweets, but they both have the potential to cause a great amount of damage.

I know that many of my colleagues have reminded us that they are not scientists as they use this as an excuse for their advocacy of bad public policy, but it does not take a scientist to realize that opposing vaccines is wrong.

Absent a valid medical reason for exclusion, vaccines are critical for every man, woman, and child in our country—period.

NATIONAL CANCER PREVENTION DAY

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

Mr. BENISHEK. Mr. Speaker, I rise today to highlight the important health care issues surrounding the National Cancer Prevention Day.

This day is an opportunity for health care providers, policymakers, and other community leaders to educate people on the healthy activities and behaviors that can prevent this disease. While we learn more and more every year about how to best treat cancer, more must be done to focus on preventing cases from ever occurring. Today is a reminder to patients to make it their business to learn of activities and behaviors to decrease the incidence of this disease.

As a doctor who treated patients in northern Michigan for over 30 years, I am far too familiar with the devastating impact that cancer has on countless lives every day. I hope that all of my colleagues in the House and the Senate will join me in the 114th Congress to remember the victims of cancer, to honor its survivors, and to do everything in our power to prevent future cases of this disease.

PROVIDING TRAVEL BENEFITS FOR VICTIMS OF MILITARY SEXUAL TRAUMA

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

Ms. KUSTER. Mr. Speaker, today, I am proud to again partner with my colleague JACKIE WALORSKI from Indiana to reintroduce legislation to extend veterans' travel benefits to veterans who are traveling to seek treatment for injuries resulting from sexual trauma in the military.

It is an honor to serve with Mrs. WALORSKI on the Veterans' Affairs Committee—one of the most bipartisan committees in the House—and it is a privilege to work with all of our colleagues, Republicans and Democrats, in service to our Nation's veterans. We must ensure that victims can access the high-quality care that every veteran is guaranteed when he or she joins the military.

The occurrence of sexual trauma in the military is outrageous enough, but it is something our brave servicemen and -women should never be forced to experience. What is even worse is that many survivors of military sexual trauma have trouble accessing the physical and mental health services they need when they return home because the VA does not provide travel benefits to all victims of MST.

This legislation is a great first step in further protecting the thousands of servicemen and -women who are survivors of military sexual violence. I urge its swift passage.

□ 1230

HONORING ANDY CREWS

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

Mr. GUINTA. Mr. Speaker, I rise today to honor a constituent and friend who was recently named the 2015 Time Magazine Dealer of the Year. Andy Crews, president and CEO of AutoFair, is one of the Nation's most successful auto dealers, with seven stores and 600 employees in the Granite State and the Commonwealth of Massachusetts.

Not only is Andy a natural business leader, he is also an outstanding public servant. He has served in the United States Marine Corps and constantly gives back to the future leaders of our communities.

In addition to donating proceeds of auto sales to help feed the needy around Thanksgivingtime, Andy has spearheaded a program to motivate high school seniors in Manchester, New Hampshire, to excel in their classes for a chance to win a car.

Andy also works closely with the New Hampshire community technical colleges to ensure students are receiving the best education and training to become the next generation of trained auto technicians.

It is people like Andy Crews who make me beyond proud to call myself a Granite Stater. His commitment and passion to the auto industry and our communities are beyond deserving of the 2015 Time Magazine Dealer of the Year award, and I wish him continued success.

WE MUST NOT NEGLECT BOKO HARAM

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

Ms. WILSON of Florida. Mr. Speaker, last April I was horrified when hundreds of girls were kidnapped by Boko Haram in Nigeria because they attended school.

To this day, Boko Haram continues their reign of terror. In early January, thousands of Nigerians were slaughtered by these terrorists; and these attacks continue, with thousands and thousands of civilians killed since then as well.

With all of the attention focused on ISIS and al Qaeda, do not continue to neglect this issue. Mr. Speaker, we can not and must not forget about the unspeakable horrors being perpetuated by Boko Haram.

Mr. Speaker, Black lives matter. That is why I am supporting the Jubilee Campaign's Education After Escape initiative, which provides scholarships to the young girls that escaped Boko Haram.

I am working to support these brave young girls who, despite the horrors they witnessed, maintain dreams of success. They still want and deserve an education.

Mr. Speaker, we have to support the victims of Boko Haram just like we support the victims of other terrorist groups.

Mr. Speaker, we have to continue to tweet so that the world will know and understand that we are supporting those victims. Tweet #BringBackOurGirls and #JoinRepWilson. Tweet, tweet, tweet.

HONORING CAROL MANNING

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

Mr. MCCLINTOCK. Mr. Speaker, on March 28, the Orange County Alzheimer's Association will honor four individuals for their extraordinary contributions to advancing research and providing care for this debilitating disease. One of them is Carol Manning, and I would like to add my voice to the chorus of praise for her philanthropic work.

I first met Carol 35 years ago. She and Everett were struggling to raise a family and make ends meet, and yet she still made time to volunteer for many civic endeavors. Today, Carol is president and CEO of TMS, Inc., Print Systems, a $30 million enterprise. And, yes, she and Everett did build that business from scratch with a lot of long hours and hard work and personal sacrifice.

Carol still puts in those long hours, and yet she still makes time for so many worthy causes, Alzheimer's research being just one. On behalf of all of the people whose lives she has made better, I am honored to say thank you, Carol Manning.

MILLIONS OF AMERICANS WAIT PATIENTLY FOR IMMIGRATION REFORM

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

Mr. SCHRADER. Mr. Speaker, the House of Representatives has had 4 years to bring an immigration bill—any immigration bill—to a vote and yet has failed to do so.

Oregon businesses, labor, farmers, farmworkers, faith-based groups, and human rights advocates have all patiently waited for comprehensive immigration reform. So have millions of Americans and people all across this Nation as they wait for their legal status to catch up with the realities of their lives as good and productive members of our society. Without comprehensive reforms, Oregon businesses are in peril and Oregon families live in constant fear.

Many of us in the House have offered a bipartisan bill similar to the Senate's with better border enforcement provisions, but hard-line, rightwing extreme provisions have hamstrung any action on these bills.

As a result of the intolerable congressional inaction, the President has issued executive orders to protect folks who have immigrated to this country and been productive members of society and the economy. This executive action merely prioritizes deportations for individuals who harm or pose a threat to our society.

My hope had been that this action would spur comprehensive immigration reform. Instead, House Republicans now play games with the Department of Homeland Security's appropriations and put us all at risk.

It is time to act.

NOW IS THE TIME FOR IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, now is the time for immigration reform. Our Nation is already beginning to see some of the great economic benefits of the DACA and DAPA programs, which I vow to do my best to protect here as we go through the Department of Homeland Security appropriations process.

The true benefits of immigration reform—which, according to the Congressional Budget Office, are over $200 billion in deficit reduction, finally securing and establishing security on our border, implementing mandatory workplace enforcement to prevent people who are here illegally from undermining the job market for Americans, and creating over 150,000 jobs for American citizens—can only be recognized if this body takes action and passes immigration reform.

We had a bill last session that would have passed the floor of the House, and it already passed the Senate. We begin anew. Rather than living in this Groundhog Day of repetitious repeals of ObamaCare, let's move forward on something that creates economic growth, jobs for Americans, and reduces our deficit. It is called immigration reform.

PROVIDING FOR CONSIDERATION OF H.R. 527, SMALL BUSINESS REGULATORY FLEXIBILITY IMPROVEMENTS ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 50, UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2015

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 78 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 78

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 527) to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-3. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 50) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-4, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 78 provides for a structured rule providing for consideration of H.R. 50, the Unfunded Mandates Information and Transparency Act, and H.R. 527, the Small Business Regulatory Flexibility Improvements Act.

Mr. Speaker, every year bureaucrats in Washington impose thousands of regulatory mandates on local governments and small businesses. Those mandates can be costly, stretching city and State budgets and making it harder for American businesses to hire.

The Unfunded Mandates Information and Transparency Act, H.R. 50, will ensure that the people who write these regulations in Washington know exactly what they are asking the American people to pay and whether the cost of compliance might make it harder for family businesses to meet payroll and stay afloat.

H.R. 50 will force Washington to think carefully about regulatory costs before it passes them on to Americans. This bill is about transparency and accountability and is something Democrats and Republicans can all support.

In 1995, Congress passed the bipartisan Unfunded Mandates Reform Act, UMRA, legislation designed to prevent the Federal Government from imposing unfunded mandates onto State and local governments or private businesses without policymakers or the public knowing the cost of such policies.

UMRA's main objective was to force the Federal Government to estimate how much unfunded mandates would cost local governments and businesses and rein in out-of-control mandates. UMRA ensured public awareness of the crushing financial burden of Federal mandates on employers and State and local governments. However, UMRA has not been amended since 1995, and some subtle changes are needed to preserve and improve on the Act's initial purposes.

□ 1245

UMRA was a good bill, but over time, some shortcomings became apparent such that the Clinton and, later, Obama administrations issued executive orders to fix the loopholes within it.

H.R. 50 has bipartisan DNA, Mr. Speaker. It codifies those administrative fixes championed by Presidents Clinton and Obama and promotes good government, accountability, and transparency.

As a testament to this fact, the bill is cosponsored by two of my Democratic colleagues here in the House, Representatives COLLIN PETERSON and LORETTA SANCHEZ. I owe them a debt of gratitude for their efforts in promoting this commonsense bill.

The text of H.R. 50 has passed the House on a bipartisan basis three times in the 112th and 113th Congresses. The bill most recently was favorably reported by the House Oversight and Government Reform Committee.

A common refrain in this business is that ''nobody wants to see how the sausage is made,'' meaning that the process of drafting and passing legislation is so ugly that it would repulse people. In this case, I disagree.

I am extremely proud of this bill, and I am proud of the process by which it has been advanced in the House. I have had the pleasure of working with colleagues from both sides of the aisle on this measure, and I appreciate their support and counsel.

The Unfunded Mandates Reform Act of 1995 was a model for bipartisanship, and my hope is that this bill leaves a similar legacy. I urge all of my colleagues on both sides of this aisle to support the rule and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentlewoman, Dr. FOXX, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I also express through you my wishes for her recovery, and I also appreciate her patriotism in doing her duty to God and country here today despite her respiratory duress. I hope that goes

noted, that she is doing a great job representing her party on this bill.

Mr. Speaker, I rise in opposition to the rule and the underlying bills, the Unfunded Mandates Information and Transparency Act and the Small Business Regulatory Flexibility Improvements Act.

The titles of these bills, while lengthy, seem to suggest that somehow these efforts are designed to increase transparency or help small business. Their actual impact is quite frankly the opposite.

By allowing rules to be written behind closed doors by big businesses and effectively preventing Federal agencies from promoting the national interests as they are supposed to and adding additional bureaucratic red tape and paperwork, these bills represent an assault on the health and safety of our Nation's families and threaten to drown our government in mountains and mountains of unnecessary paperwork.

I think that the release of the President's budget this week shows a contrast between the priorities of both parties' agendas. The President's budget focused on Main Street, offering new ideas for how we can meet the infrastructure needs of our country and reform our corporate tax system to make American businesses more competitive.

Unfortunately, what we continue to see here in this body from the Republicans is a ''Groundhog Day'' scenario where every day, every week—it is like the movie—we are talking about the same thing over and over again.

We have acted on repealing the Affordable Care Act 56 times in this body. Here, we are back with another set of bills that echo other bills again and again and again.

Now, I understand why many people want to do this once and go through it. People ran on repealing ObamaCare, and people ran on passing these bills. Once they are done, we will see what the other body does.

But to keep coming back, rather than dealing with the critical national priorities, I think simply shows a detachment from reality. That is one of the reasons the public holds this body in such low regard.

The bill that we considered 2 weeks ago added 65 new analytical requirements to the process of rulemaking—more red tape, more hurdles. I think what we are seeing here today is maybe that is not enough red tape. We are now looking at bills that allow big business to weigh in before the public, creating even more hurdles before regulations become public and are implemented.

H.R. 50 would effectively require agencies to consult with the private sector before the public is even made aware of the bill, let alone engaged in the rulemaking. This blocks transparency and handicaps public input.

I agree we want to make sure that business has the opportunity to weigh in, but we want to make sure that every stakeholder in a rulemaking process has the opportunity to weigh in equally.

In my State of Colorado, I would be concerned about the erosion of our protection of our great natural areas like Rocky Mountain National Park which is a protected site. We celebrated its 100th anniversary as a national park just last week.

In those 100 years, the Rocky Mountains have been thriving. If you visit the park today, you can find streams, elk, bighorn sheep, and fields of wildflowers; but if we hadn't designated the park a national treasure and created a comprehensive management plan for its protection, we might very well have lost not only something that relates to our national pride and is beautiful but, frankly, is the economic driver in Estes Park and Grand County for much of the economic activity in and around the National Park.

H.R. 50 would threaten the ability of the National Park Service to create the kind of management plan that the economy has thrived under in my home State of Colorado and in my district. It would essentially create a veto power for legislators and interests that don't believe in the protection of public lands or are willing to threaten the health of our families for enhancement of their bottom line. There is always going to be somebody that objects.

Again, we have a thriving tourism economy relating to Rocky Mountain National Park, but I am sure there is some company somewhere that would have some interest that is countervailing to the interests of job creation in our community, and that is why we need to have a transparent and accessible process of listening to stakeholders in as expeditious a way as possible.

We need a system that allows the Fort Collins native who hikes through the Rockies every weekend or the New Yorker who visits the snowcapped mountains every spring the ability to participate in protecting those natural resources and the protection of our public health.

We need to listen to the small businesses, the hospitality sector, and the restaurants and lodges that serve our tourism communities, but by allowing an unfair advantage to out-of-State corporate interests, we threaten the very principle that makes us American, the ability to participate in our decisions of government at the level closest to where we are affected.

H.R. 50 is a dangerous precedent for policy. It allows additional red tape to be thrown at government agencies, representing unnecessary delays and costs that prevent us from creating jobs and growing our economy.

We need to move forward with a middle class agenda for our country rather than continuing to live in this Groundhog Day scenario of repetitious bills that don't discuss how to grow our economy or grow the middle class.

Yesterday, this body attempted to repeal the Affordable Care Act for the 56th time. Today, the Republicans are making two attempts at what I consider to be a very similar thing, damage the regulatory process at all costs, which we already did and we are doing again.

They want to see additional red tape and bureaucracy added—whether it is clean air, whether it is clean water, whether it is consumers, whether it is protecting our children—regardless of the particular area with which we operate.

Instead of having a cumulative look at regulations, we should have a look at cumulative impacts of all the legislation that has been brought before this body and how that impacts small businesses and regulations.

Earlier this year, the House passed the Regulatory Accountability Act. That bill alone added 65 new checkpoints to the regulatory process. This bill would prevent transparency and allow big business to weigh in on regulations—before small businesses, before consumers, before other stakeholders—and add an additional tier and red tape to the regulatory process.

We need to move forward with improving our regulatory structure. I don't think there is any disagreement about that. Some of that can be done through executive action and some in a collaborative, bipartisan way to streamline the regulatory process to reduce hurdles for small businesses while meeting the goals of protecting the American public. Unfortunately, these bills do neither of those.

I encourage my colleagues to oppose the rule and the underlying bills.

I reserve the balance of my time.

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

I want to thank my colleague from Colorado for his kind comments about me and my health. I appreciate all condolences.

Mr. Speaker, this resolution also provides for consideration of H.R. 527, the Small Business Regulatory Flexibility Improvements Act of 2015, which is important legislation to improve the Federal Government's treatment of small businesses.

Ensuring we are providing the best environment possible to small businesses is vital to support a sector which employs nearly half of America's private sector workers and generates 63 percent of new private sector jobs.

As a former owner of a nursery, I know well the joys and trials of running a small business, and I am pleased that the House is considering these vital provisions.

Small businesses do not have the staff or background to identify and comply with ever-growing piles of red tape. Federal regulations disproportionately impact small businesses which led Congress to enact the Regulatory Flexibility Act.

The Regulatory Flexibility Act requires agencies to account better for

the impacts of proposed regulations on small businesses and other small entities and to tailor regulations to minimize adverse impacts on these entities.

Unsurprisingly, agencies have failed to comply with these requirements in full. They have taken advantage of loopholes, failed to acknowledge the entirety of impacts for proposed rules, and issued rules that continue to harm small businesses. That failure necessitates our actions this week to consider H.R. 527, the Small Business Regulatory Flexibility Improvements Act.

This legislation requires Federal agencies to consider the potential ''economic impact'' of proposed rules on small businesses and nonprofits. It also mandates a 10-year plan to review all rules determined to have ''a significant economic impact on a substantial number of small entities.''

That will ensure past regulations will not remain on the books unexamined and able to burden small businesses for decades.

The legislation also expands ''regulatory flexibility analysis'' requirements which are currently used to explain the reasoning behind a proposed rule, identify duplicative rules, and explain any recordkeeping or other requirements that may be imposed on small businesses or other small entities.

It also requires the Small Business Administration's chief counsel for advocacy to develop interagency rules for conducting flexibility analyses.

These changes will ensure that future regulations are tailored to minimize their impact on small businesses. This will allow small businesses to spend more of their investments and time hiring new employees and growing their businesses rather than complying with unnecessary burdens from Federal regulations.

H.R. 527 is a simple, commonsense mandate for the executive branch to work together with small businesses and design smarter, less burdensome rules that work for the American people, and I commend it to my colleagues for their support.

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

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to allow for consideration of legislation that would help veterans make it in America by establishing a pilot program to encourage the hiring of veterans in manufacturing jobs.

To discuss our thoughtful proposal, I yield 3 minutes to the gentlewoman from Washington (Ms. DELBENE), a leader on veterans issues.

Ms. DELBENE. I thank the gentleman for yielding.

Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question so that we can consider my proposal to boost education and job training for our veterans.

Everyone in this Chamber can agree that we have an obligation to care for those who risk their lives and make sacrifices for our freedoms.

Unfortunately, there are too many veterans struggling to find work today, and we are not doing enough to help. Last year, the unemployment rate for post-9/11 veterans stood at more than 7 percent, substantially higher than the national rate; and across all age groups, there were more than 500,000 veterans out of work in 2014.

This is unacceptable. Congress must do more to meet its commitment to these brave men and women. That is why I encourage my colleagues to join me and more than 40 of my colleagues in supporting the Manufacturing Jobs for Veterans Act.

My bill will establish State-based manufacturing employment programs to provide skills training in manufacturing jobs for veterans and servicemembers who are reentering the workforce.

These pilot programs would support on-the-job training opportunities, apprenticeships, and certification classes for unemployed veterans; and it will encourage manufacturers to recruit, hire, and train our Nation's heroes.

With as many as 600,000 unfilled manufacturing jobs, we have an opportunity to connect employers with a pipeline of skilled, capable workers.

□ 1300

Instead of voting on yet another partisan bill, we should be focused on real solutions that help the American people, grow our economy, and strengthen the middle class. I urge my colleagues to defeat the previous question so we can take up this important bill and put our veterans back to work.

Ms. FOXX. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate that, and I thank my good friend from North Carolina, who, as has already been stated on the floor, is powering through today, standing strong for the values that I think really would not be expressed any differently except to say, Mr. Speaker, that there is critical national interest here.

There is probably today, on the floor, as we talk about these bills—and yes, it is sort of a Groundhog Day, and I will get to that in a moment, because it seems like every time we, from the Republican side of the aisle, want to talk about jobs and kitchen tables and making better improvements for life and getting rid of regulatory burdens that would help or putting controls on government, we are accused of wanting to spoil the environment, kill trees, make flowers not bloom, I mean, whatever it may be, but the issue, that is Groundhog Day.

So if people want a true Groundhog Day analogy, here is the Groundhog Day analogy. The analogy is, when we want to put constraints on government from interfering and getting in the way of its proper role of helping business and helping our country do what it is supposed to do, or we are wanting to control, through government, this process and do so in a way that is detrimental to those moms and dads who get up every day and families and single moms and grandparents and aunts and uncles, all these folks who just simply say, we are not really as overly concerned about what you are doing in Washington, D.C., as I am concerned about what you are doing in Hometown, USA, where I get up every morning.

It has been said many times, Mr. Speaker, already this afternoon, and the issue is, we are putting more burden and red tape on America.

No. What this bill does—and these two bills that I speak in favor of in this rule, these two bills that we are doing, H.R. 50 and H.R. 527—is actually controlling government. Instead of letting it get in the way and put unnecessary or quicker burdens on those again, we are simply saying, Whoa. There is a proper place. There is a proper place for regulation. There is a proper place for a limited government role that our Founders made.

However, when that role steps over and begins to not only burden business but instead the man or woman who wants to get up in the morning and chase a dream of starting a new business, as I once did, when we started a scrapbook store, you know, just to get a little bit of money, we were able to do so.

But others who want to go get a loan, they have to go through the bureaucratic red tape that is now keeping them from starting the small business jobs that employ people on a day-to-day level. We are simply saying, Government, it is time to take a breath. It is time to step back and see the impact that you are having.

Granted, some regulation is good. I will give that to my Democratic colleagues. But overregulation and burdensome regulation tears down our economy.

So if that is the Groundhog Day argument for this week we want to have, I will have it every day of the week. The Members and people who watch this floor can see you have a party that wants to restrict business and jobs and government in such a way that it throttles the economy or a party which is putting forth solutions and will put forward as many times as we have to to remind the American people that it is people and small business and jobs, the everyday Americans who create the jobs in this country, not government.

A business owner that I just recently spoke to had 10 employees, and he said he was getting ready to hire another employee. I said, Well, great. That is great. 10 percent growth. One more employee.

He said, But you have got to understand. I am having to hire somebody, and all they are going to be doing is filling out government paperwork.

In other words, Mr. Speaker, this is not someone who can go out and sell

their widget or perform their service. This is someone who will sit in an office and simply make sure that they are complying with the Big Brother overreach of government. That is not job creation. That is burdensome on business.

Let's get them where they can create jobs and go out and sell their product, do their services.

We have a bank in my area. You are talking about unfunded mandates, regulatory rulemaking. A bank in my area, on their regular regulatory inspection, they were waiting for the bank examiners to come, the folks to come in and do their audit.

The problem they had was this: when the government showed up, they had more people coming to inspect their books than they had employed in their main office. And the government agency complained that they did not have enough room for them to do their job.

I am sorry, Mr. Speaker. It is not up to small business to make sure government can do its job. It is up to government to provide the atmosphere so small business can do its job, and that is what we are here about today.

So when we look at this, I urge my colleagues, don't get sidetracked on other issues. Look at it for what it is. It is government getting the constraint, not the American people. It is protecting the American people from not good legislation, good litigation. It is the stuff that we need to work on.

So, Mr. Speaker, I state these are good bills. Let's state it clearly. Groundhog Day is exactly what it is: for government, or let's let the people live.

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

Ms. FOXX. Mr. Speaker, I yield 1 minute to our colleague from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I certainly thank the gentlewoman from North Carolina for yielding this time and for her good work on this legislation.

I came to the floor today just to tell you a little bit about why I think this legislation is so very important.

When I first came to Congress many years ago, we had a Democratic Governor of Tennessee, Ned Ray McWherter, and he was a fine Governor. He would have the Tennessee congressional delegation to the Governor's mansion once a year. And he would always start those meetings off—every single year he would say: Please, no more unfunded mandates. Please, no more unfunded mandates.

He said that most of what the State was having to do now were things that were required by the Federal Government, and it was causing the States great financial difficulties, and it was turning what was supposed to be a Federal system that our Founding Fathers envisioned, it was turning it totally upside down.

This bill is a very reasonable, moderate, commonsense effort to make good on the original Unfunded Mandates Reform Act of 1995. All it is trying to do is ensure that Congress and Federal agencies are fully informed about the impact of these Federal mandates.

I urge my colleagues to support this very fine effort to make our system better.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

When you hear the gentleman from Georgia or the gentlewoman from North Carolina talk about the intent behind these bills, they sound great. We all want a streamlined regulatory process and to help make it more efficient.

Unfortunately, when you look at what these bills do, they do the opposite. They add another tier to regulation, with Big Business having a new say in and above what small businesses and community members can do. They add red tape and legal requirements to regulation that don't exist now under statute.

It, again, seems to me like the opposite of trying to get input so our regulations best affect the needs of each community, and we have diverse needs across this country.

My district is 62 percent Federal land, so when decisions are made on Federal land, like a travel management plan, and on where people can bike and where they can hunt and fish, we want to have our say. The last thing we want is some out-of-state corporate interest determining in some process before we even get our say on how these Federal lands are used.

It is absolutely critical that we empower our communities, and this bill does the opposite in the name of adding more bureaucracy and red tape to the regulatory process, presumably, in an attempt to delay or make it less effective than it is.

Now, we value, as Americans, the work that the Clean Water Act does, the Clean Air Act, the EPA, our essential protections around public health. They are very, very important. And I think our colleagues agree that they don't want to take those on head on.

But this bill would prevent some of those very agencies from doing the work that we have charged them to do, keeping our air clean, our water clean, and they need to be able to do that work and involve local impact in making sure that they do it in a way that protects American health and helps grow our economy and create jobs.

We need to make sure that we don't have dumping of industrial waste in the Colorado River, poisoning millions of recreational users. We want to make sure that drilling sites don't use chemical compounds that are toxic or cause birth defects.

We can and we must do better. The march of science moves forward. If there are thoughtful improvements to the regulatory process that will help reduce costs and reduce red tape, rather than add red tape, we are happy to have those discussions. But, unfortunately, these bills fall short of that mark. That is why I oppose the rule and the bill.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. AMODEI). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. My colleague, Ms. DELBENE, has offered a concept around a pilot program to encourage the hiring of veterans in manufacturing jobs, the type of middle class agenda that the American public wants this Congress to work on, rather than one that cuts them out of the very rulemaking that is designed to protect us Americans from our health hazards and protect our public lands.

I urge my colleagues to vote ''no,'' defeat the previous question, vote ''no'' on the rule and the underlying bill, and I yield back the balance of my time.

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

Our colleagues on the other side of the aisle know that Republicans are not opposed to regulations. We just want regulations to be done right.

These are modest reforms, supported by Republicans and Democrats alike. Some of these changes merely codify executive orders issued by the last two Democrat Presidents.

Mr. Speaker, as proud as I am of this legislation, I realize its passage today won't be front-page news. I understand that ''Lawmakers Band Together to Close Technical Loopholes in UMRA'' isn't exactly a riveting headline. But what we are doing here is important.

In Congress, we often focus our energy and attention on those issues that are most divisive and controversial, and I understand that. There are real, substantive disagreements between the two parties and among the American people.

But Congress must do the hard things. Every now and then, we get an opportunity to do something easy. This should be easy. Reforms in this bill are low-hanging fruit.

Some of my colleagues have suggestions for improvement and have offered amendments to these bills. Great. I welcome their suggestions.

Those amendments will be discussed in an open and transparent process. Not a single proposed amendment to either bill, Democrat or Republican, has been excluded by this rule.

I hope, Mr. Speaker, that my colleagues will join me in supporting these sensible bills that will enhance transparency, accountability, and awareness of Federal mandates and improve the Federal Government's treatment of small businesses.

I urge my colleagues to vote for this rule and the underlying bills.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 78 OFFERED BY MR. POLLS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 344) to provide for the establishment of a pilot program to encourage the employment of veterans in manufacturing positions. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 344.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 242, nays 174, not voting 17, as follows:

[Roll No. 59]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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 (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley

Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—17

Chu (CA)
Curbelo (FL)
Duckworth
Frankel (FL)
Grijalva
Gutiérrez
Huffman
Larson (CT)
Lee
Levin
Lofgren
Lowey
Nolan
Nunnelee
Rangel
Roe (TN)
Young (AK)

□ 1339

Mr. SCHIFF changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. CURBELO of Florida. Mr. Speaker, on roll call no. 59 I was unavoidably detained. Had I been present, I would have voted yes.

Stated against:

Ms. FRANKEL of Florida. Mr. Speaker, on roll call no. 59 had I been present, I would have voted No.

Mr. LARSON of Connecticut. Mr. Speaker, I was not present for roll call vote 59. If I had been present for this vote, I would have voted: Nay on roll call vote 59.

Mr. LEVIN. Mr. Speaker, I was unavoidably absent earlier today during roll call vote 59. Had I been present, I would have voted ''nay'' on roll call vote 59, the motion on ordering the previous question on the Rule providing for consideration of H.R. 50 and H.R. 527.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 179, not voting 11, as follows:

[Roll No. 60]

AYES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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 (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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

NOES—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Benishek
Chu (CA)
Duckworth
Grijalva
Gutiérrez
Lee
Lofgren
Nunnelee
Poe (TX)
Roe (TN)
Young (AK)

□ 1348

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POE of Texas. Mr. Speaker, on roll call no. 60 I was unavoidably detained. Had I been present, I would have voted Yes.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, on rollcall vote No. 59, ordering the previous question, I inadvertently voted ''yes.'' I would like the RECORD to reflect that I would have voted, appropriately and properly, ''no.''

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT OF 2015

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 50.

The SPEAKER pro tempore (Mr. STEWART). Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 78 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 50.

The Chair appoints the gentleman from Nevada (Mr. AMODEI) to preside over the Committee of the Whole.

□ 1352

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 50) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, with Mr. AMODEI in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CHAFFETZ. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, this bill was referred to three other committees other than the Committee on Oversight and Government Reform. We have been in contact with all of them—Judiciary, Budget, and Rules—and they have agreed to discharge the bill from their committees so that we can consider the bill on the floor today. I include for the RECORD those letters that reflect this understanding between Oversight and Government Reform and the three other committees.

Mr. Chairman, Congress enacted the Unfunded Mandates Reform Act to ''curb the practice of imposing unfunded Federal mandates on States and local governments.''

Twenty years later, we continue to see burdensome unfunded mandates being imposed on State, local, and tribal governments as well as small businesses. Despite high hopes, UMRA, as it is often referred to, had little effect on agency rulemaking because of its limited coverage and its lack of accountability.

In response, H.R. 50 proposes several key reforms to bring needed transparency to how government sets rules that protect our health, our safety, our welfare, as well as the environment. This legislation does this in several key ways.

Mr. Chairman, H.R. 50 requires agencies to consult with the private sector when directly impacted by a proposed rule.

Consult with the private sector. That is a great theme. I love the title of this.

It does actually provide more information, more transparency, and engages those people that are affected by these rules. Requiring agency rulemakers to consult with small business owners will bring needed perspective and common sense to how our rules are made. Small businesses want the government to fully understand how regulations impact their ability to create jobs and promote economic growth. Of course we need rules. Of course there are going to be boundaries. But consulting with the private sector is something that has to happen, and government needs their perspective.

The bill makes independent agencies subject to the Unfunded Mandates Reform Act, also known as UMRA. There are hundreds of Federal independent agencies charged with handling responsibilities, such as managing workplace safety and protecting our forests. It is important these entities are accountable to the public when establishing a new rule. H.R. 50 ensures that that will happen.

H.R. 50 requires an UMRA analysis for all final rules. Under current law, an agency can forgo an UMRA analysis by avoiding a notice of proposed rulemaking. GAO reports that 35 percent of major rules are issued without a notice of proposed rulemaking, making it difficult for the public to comment.

In fiscal year 2014, the administration estimated the annual cost of major regulations between $57 billion and $84 billion. We must have a better understanding of those costs before passing them on to State, local, and tribal governments as well as the private sector.

The bill strengthens congressional oversight by requiring agencies to look back at specific regulations when requested by Congress. Before a rule is tested, it is difficult to understand its consequences, including its costs and its benefits. President Obama supported retrospective reviews of regulations by issuing an executive order requiring agencies to periodically review significant regulations, in Executive Order 13563, in January 2011. These retrospective reviews result in regulations that are more effective and less burdensome in achieving their objective. Retrospective analysis can and should inform future rules.

H.R. 50 allows judicial review when agencies fail to fully consider the least costly or least burdensome alternative rule. The bill allows the judicial branch to place a stay on rules when the agency fails to complete the required UMRA analysis. This provides an important check on the executive branch.

H.R. 50 codifies the Congressional Budget Office practice of estimating the true cost of a Federal mandate. When a Federal mandate is proposed, CBO ensures its cost estimates include lost profits, costs passed on to consumers, and behavioral changes as the result of a Federal mandate.

When enacted, UMRA created an important step to inform Congress of the potential burdens of regulatory mandates on both government and the private sector. This way, Congress could weigh any potential benefits as well as any potential burdens. By updating this law, we can help ensure that all parties, from government entities to small businesses, understand the true cost of prospective mandates.

I commend the gentlewoman from North Carolina (Ms. FOXX). She has poured her heart and soul into this. She believes passionately in this. Her leadership on this bill has brought it to this point today. It has passed three times with bipartisan support in this House, but it is necessary to bring it up again and to share this bill with a new Senate that is now in place.

I encourage my colleagues to support H.R. 50. It is good. It is common sense. It is good for this Nation, and it enjoys bipartisan support.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 28, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Govemment Reform, with an additional referral to the Committee on the Judiciary.

I ask that you allow the Judiciary Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY,
Washington, DC, January 28, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ, Thank you for your letter regarding H.R. 50, the ''Unfunded Mandates Information and Transparency Act of 2015,'' which your Committee ordered reported on January 27, 2015.

As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 50, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration. The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 50 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would request that you include a copy of our letters in the Congressional Record during the floor consideration of this bill.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 28, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on the Budget.

I ask that you allow the Budget Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Budget represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON THE BUDGET,
Washington, DC, January 28, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for your letter regarding H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, which was ordered reported by the Committee on Oversight and Government Reform on January 27, 2015.

In order to expedite House consideration of H.R. 50, the Committee on the Budget will forgo action on the bill. This is 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 ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Oversight and Government Reform as well as in the Congressional Record during floor consideration. We appreciate your cooperation and look forward to working with you as this bill moves through the Congress.

Sincerely,

THOMAS PRICE, M.D.,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, January 29, 2015.

Hon. PETER SESSIONS,
Chairman, Committee on Rules, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported without amendment H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015, by a vote of 20 to 13. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Rules.

I ask that you allow the Rules Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Rules represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: On January 27, 2015, the Committee on Oversight and Government Reform ordered reported H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015. As you know, the Committee on Rules was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over rules and joint rules of the House.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Rules Committee. By agreeing to waive its consideration of the bill, the Rules Committee does not waive its jurisdiction over H.R. 50. In addition, the Committee on Rules reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Committee on Rules for conferees on H.R. 50 or related legislation.

I also request that you include this letter and your response as part of your committee's report on the bill and in the Congressional Record during consideration of the legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act. This legislation may be well intended, but it would have unintended consequences that would make the government less efficient and less effective.

I stood here just 4 months ago when the House, for the second time, considered a package of special interest bills, including this one. I said then that the Republican leadership in the House cannot fool the American people by passing the same bad bills over and over again, yet, Mr. Chairman, here we go again.

Yesterday, the House voted to repeal the Affordable Care Act for the 56th time. Today, we are considering an antiregulatory bill the House has considered three times before. Tomorrow, we will consider another antiregulatory bill the House has also passed before.

H.R. 50, the bill we are considering today, would add red tape to the rulemaking process in an effort to slow down or halt agency rules.

□ 1600

One thing that is different this time around is that the Congressional Budget Office estimated that H.R. 50 as reported would increase direct spending by $18 million over the next 10 years. CBO estimates that this increase would primarily impact the Consumer Financial Protection Bureau, a bureau that was established to protect our constituents.

The majority inserted a last-minute provision last night after the Rules Committee meeting to address this problem. The majority's fix, however, does nothing to reduce the cost of the bill.

The majority instead inserted language to cut the Consumer Financial Protection Bureau's budget by $36 million in fiscal year 2016. Cutting CFPB's budget by $36 million while also requiring the agency to comply with significant new requirements is absurd.

On Saturday, The Huffington Post published an article titled, ''Congress Revives Gingrich-Era Law to Thwart Obama.'' The article said:

> Republicans in Congress aim to revamp an antiregulatory law from the Newt Gingrich era in an effort to paralyze new financial, environmental, and labor rules with a never-ending string of court challenges.

The Unfunded Mandates Reform Act was enacted as a part of Newt Gingrich's Contract with America. Even in the context of the extreme agenda of the Contract with America, Congress included several limitations in the Unfunded Mandates Reform Act.

This bill would repeal those limitations. For example, under this bill, agencies would be required to consult with regulated industries on proposed rules before they are even made public.

For example, if the Consumer Financial Protection Bureau planned to propose a new rule to protect consumers from abusive mortgage practices, banks would get advance access to the rule and the opportunity to shape it before our constituents, the consumers.

I believe that businesses should have the opportunity to provide comments on proposed rules, but they should do it through the normal public comment process just like other stakeholders.

H.R. 50 would also expand judicial review under the Unfunded Mandates Reform Act. The statute currently prohibits courts from using its requirements to delay or invalidate a rule.

This bill eliminates that restriction which would allow regulated industries to use the law to slow down rulemakings.

This bill also would put independent agencies in jeopardy of political interference. The Unfunded Mandates Reform Act currently exempts independent agencies from its reporting requirements. The bill removes that exemption.

That would mean that the independent regulatory agencies like the Securities and Exchange Commission and the Consumer Financial Protection Bureau would have to submit their rules to the Office of Management and Budget for review which could undermine their independence.

Section 12 of the bill would require an agency to perform retrospective review, including an additional cost-benefit analysis of any existing rules if requested by the chairman or ranking member of a committee. It is interesting that we always talk about being able to predict what is going to go on in the business world. This certainly would add a high level of unpredictability.

I will offer an amendment at the appropriate time to strike that provision. These flaws are reason enough to oppose this bill.

The most important reason is that we rely on agency rulemakings to protect our children, protect our workers, protect our economy, and protect our constituents, the folks who sent us here.

That is why the Coalition for Sensible Safeguards—a group of more than 150 good government, labor, scientific, faith, health, and community organizations—sent a letter to the Oversight Committee opposing this bill.

Here is what the letter said: ''The costs of deregulation should be obvious by now: the Wall Street economic collapse, various food and product safety recalls, and numerous disasters, including the recent Dan River coal ash spill in North Carolina and the Freedom Industries chemical spill in West Virginia, demonstrate the need for a regulatory system that protects the public, not corporate interests.''

Congress should be moving forward to protect the public from harm, not rolling back the clock and weakening important safeguards.

Yesterday, the White House issued a statement opposing this bill.

I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, at this time, I am pleased to yield 5 minutes to the gentlewoman from North Carolina, Dr. FOXX, the prime sponsor of this bill.

Ms. FOXX. Mr. Chairman, I thank the chairman for yielding time and for the leadership he has provided in getting this bill passed out of the Oversight and Government Reform Committee.

Mr. Chairman, we are going to probably have to say this many times today, but our colleagues on the other side of the aisle want to make this an antiregulation bill. We are not opposed to regulations on our side of the aisle. We are in favor of commonsense rules.

Mr. Chairman, each year, Washington imposes thousands of pages of rules and regulations on America's private sector employers, as well as State and local governments. Buried in those pages are costly Federal mandates that make it harder for businesses to hire and cash-strapped States, counties, and cities to serve their citizens.

As a former State senator, I can testify to the difficulty of balancing the State's budget when there are dozens of complicated, mostly unfunded Federal mandates that must be taken into account.

As a former small business owner, I understand firsthand the concerns that job creators have about how lengthy, confusing rules affect their ability to conduct business and provide jobs and opportunities to their employees.

That is why I introduced H.R. 50, the Unfunded Mandates Information and Transparency Act, which we call UMITA, and am proud to see it brought before the House for consideration.

The bill builds upon the bipartisan 1995 Unfunded Mandates Reform Act, also known as UMRA, and will ensure awareness and public disclosure of the cost in dollars and jobs that Federal dictates pose to the economy and local governments.

H.R. 50 does not seek to prevent the Federal Government from regulating; rather, it seeks to ensure that its regulations are deliberative and economically defensible. Asking regulators to consider thoroughly and understand the cost of a rule in addition to its benefits should not be controversial. It is just plain common sense.

Regulators and legislators should know exactly what they are asking the American people to pay and whether the costs of compliance might make it harder for family businesses to meet payroll and stay afloat. No government body, on purpose or accidentally, should skirt public scrutiny when jobs and scarce resources are at stake.

In the nearly 20 years since UMRA's passage, weaknesses in the law have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited. UMITA makes independent regulatory agencies subject to UMRA's requirements, ending a two-tier system that allowed regulations to be implemented without the required consideration, scrutiny, or public input.

H.R. 50 recognizes that the Federal Government's reach extends well beyond the taxes it collects and the money it spends. Regulations can advance government initiatives without using tax dollars.

Rather than count expenses for new programs, the government can require the private sector, as well as State and local governments, to pay for Federal initiatives through compliance costs. This bill shines much-needed light on the murky regulatory process and ensures the public has transparent access to proposed rules and regulations.

Both Democrats and Republicans recognize that appropriate regulations don't need to be issued in the dead of night or negotiated behind closed doors. That is why the House has considered and passed this bill three times in the 112th and 113th Congresses.

I urge my colleagues to vote ''yes'' on this commonsense, bipartisan bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), the chairman of the Subcommittee on Government Operations.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished gentleman from Maryland.

I rise today in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act.

This act boasts an Orwellian title that attempts, I think, deception of the public into believing that it is simply an innocuous attempt to enhance transparency for the public and State and local governments while masking the true nature of this act which—make no mistake—is a subversive legislative assault of public health, safety, and environmental protections.

This bill is simply an effort to throw a wrench into the rulemaking process, ensuring that private industry is provided privileges and rights above any other stakeholder in the process.

In many respects, H.R. 50 represents the ''Mitt Romney principle'' on steroids, for it appears that in the minds of some of my colleagues, not only is it a fact that ''corporations are people, my friend,'' but under this measure, they appear to be embracing an ethos that treats corporations even better than people.

My longstanding principle is that I will never defend the indefensible, and regrettably, this bill provides private corporations with an unfair consultation over every other stakeholder in the regulatory process, and that is indefensible.

Under this bill, Federal agencies would be required to consult with private industry ''before issuance of a notice of proposed rulemaking,'' yet it does not afford that same level of protection or consultation to average citizens, consumers, or anybody else who relies on agency rules to preserve and protect their health, welfare, and safety.

There is no justification for enacting an irrational statutory framework that requires the Federal Government to consult with private firms and nobody else—such as a large agribusiness, for example—prior to proposing a rule that could have an impact on that company, yet does not require such consultation on public health with public health experts.

I cannot defend a regulatory framework that would provide big oil companies a guaranteed right to weigh in before any drilling regulation is promulgated to protect the public from big oil

spills, such as one we experienced just a few years ago.

To be clear, I strongly support the right of industry to have its voice and to have the opportunity to provide comments on proposed rules. This fosters more informed and high-quality rulemaking, benefiting business and society; indeed, that is why our current administrative procedures mandate that a public comment period be provided prior to the adoption of such rules.

Equally concerning, H.R. 50 would also undermine the critical independence of aptly titled independent regulatory agencies. It is not clear how eliminating the independence of agencies, such as the Consumer Product Safety Commission, by empowering Presidential administrations to play a significant role in shaping the rules for those agencies before they issue them, would in any way address unfunded mandates.

The Acting CHAIR (Mr. POE of Texas). The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 30 seconds.

Mr. CONNOLLY. The bottom line is that well-reasoned agency rules have made our air cleaner to breathe, water safer to drink, and our products safer to use. That is a good formula, and we should preserve it.

Mr. CHAFFETZ. Mr. Chairman, I yield myself 1 minute.

It would be inaccurate and inappropriate to suggest that this bill bypasses individuals. To the contrary, the bill says, ''and impacted parties within the private sector.'' The definition of ''private sector'' under UMRA—the term ''private sector'' means ''all persons or entities in the United States, including individuals.''

Any assertion on this floor that this gives unilateral priority to the individual corporations and bypasses the individuals, we are trying to give people who are affected by these rules—we are trying to give them the opportunity to be heard.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Chairman, I thank the ranking member for allowing me time.

I rise today to strongly oppose H.R. 50. I consider it a misguided bill that will cost American consumers at least $18 million over the next 10 years while making it easier for bad actors in certain industries to continue their abusive practices as they attempt to stonewall appropriate regulation.

□ 1415

Make no mistake. H.R. 50 is a frontal assault on the Nation's health, safety, and environmental protections, and it would erect new barriers to give selected industries a built-in advantage to evade or eliminate vital rules that protect the American people.

For instance, this bill would require agencies to consult with private sector entities ''as early as possible, before the issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.''

Now, I agree that Federal agencies should consult with regulated industries regarding proposed rules, but they should not receive an insider, prewired advantage in the regulating and rulemaking process over other stakeholders.

H.R. 50 would also expand judicial review under UMRA and would allow a court to review the inadequacy or failure of an agency to prepare a written statement under UMRA. UMRA currently prohibits courts from using the law to stay, invalidate, or otherwise affect an agency rule. H.R. 50 would eliminate this prohibition.

I thought the majority strongly opposed judicial activism, but perhaps that only applies to protecting voting rights.

We don't have to choose between protecting the health, welfare, and safety of Americans and promoting economic growth, job creation, and innovation. We can do both. H.R. 50 advances neither of these worthy goals, and that is why I urge my colleagues to reject this deeply flawed act that will stack the deck against the American consumer.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I thank the gentleman for yielding his time.

Mr. Chairman, I rise in strong support of H.R. 50, the Unfunded Mandates Information and Transparency Act.

The alarming growth of our Federal Government in the last several decades has come at an incredible cost. This is largely due to lax reporting requirements, and as a result, the American people have largely been left in the dark as to the true cost of this unprecedented growth. For example, we all know that, often, the Federal Government imposes mandates, be it upon the private sector or local or State governments, and, oftentimes, this is without any clearly disclosed cost or impact of those mandates.

Mr. Chairman, H.R. 50 will make significant strides to address this looming problem by enacting more strict and clearly defined requirements about how and when agencies need to disclose the cost of these Federal mandates. Therefore, Mr. Chairman, I urge my colleagues to support this bill.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman from Maryland for yielding and for his leadership on this issue.

Mr. Chairman, I rise in strong opposition to H.R. 50.

With all due respect to my friend from Utah—and I do respect him; I know he didn't write this bill—there is a common practice here in Congress that you name the bill in a way that describes the opposite of what it will actually do. This is supposed to be an accountability bill, but this bill ought to be named the ''Government Gridlock Act'' because that is what it will introduce.

While I certainly respect everyone's opinion and position against Big Government—I certainly understand that. You can be against intrusive government. I understand that. But you can't be against a functioning government, and that is what this bill accomplishes.

This bill, as the gentleman did point out, does allow individual taxpayers to sue. Mrs. Gilhooly and Mr. Gilhooly can sue, but so can Exxon and so can JPMorgan Chase attack regulations under this bill. This bill makes the financial ability to sustain a legal challenge as the litmus test on how much justice you get under this bill.

Even though Congress has the ability to pass laws and to direct regulators to come up with regulations, large, well-financed banks and industries like the oil industry will be able to undo the direction of Congress by proffering legal challenges with enormous resources to stop those laws from coming into effect.

A good example is the financial services industry, where we under Dodd-Frank have directed that there be 300 separate rules developed to deal with the problems created by the crisis in 2008. That crisis cost $20 trillion to the American economy. Yet, under this law, in order to prevent big banks from taking those reckless gambles, we would have to force the regulators to show that the reduction in cost to the American taxpayer justified the regulation against Wall Street.

It misses the point. We are trying to bifurcate the risks created by Wall Street from the taxpayers' requirement to bail them out. This bill ignores that reality. I think we should all oppose it, and I urge my colleagues to vote against this bill.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. I thank the chairman for his leadership on this bill and for bringing it through regular order. We continue to hear that around here on this particular bill.

Mr. Chairman, before the gentleman from Massachusetts leaves, I think it is important that we address this. As the gentleman would indicate, he is making this out to be all about big banks, but it is really about the small business folks and, truly, about the municipalities. I want to read a few excerpts from the resolution that comes from his home State—from Massachusetts—because they got together, and they said this is a real problem:

''Whereas, the Federal Government has imposed additional requirements, based on incomplete scientific analysis

and review, on the cities and towns of Massachusetts.'' In this resolution, Mr. Chairman, it talks about going further and that, at a minimum, what we should do is provide a ''fiscal note included as part of any such proposal.''

So it is the towns and the counties across the country and, yes, indeed, from the gentleman—my esteemed friend from Massachusetts—a resolution from his State that talks about the problems that we have with unfunded mandates. Over 850 major pieces of regulation, with impacts of over $100 million a piece, have failed this basic principle and test, and 75 percent of them never get the analysis that we should be doing at the Federal Government.

We have a responsibility to the local towns and governments but also a responsibility, Mr. Chairman, to farmers. I left a hearing today with the EPA and an unfunded mandate. Who are they consulting with? The Department of Agriculture, not with the farmers from across this great country. They are talking to other bureaucrats. It is time that we bring the private sector in, and I think it is time that we stand alongside them.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE), a new member of our committee.

Mrs. LAWRENCE. Mr. Chairman, I rise today in opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act. Although the intent of this legislation is to, no doubt, provide additional safeguards, it does, in fact, add an additional level of bureaucracy.

It appears to be a good bill. As a former mayor, I fought to ensure that my city and other cities were not unduly impacted by unfunded Federal mandates. In Michigan, we worked cooperatively with our Federal counterparts on proposed regulations that would generate obligations on local governments. In fact, as a local government official, I supported the Unfunded Mandate Reform Act, as it was a result of multiple years of effort by our State and local government officials to control the burden of many unfunded Federal mandates.

Along with the consequences I have previously mentioned, this bill will also grant corporations special access to information about a rule and an opportunity to submit feedback to an agency before a rule is even proposed. Additionally, the legislation would shut the American people out of this early review. The bill would also require agencies to perform retrospective analysis at the request of any chairman or ranking minority member of any standing or select committee of the House or the Senate. The bill neither improves nor streamlines the regulatory process. It expands agency roles and interjects politics into the process.

The Office of Management and Budget is responsible for overseeing the implementation of the Unfunded Mandates Information and Transparency Act. This bill also expands OMB's role, and it requires them to guarantee that each agency complies with the act's requirements. Independent regulatory agencies will then have to send their rulemaking analyses to OMB.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CUMMINGS. I yield the gentlewoman an additional 30 seconds.

Mrs. LAWRENCE. The existing Unfunded Mandates Reform Act expressly prohibits courts from using the law to stay, enjoin, invalidate, or otherwise affect an agency rule. H.R. 50 would fundamentally change the law by eliminating this prohibition, allowing regulated industries to abuse this expanded judicial review and tie up rules in litigation for years.

I urge my colleagues to vote ''no'' on this act, and I request that this body work within the existing safeguards in place.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chairman, there are many parts of government that like to act in secrecy. In particular, many agencies like to hide the true costs of their regulations from the American people. After all, it is easier to add more pages to the Federal Register if nobody is sure exactly what the pricetag is, but that is not the way our democracy should work. For government to work, it needs to be accountable to the people. To be accountable to the people, government needs to be honest and open with what it is doing.

Washington needs reform, and a good place to start is to make sure that people know the true cost of what Washington is doing—no gimmicks, no hidden fees. That is why I support Representative FOXX's bill, which demands transparency on unfunded mandates.

Mr. Chairman, this bill says a simple thing. It says we trust the people. It says if the bureaucracy is afraid of telling the people how much a regulation costs, then it shouldn't impose the regulation. If bureaucracy isn't following the rules and giving the people the information they need, this bill allows the courts to review the agency—no more hiding. The people have the right to know as much as possible, and Washington has an obligation to tell them.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

I just want to remind the gentleman before he leaves the Chamber that there is truth here. The truth is that the CBO has already estimated that this bill will cost some $18 million. There is also truth here with regard to what has happened to the Consumer Financial Protection Bureau—the very bureau that this Congress established to protect our consumers on a day-to-day basis—and its losing some $36 million. That is the transparency.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

□ 1430

Mrs. WATSON COLEMAN. Mr. Chairman, thank you to the gentleman from Maryland (Mr. CUMMINGS), the ranking member, for this opportunity to speak.

I rise today also in opposition to H.R. 50, the misleadingly named Unfunded Mandates Information and Transparency Act of 2015, which passed out of the Committee on Oversight and Government Reform on a strictly partisan vote.

This bill neither improves nor streamlines the regulatory process. Instead, this ill-conceived bill is an assault on consumer protections, gives private industry an unfair advantage to weigh in on rules, and erects new, unnecessary barriers in the regulatory process.

H.R. 50 would require agencies to provide the private sector with an unfair advantage to influence proposed regulations. The supporters of this bill claim that it creates parity between the private and the public sectors, but that is simply not true. What it really does is provide the private sector with a sneak peek of proposed rules before they are even made public.

This bill propels regulated private sector entities to the front of the line while pushing the consumers these laws are designed to protect to the back of the line. It further gums up the regulatory process by allowing opponents to delay or invalidate rules through litigation.

The existing Unfunded Mandates Reform Act of 1995 prohibits courts from using the law to stay, enjoin, invalidate, or otherwise affect an agency rule. H.R. 50 would fundamentally change that law by eliminating this prohibition, giving regulated industries the ability to abuse this expanded judicial review and tie up rules in courts for years. For example, Wall Street banks could take agencies to court over Dodd-Frank consumer protection rules that have yet to be finalized.

Most Americans, and certainly most of my constituents that I represent, simply do not have the means to hire lawyers to sue Federal agencies if they are dissatisfied with a Federal regulation, but large corporations do. H.R. 50 would give corporations the ability to sue and to stall regulations they view as unfavorable.

By unnecessarily layering an additional, burdensome judicial review and giving private industry an unfair advantage, this bill shows that it is not working for the consumers, but it is only working for the chosen few.

Mr. CHAFFETZ. Mr. Chairman, may I inquire of the time left on both sides?

The Acting CHAIR. The gentleman from Utah has 15½ minutes remaining,

and the gentleman from Maryland has 9½ minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. Mr. Chairman, every day small businesses and local governments are weighed down by Washington's numerous regulations. H.R. 50, the Unfunded Mandates Information and Transparency Act, acts to curb the constant rules and regulations that Washington continues to impose on the American people.

This law builds on and improves the bipartisan legislation, the Unfunded Mandates Reform Act of 1995, which was enacted to promote transparent decisionmaking and curb unfunded Federal mandates. However, due to loopholes and exemptions, UMRA has failed to keep unfunded mandates off the backs of local governments and taxpayers.

I would like to thank Congresswoman FOXX for introducing this bipartisan legislation to close these gaps, hold Washington accountable, and better protect our fellow Americans.

Importantly, this bill will do three things: one, it will close loopholes that allow agencies and independent regulators to forgo UMRA analysis; two, it enables stakeholders to engage Federal agencies before unfunded mandates are implemented; and three, it holds regulators accountable through the courts and congressional oversight.

I am reminded every day that we were elected to bring change to Washington, and this reform is exactly what needs to be sent to the President's desk.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank my good friend from Maryland for yielding me this time.

Mr. Chairman, this bill has a lot of chutzpah even for a probusiness majority. The point of the review and comment regulatory process is to hear from everybody, to pull everybody into the process.

I have experienced how this process worked when I chaired the Equal Employment Opportunity Commission. In order to make sure I heard from everyone, I took a process which issued guidelines, which did not come under the Administrative Procedure Act, and put it under the Administrative Procedure Act to make sure I heard from everyone.

In a real sense, I knew, I thought I knew what the public wanted because I was a civil rights lawyer. I was particularly interested in whether the reforms I was instituting would work in practice. So I was more interested, in a real sense, in what the business community said.

I must tell you, Mr. Chairman, in these processes, the business community, small and large, dwarfs the public in the amount of comment that agencies receive.

This bill breaks a cardinal rule by excluding, of all people, the public, while industry gets an advance look at a bill. Understand, it is the industry that is being regulated, industry that has the high-cost lobbyists, the high-cost lawyers that the public does not have.

So what is the point here, Mr. Chairman? It is clear. The point is to get industry in on writing the bill itself and writing it at that stage before the public even gets to know what the bill is. This is not a tilt in favor of the objects of regulations; it is a slide in their favor.

If the point is the usual bipartisan point, to help small businesses—which, by the way, is already a stakeholder—along with other businesses, why pit small businesses against small children and small mortgage holders and small IT users?

Another extraordinary thing I see in this bill is that the court-hating majority, at least in this bill, falls in love with the judiciary by inviting litigation before the rule is final. The courts will just love that. On top of everything else, this bill adds $18 million over 10 years to agency spending?

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. CUMMINGS. I yield the gentlelady an additional 30 seconds.

Ms. NORTON. $18 million that this majority certainly will not appropriate.

Small business always have been a bipartisan concern. We have many more of them in our districts than we have large businesses. Small businesses are not who will come to ''consult.'' It is the global multinationals who are applauding this bill as we speak.

I thank the gentleman for yielding.

Mr. CHAFFETZ. Mr. Chairman, I would like to point to the bill because it keeps getting repeated on this floor that it doesn't include the public, it doesn't include individuals. That is just not true.

On page 12 of the bill:

> Agencies shall, to the extent practicable, seek out the views of State, local, and tribal governments, and impacted parties within the private sector.

Definition of private sector: the term ''private sector'' means all persons or entities in the United States, including individuals.

It sounds like a good rhetorical point to keep saying: Oh, we are leaving out the little guy; we are leaving out the public. It does include the public; it does include the individuals; and when these unfunded mandates are placed upon them, this bill would make sure that they are at least asked about it. That is what we are seeking.

At this time, I yield 1 minute to the gentleman from North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Chairman, the chairman points out very clearly that, indeed, the definition of ''private sector'' includes individuals. I would also like to go further and talk about small businesses.

We are talking about small businesses and how they are not supported in this. It is troubling, because if that were the case, the National Federation of Independent Businesses, who represents thousands and thousands of small businesses, or the Small Business and Entrepreneurship Council, which does the same, would not be endorsing this piece of legislation. So, Mr. Chairman, I want to make sure the record is corrected.

With regards to the $18 million, that was cleared up in Rules yesterday; the committee was made aware of it. And despite the legislation being identical to last Congress' bill, the CBO had scored it as having a direct spending cost, but this was partly because the Consumer Financial Protection Bureau, CFPB, doesn't have the authority to collect the fees. And so we have already addressed that, Mr. Chairman, and I wanted to make sure we cleared up the record.

Mr. CUMMINGS. I yield 2 minutes to the gentlelady from California (Ms. WATERS), the ranking member of the Committee on Financial Services.

Ms. MAXINE WATERS of California. Mr. Chairman, I appreciate the time that has been allotted to me. Thank you very much, Mr. CUMMINGS.

I rise to oppose H.R. 50, an anticonsumer deregulatory bill that would stop rulemaking by our Nation's financial overseers dead in its tracks. In 2008, we witnessed the worst financial crisis since 1929, which halted lending to small businesses, left millions without a home, and pushed countless Americans into personal bankruptcy and ruin, after which my colleagues and I in Congress worked diligently to put in place serious and comprehensive safeguards to prevent another collapse.

Nevertheless, today House Republicans are suffering from selective amnesia when they push this legislation to undo financial reform. Indeed, this bill, H.R. 50, places significant administrative hurdles on our regulators, like the Consumer Financial Protection Bureau and the Securities and Exchange Commission.

Certain provisions require our regulators, who are tasked with protecting consumers and investors, to conduct onerous, industry-friendly, cost-benefit analysis and to submit their rules for review to the Office of Management and Budget. This hurts their ability to act independently and in the best interests of the public.

In addition, this bill would arm special interests with a time-tested weapon to delay and kill reform, the opportunity to challenge our cash-strapped regulators in court on every rule. But this is the ultimate point of the bill: to make regulating everything from securities, fraud, payday loans, credit cards, insider trading, and derivatives that much harder.

Most concerning is that Republicans want to pay for the cost of their new burdens by depriving the one regulator charged with protecting our Nation's

consumers of tens of millions of dollars.

Mr. Chairman, this is just the latest in a never-ending effort to unravel the important protections for consumers and taxpayers this Congress put in place following the worst crisis in a generation.

With our economy still recovering from the $14 trillion financial crisis, with families in my own district and probably yours still struggling with foreclosure and unsure how they will be able to make ends meet in retirement, we simply cannot undermine fundamental reforms or the agencies enforcing them.

Mr. CHAFFETZ. Mr. Chairman, I would like to make Mr. CUMMINGS aware that I have no further speakers, and I am prepared to close, but I will reserve the balance of my time.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank my friend for yielding.

I want to echo the comments of Ranking Member WATERS. As a member of the Committee on Financial Services, I am particularly concerned with the direction that this bill takes us at a time when, on one hand, many of my colleagues have criticized the agencies charged with implementation of important regulatory reforms, such as Dodd-Frank, charging those agencies with not bringing forth rules in a timely fashion, and then at the same time reducing, through the budget process, the necessary resources to provide those agencies with the tools that they need to move forward on the rulemaking process, and now this, yet another, I think, effort to create another cumbersome step in the process of developing rules intended to implement legislation that was passed here by the United States Congress, law that is on the books.

□ 1445

The rulemaking process already includes a very logical progression of steps which allows for a comprehensive and all-inclusive comment period under the Administrative Procedure Act that allows the kind of substantive input that is specific to the rules being proposed to be provided, to be considered, to modify proposed rules, and then to move forward in an orderly process.

The other concern that I have is that there is language that is troublesome to me in terms of the way cost-benefit analyses would be conducted and considered.

Very often—and there is no better example than in the financial sector—if we limit ourselves to industry-specific costs and benefits, we lose the fact that many of the costs are not borne by those in the industry but those consumers who bear the brunt of their tactics.

Mr. CUMMINGS. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

I just want to be clear. Many things concern me about this legislation. We need to be very careful about this.

We have a situation here where this is clearly an effort to give Big Business an advantage. All the speakers on our side have talked to that. We can go around saying we don't need regulations, but regulations are very, very important. This President has done a lot with regard to addressing the issue of regulations.

There is something else that is happening here that really bothers me. There was a tremendous effort by the other side when we were trying to get the consumer financial protection bill passed.

After seeing our constituents abused over and over again, we bring about an agency that would bring them some type of protection, and here, we are taking away money from an agency that already needs money, the very agency that is there to help our constituents. That concerns me.

The other thing that concerns me is that we have an extra layer here. It makes it much more difficult now with regard to rulemaking, and then to have the courts have the ability to delay and basically take away rules is unprecedented. That is something that even Newt Gingrich didn't do.

We need to look at what we are doing and bring a sense of balance, and the other side will say that balance is brought about because private industry is given an opportunity to be involved in the process.

Well, they really do have a tremendous advantage because, as Ms. NORTON said, they are the ones that have the lawyers. They are the ones who have the big money. They are the ones now who will be able to come in before the regulations are even formulated and have their say while the public won't be in that kind of position.

Let's not kid ourselves. We are putting our constituents at a decided disadvantage, no matter how you look at it. This is a triumph for Big Business.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

The one who is in the power position, the one who has got the resources, the one that has got the attorneys is the government. The government is the one that has got all the cards.

All we are asking for is to allow input from individuals, small businesses, big businesses. If you are going to be affected, isn't it common sense to suggest that maybe they should talk to the people that they are going to put this mandate on? Let's have a discussion, a dialogue, get some input from them?

The name of this bill is very, very accurate, Unfunded Mandates Information and Transparency Act. What are we afraid of, asking them the question: How are you going to be impacted? What is this going to do to the economy?

What I hear from my constituents—and I have heard it from outside of Utah's Third Congressional District—is the Federal Government comes in with its big, heavy hand, and they have no voice, no opportunity. It is just laid upon them.

I appreciate Dr. FOXX and what she is doing. We also hear from State, local, and tribal governments, from small businesses and business organizations that are in support of this bill.

In fiscal year 2014, the administration estimated the annual cost of major regulations was between $57 billion and $84 billion. There is room. There is appropriate use of regulations. To suggest that we are opposed to all regulations is irresponsible.

I think there are good regulations that are in place—they make our country better—but there needs to be a process and a communication and input from individuals that are affected by these regulations.

We have got to understand the costs and how we are passing these unfunded mandates on to State and local governments. This is an important part of the process.

Updating this law, we can ensure all parties, from government entities to small businesses to individuals, understand the true costs of the prospective mandates.

This bill should successfully pass in the House again, and I urge my colleagues to support it. I applaud Dr. FOXX from North Carolina, the prime sponsor of this, for moving this legislation.

I would urge, my colleagues, a ''yea'' vote on H.R. 50, and I yield back the balance of my time.

The Acting CHAIR. All time for debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–4, modified by the amendment printed in part B of House Report 114–14, is adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 50

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 ''Unfunded Mandates Information and Transparency Act of 2015''.

SEC. 2. PURPOSE.

The purpose of this Act is—

(1) to improve the quality of the deliberations of Congress with respect to proposed Federal mandates by—

(A) providing Congress and the public with more complete information about the effects of such mandates; and

(B) ensuring that Congress acts on such mandates only after focused deliberation on their effects; and

(2) to enhance the ability of Congress and the public to identify Federal mandates that may impose undue harm on consumers, workers, employers, small businesses, and State, local, and tribal governments.

SEC. 3. PROVIDING FOR CONGRESSIONAL BUDGET OFFICE STUDIES ON POLICIES INVOLVING CHANGES IN CONDITIONS OF GRANT AID.

Section 202(g) of the Congressional Budget Act of 1974 (2 U.S.C. 602(g)) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL STUDIES.—At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall conduct an assessment comparing the authorized level of funding in a bill or resolution to the prospective costs of carrying out any changes to a condition of Federal assistance being imposed on State, local, or tribal governments participating in the Federal assistance program concerned or, in the case of a bill or joint resolution that authorizes such sums as are necessary, an assessment of an estimated level of funding compared to such costs.''.

SEC. 4. CLARIFYING THE DEFINITION OF DIRECT COSTS TO REFLECT CONGRESSIONAL BUDGET OFFICE PRACTICE.

Section 421(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658(3)(A)(i)) is amended—

(1) in subparagraph (A)(i), by inserting ''incur or'' before ''be required''; and

(2) in subparagraph (B), by inserting after ''to spend'' the following: ''or could forgo in profits, including costs passed on to consumers or other entities taking into account, to the extent practicable, behavioral changes,''.

SEC. 5. EXPANDING THE SCOPE OF REPORTING REQUIREMENTS TO INCLUDE REGULATIONS IMPOSED BY INDEPENDENT REGULATORY AGENCIES.

Paragraph (1) of section 421 of the Congressional Budget Act of 1974 (2 U.S.C. 658) is amended by striking '', but does not include independent regulatory agencies'' and inserting '', except it does not include the Board of Governors of the Federal Reserve System or the Federal Open Market Committee''.

SEC. 6. AMENDMENTS TO REPLACE OFFICE OF MANAGEMENT AND BUDGET WITH OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) in section 103(c) (2 U.S.C. 1511(c))—

(A) in the subsection heading, by striking ''OFFICE OF MANAGEMENT AND BUDGET'' and inserting ''OFFICE OF INFORMATION AND REGULATORY AFFAIRS''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs'';

(2) in section 205(c) (2 U.S.C. 1535(c))—

(A) in the subsection heading, by striking ''OMB''; and

(B) by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''; and

(3) in section 206 (2 U.S.C. 1536), by striking ''Director of the Office of Management and Budget'' and inserting ''Administrator of the Office of Information and Regulatory Affairs''.

SEC. 7. APPLYING SUBSTANTIVE POINT OF ORDER TO PRIVATE SECTOR MANDATES.

Section 425(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)(2)) is amended—

(1) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(2) by inserting ''or 424(b)(1)'' after ''section 424(a)(1)''.

SEC. 8. REGULATORY PROCESS AND PRINCIPLES.

Section 201 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531) is amended to read as follows:

''SEC. 201. REGULATORY PROCESS AND PRINCIPLES.

''(a) IN GENERAL.—Each agency shall, unless otherwise expressly prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments and the private sector (other than to the extent that such regulatory actions incorporate requirements specifically set forth in law) in accordance with the following principles:

''(1) Each agency shall identify the problem that it intends to address (including, if applicable, the failures of private markets or public institutions that warrant new agency action) as well as assess the significance of that problem.

''(2) Each agency shall examine whether existing regulations (or other law) have created, or contributed to, the problem that a new regulation is intended to correct and whether those regulations (or other law) should be modified to achieve the intended goal of regulation more effectively.

''(3) Each agency shall identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

''(4) If an agency determines that a regulation is the best available method of achieving the regulatory objective, it shall design its regulations in the most cost-effective manner to achieve the regulatory objective. In doing so, each agency shall consider incentives for innovation, consistency, predictability, the costs of enforcement and compliance (to the government, regulated entities, and the public), flexibility, distributive impacts, and equity.

''(5) Each agency shall assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation, unless expressly prohibited by law, only upon a reasoned determination that the benefits of the intended regulation justify its costs.

''(6) Each agency shall base its decisions on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and consequences of, the intended regulation.

''(7) Each agency shall identify and assess alternative forms of regulation and shall, to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt.

''(8) Each agency shall avoid regulations that are inconsistent, incompatible, or duplicative with its other regulations or those of other Federal agencies.

''(9) Each agency shall tailor its regulations to minimize the costs of the cumulative impact of regulations.

''(10) Each agency shall draft its regulations to be simple and easy to understand, with the goal of minimizing the potential for uncertainty and litigation arising from such uncertainty.

''(b) REGULATORY ACTION DEFINED.—In this section, the term 'regulatory action' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including advance notices of proposed rulemaking and notices of proposed rulemaking.''.

SEC. 9. EXPANDING THE SCOPE OF STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) is amended to read as follows:

''(a) IN GENERAL.—Unless otherwise expressly prohibited by law, before promulgating any general notice of proposed rulemaking or any final rule, or within six months after promulgating any final rule that was not preceded by a general notice of proposed rulemaking, if the proposed rulemaking or final rule includes a Federal mandate that may result in an annual effect on State, local, or tribal governments, or to the private sector, in the aggregate of $100,000,000 or more in any 1 year, the agency shall prepare a written statement containing the following:

''(1) The text of the draft proposed rulemaking or final rule, together with a reasonably detailed description of the need for the proposed rulemaking or final rule and an explanation of how the proposed rulemaking or final rule will meet that need.

''(2) An assessment of the potential costs and benefits of the proposed rulemaking or final rule, including an explanation of the manner in which the proposed rulemaking or final rule is consistent with a statutory requirement and avoids undue interference with State, local, and tribal governments in the exercise of their governmental functions.

''(3) A qualitative and quantitative assessment, including the underlying analysis, of benefits anticipated from the proposed rulemaking or final rule (such as the promotion of the efficient functioning of the economy and private markets, the enhancement of health and safety, the protection of the natural environment, and the elimination or reduction of discrimination or bias).

''(4) A qualitative and quantitative assessment, including the underlying analysis, of costs anticipated from the proposed rulemaking or final rule (such as the direct costs both to the Government in administering the final rule and to businesses and others in complying with the final rule, and any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and international competitiveness), health, safety, and the natural environment).

''(5) Estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

''(A) the future compliance costs of the Federal mandate; and

''(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the Nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector.

''(6)(A) A detailed description of the extent of the agency's prior consultation with the private sector and elected representatives (under section 204) of the affected State, local, and tribal governments.

''(B) A detailed summary of the comments and concerns that were presented by the private sector and State, local, or tribal governments either orally or in writing to the agency.

''(C) A detailed summary of the agency's evaluation of those comments and concerns.

''(7) A detailed summary of how the agency complied with each of the regulatory principles described in section 201.''.

(b) REQUIREMENT FOR DETAILED SUMMARY.—Subsection (b) of section 202 of such Act is amended by inserting ''detailed'' before ''summary''.

SEC. 10. ENHANCED STAKEHOLDER CONSULTATION.

Section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534) is amended—

*(1) in the section heading, by inserting ''**AND PRIVATE SECTOR**'' before ''**INPUT**'';*

(2) in subsection (a)—

(A) by inserting '', and impacted parties within the private sector (including small business),'' after ''on their behalf)''; and

(B) by striking ''Federal intergovernmental mandates'' and inserting ''Federal mandates''; and

(3) by amending subsection (c) to read as follows:

''(c) GUIDELINES.—For appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations, the following guidelines shall be followed:

''(1) Consultations shall take place as early as possible, before issuance of a notice of proposed rulemaking, continue through the final rule stage, and be integrated explicitly into the rulemaking process.

''(2) Agencies shall consult with a wide variety of State, local, and tribal officials and impacted parties within the private sector (including small businesses). Geographic, political, and other factors that may differentiate varying points of view should be considered.

''(3) Agencies should estimate benefits and costs to assist with these consultations. The scope of the consultation should reflect the cost and significance of the Federal mandate being considered.

''(4) Agencies shall, to the extent practicable—

''(A) seek out the views of State, local, and tribal governments, and impacted parties within the private sector (including small business), on costs, benefits, and risks; and

''(B) solicit ideas about alternative methods of compliance and potential flexibilities, and input on whether the Federal regulation will harmonize with and not duplicate similar laws in other levels of government.

''(5) Consultations shall address the cumulative impact of regulations on the affected entities.

''(6) Agencies may accept electronic submissions of comments by relevant parties but may not use those comments as the sole method of satisfying the guidelines in this subsection.''.

SEC. 11. NEW AUTHORITIES AND RESPONSIBILITIES FOR OFFICE OF INFORMATION AND REGULATORY AFFAIRS.

Section 208 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1538) is amended to read as follows:

''SEC. 208. OFFICE OF INFORMATION AND REGULATORY AFFAIRS RESPONSIBILITIES.

''(a) IN GENERAL.—The Administrator of the Office of Information and Regulatory Affairs shall provide meaningful guidance and oversight so that each agency's regulations for which a written statement is required under section 202 are consistent with the principles and requirements of this title, as well as other applicable laws, and do not conflict with the policies or actions of another agency. If the Administrator determines that an agency's regulations for which a written statement is required under section 202 do not comply with such principles and requirements, are not consistent with other applicable laws, or conflict with the policies or actions of another agency, the Administrator shall identify areas of non-compliance, notify the agency, and request that the agency comply before the agency finalizes the regulation concerned.

''(b) ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE.—The Director of the Office of Information and Regulatory Affairs annually shall submit to Congress, including the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, a written report detailing compliance by each agency with the requirements of this title that relate to regulations for which a written statement is required by section 202, including activities undertaken at the request of the Director to improve compliance, during the preceding reporting period. The report shall also contain an appendix detailing compliance by each agency with section 204.''.

SEC. 12. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

The Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) is amended—

(1) by redesignating section 209 as section 210; and

(2) by inserting after section 208 the following new section 209:

''SEC. 209. RETROSPECTIVE ANALYSIS OF EXISTING FEDERAL REGULATIONS.

''(a) REQUIREMENT.—At the request of the chairman or ranking minority member of a standing or select committee of the House of Representatives or the Senate, an agency shall conduct a retrospective analysis of an existing Federal regulation promulgated by an agency.

''(b) REPORT.—Each agency conducting a retrospective analysis of existing Federal regulations pursuant to subsection (a) shall submit to the chairman of the relevant committee, Congress, and the Comptroller General a report containing, with respect to each Federal regulation covered by the analysis—

''(1) a copy of the Federal regulation;

''(2) the continued need for the Federal regulation;

''(3) the nature of comments or complaints received concerning the Federal regulation from the public since the Federal regulation was promulgated;

''(4) the extent to which the Federal regulation overlaps, duplicates, or conflicts with other Federal regulations, and, to the extent feasible, with State and local governmental rules;

''(5) the degree to which technology, economic conditions, or other factors have changed in the area affected by the Federal regulation;

''(6) a complete analysis of the retrospective direct costs and benefits of the Federal regulation that considers studies done outside the Federal Government (if any) estimating such costs or benefits; and

''(7) any litigation history challenging the Federal regulation.''.

SEC. 13. EXPANSION OF JUDICIAL REVIEW.

Section 401(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1571(a)) is amended—

(1) in paragraphs (1) and (2)(A)—

(A) by striking ''sections 202 and 203(a)(1) and (2)'' each place it appears and inserting ''sections 201, 202, 203(a)(1) and (2), and 205(a) and (b)''; and

(B) by striking ''only'' each place it appears;

(2) in paragraph (2)(B), by striking ''section 202'' and all that follows through the period at the end and inserting the following: ''section 202, prepare the written plan under section 203(a)(1) and (2), or comply with section 205(a) and (b), a court may compel the agency to prepare such written statement, prepare such written plan, or comply with such section.''; and

(3) in paragraph (3), by striking ''written statement or plan is required'' and all that follows through ''shall not'' and inserting the following: ''written statement under section 202, a written plan under section 203(a)(1) and (2), or compliance with sections 201 and 205(a) and (b) is required, the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement, or description), to prepare such written plan, or to comply with such section may''.

SEC. 14. BUREAU FUNDING AUTHORITY.

The Director of the Bureau of Consumer Financial Protection may not request, under section 1017 of the Consumer Financial Protection Act of 2010, during fiscal year 2016 an amount that would result in the total amount requested by the Director during that fiscal year to exceed $550,000,000.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. REED

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–14.

Mr. REED. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 1, insert ''private property owners,'' after ''small businesses,''.

Page 10, line 24, strike the closing quotation marks and second period.

Page 10, after line 24, add the following:

''(8) An assessment of the effects that the proposed rulemaking or final rule are expected to have on private property owners, including the use and value of affected property.''.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from New York (Mr. REED) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. REED. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, private property rights are fundamental to our liberties and freedom as American citizens. These rights are recognized in the Fifth Amendment to our United States Constitution.

The overreaching actions from government on all levels—in particular here, today, the Federal Government and its agencies—is infringing on these rights by limiting property use and impacting property values. This is not right, and we must address this issue.

My amendment is simple, and it is fair. The amendment will require agencies to assess the impact of their governmental actions on private property, including the use and value of that private property.

Mr. Chairman, this will ensure fairness and transparency. Agencies will have to recognize the effects their government action will have on private property once this amendment is approved.

Mr. Chairman, I have heard from constituents in my district and from across America that this government needs to be held in check and, in particular, when it comes to our fundamental freedoms such as private property rights.

At this point in time, Mr. Chairman, I yield 1 minute to the gentleman from Utah, Chairman CHAFFETZ, chairman of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Chairman, I appreciate Congressman REED and what he is trying to do here. I think this makes a lot of sense.

His amendment asks agencies to consider the effects of regulatory action upon private property owners. The amendment furthers the bill's intent to

provide more input from private sector entities and taxpayers affected by these regulations. It thinks of farms and other types of public land issues that we deal with, particularly out West, but across the Nation.

Federal regulators should consider the effects of any regulation on private property owners.

I urge my colleagues to support this amendment.

Mr. CUMMINGS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I am not going to really oppose this amendment. This amendment would add a requirement that agencies evaluate the impacts of a rule on private property owners. I do not object to this requirement in isolation.

The problem is that this amendment adds one more requirement to the layers of red tape this bill already adds to the rulemaking process.

I yield back the balance of my time.

Mr. REED. Mr. Chairman, I thank the ranking member and the chairman for their lack of opposition in support of this amendment.

In closing, Mr. Chairman, I would just say, as we care about American citizens across the country, we must stand with them, and we must support their fundamental freedoms that are represented in our Constitution, and that is what this amendment will do.

It is a simple, concise amendment that will just recognize that the government, once and for all, must recognize that it is impacting private property rights in America with its actions and quantify that impact when it comes to the use and value of their private property.

Mr. Chair, I ask my colleagues to support this amendment and the underlying bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CUMMINGS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–14.

Mr. CUMMINGS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 12.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from Maryland (Mr. CUMMINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, my amendment strikes section 12 of the bill.

Section 12 would require an agency to perform a retrospective analysis of any existing rule any time a committee chairman or ranking member asked for it.

Under this section, any one of nearly 100 Members of Congress could tie an agency up in knots, forcing review after review of any existing rule.

I asked the nonpartisan Congressional Research Service to analyze the constitutionality of this section. CRS provided my staff with a memo that found that section 12 of H.R. 50 raises a serious constitutional question.

CRS evaluated the impact of the Supreme Court's decision in INS v. Chadha. In that case, the Court held that Congress can exercise its legislative authority only through bicameral passage of legislation that is then presented to the President.

CRS evaluated whether giving individual Members of Congress the authority to demand agency action would violate that requirement.

Here is what CRS found: ''It could be argued that imbuing certain Members with the authority to demand that an agency prepare a report under section 12 is an action of sufficient legislative character and effect as to trigger the bicameralism and presentment requirements of article I.''

CRS also found there is a ''tenable argument that the provisions of section 12 raise constitutional concerns of the magnitude addressed in Chadha.''

Congress certainly has a legitimate interest in conducting oversight of agency actions. It is appropriate for House committees to request information about agency rules and how they can be improved, but committees already have the opportunity to conduct that type of oversight.

We don't need to require in legislation that an agency conduct an entirely new cost-benefit analysis for potentially every rule on the books at the whim of individual Members of Congress. CRS notes that Congress could conduct these reviews as part of its oversight prerogative.

CRS goes on to note, however, that if these reviews were considered part of congressional oversight rather than an exercise of legislative authority, they ''would leave open significant and unresolved questions regarding the parameters of congressional oversight authority.'' These questions are significant enough to warrant stripping this section from the bill.

In addition, section 12 would threaten the ability of agencies to carry out their missions. The more time an agency spends responding to demands for rule reviews, the less time it is spending performing the work it is supposed to be doing.

□ 1500

I urge my colleagues to vote ''yes'' on this amendment, and I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, a cost-benefit analysis prior to the implementation of a regulation requires a number of assumptions that make an accurate analysis difficult, if not impossible.

H.R. 50 allows committee chairmen and ranking members to ask for the retrospective reviews of specific regulations.

I think there needs to be a degree of deference and some respect for the idea that it is for committee chairmen and ranking members, both sides of the aisle, not just based on some whim. I think it is offensive to suggest that it be just some whimsical thing.

This allows an important check on any pre-implementation cost-benefit analysis, and these retrospective reviews better clarify the true costs of regulation. Even President Obama supports retrospective reviews and issued an executive order requiring agencies to conduct them.

More importantly, retrospective reviews work. In April of 2014, the GAO issued a report on retrospective reviews at 22 executive agencies. That report found that more than 90 percent of retrospective regulation reviews led the agencies to revise, clarify, or eliminate regulation text—90 percent.

However, the pace of retrospective review is much slower than planned, and the 22 agencies reviewed by the GAO had plans to conduct more than 650 retrospective reviews but had only completed 246 of them as of August of 2013.

As you can see, the agencies are already doing this work. It is good to go back and review. We shouldn't be afraid of that. We should encourage it.

This provision in the bill simply allows Congress to work with agencies to prioritize regulatory areas most important to the American taxpayer. We need to maintain the ability to make such requests, and I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time we have on this side?

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining.

Mr. CUMMINGS. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend.

Mr. Chairman, I think we do have something to be concerned about with this provision of the bill, and I rise enthusiastically to support Mr. CUMMINGS' amendment. He has raised serious issues about the constitutional nature of this provision which could take down the whole bill.

I was working in the United States Senate at the time of the Chadha rendering by the Supreme Court, and it is crystal clear. It is crystal clear to me that this retrospective provision, empowering Congress, tantamount to a

legislative veto, though we don't call it that, is an encroachment on executive authority, and will be so found by courts.

Therefore, I think it is prudent for this body to adopt the Cummings amendment and clear that constitutional cloud that hangs over H.R. 50.

Mr. CHAFFETZ. Mr. Chairman, that is some good creative thinking right there. I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

One of the things that we have to keep in mind, the President is the President. You are talking about 100 Members of Congress, as opposed to the President. The President has done this, and the chairman admits that they are already behind.

So now what we are going to do is bring in a whole new 100 people, at a whim, to say, We don't like something and let's pull it back.

No. I think we are better than that, and I think it does have constitutional problems. I think enough is being done, and I am glad to hear somebody giving the President some credit for something. The fact is that he has been most aggressive in this area.

I don't think that this provision is needed, and I would urge Members to vote in favor of my amendment.

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

Mr. CHAFFETZ. Mr. Chairman, I yield myself such time as I may consume.

I want to highlight, again, that when there was a report done by the GAO, they found that 90 percent of retrospective regulation reviews led agencies to revise, clarify, or eliminate regulatory text.

All this does is ask for a report. It doesn't repeal it. It is not going to slow it down. What it does is ask for a report. That is an important process to go through, and when we have gone through it in the past, 90 percent of the time, according to the GAO, it has led to revisions that are important.

It is very difficult to understand what is going to happen on the front end. All we are asking for in this bill is let's consult with the individuals, the property owners, others who are affected, and then, if we need a report, and we are going to limit that to chairmen and ranking members, that is an appropriate thing to do.

What are we afraid of? We are just trying to get transparency to the issue and be able to highlight this.

I worry, when you talk about the numbers of reviews and how far behind, it just shows the massive numbers of regulations that go through this process. We should be able to review those. There are real Americans that are affected by this every day.

I urge my colleagues to vote ''no'' on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–14.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 14. SUNSET OF UNFUNDED MANDATES REFORM ACT AND CONGRESSIONAL BUDGET ACT AMENDMENTS IF GDP GROWTH FAILS TO INCREASE AT AVERAGE ANNUAL RATE OF 5 PERCENT OR MORE.

(a) SUNSET.—If the real gross domestic product of the United States fails to increase at an average annual rate of 5 percent or more for the first 4 calendar quarters occurring after the date of the enactment of this Act, as determined under subsection (b), then the amendments made by this Act to the Unfunded Mandates Reform Act of 1995 (Public Law 104–4; 2 U.S.C. 1511 et seq.) and the Congressional Budget Act of 1974 (2 U.S.C. 602 et seq.) are repealed.

(b) DETERMINATION OF GROWTH OF GDP.—For purposes of subsection (a), the Director of the Office of Management and Budget shall—

(1) calculate the average annual rate of growth of the real gross domestic product for the first 4 calendar quarters occurring after the date of the enactment of this Act; and

(2) submit to Congress a report containing such calculation and such other information as the Director considers appropriate, not later than 30 days after the end of the 4th calendar quarter occurring after such date of enactment.

The Acting CHAIR. Pursuant to House Resolution 78, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. I yield myself such time as I may consume.

Mr. Chairman, I rise today to urge my colleagues to support this simple, clear amendment to H.R. 50. This amendment seeks to establish a performance-based sunset mechanism stipulating that, in the event that the average annual rate of real GDP growth remains below 5 percent over the first 4 quarters occurring after the date of enactment, then the statutory changes made by H.R. 50 are repealed because the bill will have been proved to have been ineffective.

This amendment sets up a real world measurement and a sunset mechanism that supporters and opponents, it seems to me, can support, since it features the flexibility to ensure an optimal response to whichever prediction of the impact of H.R. 50, positive or negative, takes place over the year following enactment.

If the Unfunded Mandates Act, by lessening the independence of independent regulatory agencies and strengthening the influence of the private sector in the Federal rulemaking process, does, in fact, spur the economic growth we have heard so much about to at least match the average annual real GDP growth rates achieved during two administrations, the Johnson and Kennedy administrations, and in the last 2 quarters of this administration so far, what is the threat?

What are we afraid of?

However, if it fails to spur the promised economic growth to at least achieve an average annual growth rate of 5 percent over the year following the enactment of the law, then the statutory changes made by H.R. 50 will be repealed.

Five percent is reasonable. It is a reasonable target goal when one considers that, according to the Bureau of Economic Analysis, real GDP growth under the Obama economy reached 4.6 percent in the second quarter and 5 percent in the fourth.

Why wouldn't we expect H.R. 50 to be able to sustain that growth rate and, indeed, improve on it in the first full year after enactment?

Finally, I would note that, according to the preliminary estimate of the Congressional Budget Office, this amendment would not increase direct spending or reduce revenues, and I strongly urge all of the Members in the body to adopt this commonsense amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. I thank the gentleman, and I appreciate my colleague from Virginia. I appreciate his tenacity and good work on these issues and on the Committee on Oversight and Government Reform.

But I do have to suggest that if the economy is struggling, Federal regulators should be extra concerned about imposing undue and unnecessary costs on to the American public and the private sector job creators.

H.R. 50 helps ensure that regulations that impose unfunded mandates on State, local, and tribal governments and the private sector are fully analyzed and considered.

Keep in mind, we are focused here on unfunded mandates. This amendment would repeal this helpful legislation if the GDP rate grows at a rate of less than 5 percent. To me, this is counterproductive.

GDP is a deliberately broad measure of economic growth. The GDP does not reflect the impact a regulatory mandate might have on a State or local government or a portion of the private sector, nor does it reflect the impact of regulations as a whole.

Ultimately, GDP growth is not a substitute for a sensible regulatory analysis and process. I would argue that,

regardless of GDP growth or reduction, we need to allow, particularly these local governments, these tribal governments, these private individuals—it is the little guy that has this unfunded mandate thrust upon them that we have to review.

So repealing H.R. 50 if the GDP is failing to grow is contrary to the very purpose of this bill and, therefore, I stand in opposition to the gentleman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CONNOLLY. I would inquire of the Chair how much time remains on this side.

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining.

Mr. CONNOLLY. Mr. Chairman, I yield myself such time as I may consume.

I just want to say in response to my friend from Utah, also a neat argument. All of a sudden we are now retreating from the economic rationale for moving beyond unfunded mandates, for getting the hobnail-booted government off the necks of business so jobs can grow and the economy can just take off. Now, that is not really the purpose of this. It is transparency and getting unfunded mandates exposed. I think that is a fairly weak argument and justification for a bad bill.

Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS), the distinguished ranking member.

Mr. CUMMINGS. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this commonsense amendment. The legislation we are considering today has been sold by supporters as a jobs bill. Give me a break.

This amendment simply says that if the economy doesn't improve the way the bill's supporters say it will, then the bill will sunset. It is as simple as that. The amendment would leave the Unfunded Mandates Reform Act untouched. This sunset provision would only impact the changes made by this bill. For those reasons, I strongly support the amendment.

Mr. CHAFFETZ. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONNOLLY. In summary, Mr. Chairman, I think this is a commonsense amendment. I think it sets a metric that I would hope my friends on the other side of the aisle would actually embrace so that we can see whether a new piece of legislation is, in fact, working. It would allow the bill to go into place for a whole year before that metric kicks in. I think it is a commonsense amendment that actually gives us a chance to see whether the philosophy undergirding this legislation is, indeed, justified.

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

Mr. CHAFFETZ. Mr. Chair, how much time remains?

The Acting CHAIR. The gentleman from Utah has 3½ minutes remaining.

Mr. CHAFFETZ. Mr. Chairman, to take a metric of the gross domestic product, the entire economy, and then have that be the weighted factor by what may happen to a dairy farmer, for instance, who is out there in Utah or Kansas or Colorado is not the way that we should be determining whether or not H.R. 50 is in place.

If the economy is waning, if the economy is decreasing, if our production overall for our Nation is declining, that may be the very key indicator that we have thrust too many unfunded mandates upon the little guy, the dairy farmer, the person who has got a transmission shop. It could be a whole host of things. It may be upon private property owners. It could be—you name it.

Pretty much in this country, there are mandates that are thrust upon people, and they feel like they have no ability, no understanding why this happens. They don't feel like they have a voice in the process.

So I stand in opposition to this amendment. So, to the overall gross economy, to say that we are just going to repeal that, H.R. 50, and get rid of our ability to ask people to consult, ask the government agencies to consult with local governments, to consult with private individuals, to talk to small businesses, we are going to just get rid of that because the economy is waning?

□ 1515

I would argue that part of the reason our economy hasn't taken off is there are too many unfunded mandates. The government imposes these, and they don't have a full understanding of what is causing these people to not hire more people, to invest more capital.

So I stand in opposition to this. I appreciate the gentleman who offered it, but I stand in opposition to this amendment. I would urge my colleagues a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 114–14 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. CUMMINGS of Maryland.

Amendment No. 3 by Mr. CONNOLLY of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. CUMMINGS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. CUMMINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 245, not voting 9, as follows:

[Roll No. 61]

AYES—179

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—245

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat

Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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 (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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

NOT VOTING—9

Chu (CA)
Duckworth
Gutiérrez
Johnson (GA)
Lee
Lofgren
Nunnelee
Roe (TN)
Young (AK)

□ 1543

Messrs. COSTELLO of Pennsylvania, TURNER, HUELSKAMP, Mrs. BLACKBURN, Mrs. BROOKS of Indiana, and Mr. MURPHY of Pennsylvania changed their vote from ''aye'' to ''no.''

Ms. LINDA T. SÁNCHEZ of California and Mr. CLYBURN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 11, as follows:

[Roll No. 62]

AYES—173

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—249

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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

NOT VOTING—11

Babin
Chu (CA)
Diaz-Balart
Duckworth
Gutiérrez
Jackson Lee
Lee
Lofgren
Nunnelee
Roe (TN)
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1548

Mr. BROOKS of Alabama changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BABIN. Mr. Chair, on roll call no. 62, Connolly Amendment, I was unavoidably detained. Had I been present, I would have voted No.

The Acting CHAIR. There being no further amendments, under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WESTMORELAND) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 50) to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes, and, pursuant to House Resolution 78, he reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. BUSTOS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. BUSTOS. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Bustos moves to recommit the bill H.R. 50 to the Committee on Oversight and Government Reform, with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 14. STOPPING SEXUAL PREDATORS, DOMESTIC VIOLENCE, AND RAPE.

This Act, and the amendments made by this Act, shall not apply to, limit, or restrict any Federal agency mandate or action the purpose of which is to—

(1) protect students and children from a person who has been convicted in any court of a sex offense against a minor;

(2) prevent domestic violence by stopping persons from harassing, stalking, or threatening a spouse, family member, an intimate partner, or the child of an intimate partner;

(3) prevent rape or sexual assault; or

(4) require criminal background checks for school or other employees through a search of the National Crime Information Center, the FBI's Integrated Automated Fingerprint Identification System, or the National Sex Offender Public Website.

The SPEAKER pro tempore. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BUSTOS. Mr. Speaker, this is the final amendment to the bill. It will not delay or kill the bill or send it back to committee. If adopted, the bill will proceed immediately to final passage as amended.

This amendment, Mr. Speaker, preserves critical protections against sexual and domestic violence. We must not be so eager to eliminate regulations that we remove important protections that keep our communities, our children, and our families safe from harm.

The underlying bill would essentially stop or bog down all regulation. My amendment would provide exemptions from the bill so there is no interruption in efforts to prevent sexual and domestic violence.

This includes protecting children from convicted sex offenders and preventing domestic violence, including stalking. It also addresses rape and sexual assault and using Federal resources for background checks for school employees.

On a personal note, before I came to Congress, I worked as an investigative news reporter, and my husband has spent his entire 30-year career in law enforcement and now serves as sheriff of Rock Island County, Illinois. Between the two of us, we have come across far too many disturbing and real-life stories of sexual and domestic violence.

I will always remember a case that I covered involving a little boy named Jerry Nelson. He was a small, defenseless child who was murdered in Henry County, Illinois, which is now in the congressional district that I serve. I am going to repeat that last line because if you didn't hear it, I hope you will take a listen here because this is what we are talking about in this amendment.

When I was a news reporter, a case I remember most involved a 3-year-old child named Jerry Nelson. He was small. He was defenseless. He lived in an area called Henry County, Illinois, which is now the central part of the congressional district I serve.

He was beaten. He was abused. He was terribly battered by his mother's boyfriend, and this happened across the Mississippi River where I live but in the State of Iowa.

When Jerry's family moved across the Mississippi River into the State of Illinois, Iowa did not share its case file—despite having investigated this—with the Illinois authorities, and they were not require to do so.

There was no mechanism in place for sharing the information. Jerry's abuser would eventually sexually molest him and then murder him when he was just 3 years old. At that time, why this was so emotional for me is because he was the exact same age as my youngest child who today is 24 years old.

When doctors examined little Jerry Nelson's body, they found more than 20 bruises, a broken clavicle, and brain injuries consistent with falling from a three-story building onto concrete.

My commonsense amendment that I am telling you about right now would help prevent more children like Jerry from becoming victims of heinous crimes and unimaginable trauma. I urge my colleagues to support this amendment.

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

Mr. CHAFFETZ. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Speaker, I want to thank the body, thank the Speaker, and the process by which we did this. This bill came up in regular order in the Committee on Oversight and Government Reform. We had a full and complete markup. That was followed by going to the Rules Committee.

Every single amendment that was offered at the Rules Committee was made in order, two Democrat amendments as well as the Republican amendment. We had good and lively debate about those, and we just voted on those amendments. I appreciate that.

From my heart, I will tell you that I look forward to working with the gentlewoman from Illinois and everybody else in this body to attack and go after—defend the innocent and make sure that we attack domestic violence because it is so prevalent in every aspect of our society, but I would suggest to you that this is the wrong amendment.

What this does, it does not force the Federal Government to actually work with the individuals that are affected. What H.R. 50 does, what this bill does is to make sure that the Federal Government consults with individuals, it consults with small businesses, those that are affected by mandates.

I want the Federal Government—in fact, I would love to codify the idea that the Federal Government in this case and what you offer in the motion shouldn't talk to these people, they should talk to them. We want them to talk to the National Center for Missing and Exploited Children. They should be the first people that they call. If you want to know what is happening in this country, go talk to the individuals who are affected by this.

What this legislation, H.R. 50, does is to make sure that individuals are asked before; it makes sure that nothing is repealed. We don't get to unilaterally repeal things. I heard the word ''repeal.''

No, there are reports that we need to access and look at, and so if we truly want to get after domestic violence and these heinous crimes—these awful, hideous crimes—then you want to vote in favor of H.R. 50 and make sure that the Federal Government does go and consult with the victims of crime.

I oppose this motion to recommit and vote in favor of H.R. 50 by Dr. FOXX.

I yield back the balance of my time.

□ 1600

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. BUSTOS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 239, not voting 10, as follows:

[Roll No. 63]

AYES—184

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice (GA)
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
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 (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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

NOT VOTING—10

Bass
Chu (CA)
Duckworth
Gutiérrez
Lee
Lofgren
Nunnelee
Roe (TN)
Schock
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1606

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. LOWEY was allowed to speak out of order.)

MOMENT OF SILENCE AND PRAYER FOR THE VALHALLA, NEW YORK, COMMUTER TRAIN ACCIDENT VICTIMS, THEIR FAMILIES, AND THE COMMUNITY

Mrs. LOWEY. Mr. Speaker, yesterday evening, a commuter train struck an automobile at a grade crossing in Valhalla, New York, resulting in the deaths of six people and many others injured.

I stand on the House floor today with my colleagues to call for a moment of silence to honor those who lost their lives in this tragic accident and offer sincere condolences to the families of the victims, pray for the full recovery of those injured, and thank our first responders for quickly arriving at the scene to help others.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CUMMINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 173, not voting 10, as follows:

[Roll No. 64]

AYES—250

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emmer
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
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
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce

Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (GA)
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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

NOES—173

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle (PA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle (PA)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu (CA)
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Chu (CA)
Conyers
Duckworth
Gutiérrez
Lee
Lofgren
Murphy (PA)
Nunnelee
Roe (TN)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1615

So 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. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 64 had I been present, I would have voted aye.

Stated against:

Mr. CONYERS. Mr. Speaker, I inadvertently did not vote during Roll Call #64 on passage of H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015. Had I voted, I would have voted "nay."

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, February 4, 2015.

Had I been present, I would have voted "nay" on roll call vote 59, and "nay" on roll call vote 60.

Had I been present, I would have voted "yea" on roll call vote 61, "yea" on roll call vote 62, and "yea" on roll call vote 63.

I would have voted "nay" on roll call vote 64 in strong opposition to H.R. 50, the Unfunded Mandates Information and Transparency Act of 2015.

PERSONAL EXPLANATION

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote today because of a serious illness in my family. Had I been present, I would have voted:

Rollcall #59—YEA
Rollcall #60—AYE
Rollcall #61—NO
Rollcall #62—NO
Rollcall #63—NO
Rollcall #64—AYE

HOUR OF MEETING ON TOMORROW

Mr. DUFFY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 279

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that my name be removed from H.R. 279, to amend the Communications Act of 1934.

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

There was no objection.

CLAY HUNT SAV ACT WILL SAVE VETERANS' LIVES

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

Mr. PAULSEN. Mr. Speaker, those who sign up to serve and defend our country deserve our respect and support when they return home. Sadly, there is a crisis in our country when it comes to our veterans' health care. With an average of 22 veterans a day taking their own lives, we are failing them.

That is why Congress took action to pass the Clay Hunt Suicide Prevention for American Veterans Act so as to improve mental health care services and suicide prevention programs at the VA and at the Department of Defense. By establishing pilot programs to recruit and keep psychiatrists and to establish support networks for veterans, the Clay Hunt SAV Act will help servicemembers transition to life after the military. The bill is named after Clay Hunt, a brave soldier who served in both Iraq and Afghanistan. Tragically, Clay took his own life when he returned home.

I want to thank my Minnesota colleague, TIM WALZ, for his leadership on this issue, and I encourage the President to quickly sign this legislation into law and get our veterans the support that they deserve.

THE PASSING OF CHARLIE SIFFORD

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

Mr. CLYBURN. Mr. Speaker, I rise today to note the passing of a great American.

Golf pioneer Charlie Sifford died last night at the age of 92. Often called the "Jackie Robinson of golf," Sifford wrote in his autobiography, "Just Let Me Play," about his fateful meeting with the man who broke baseball's color barrier:

"He asked me if I was a quitter," Sifford wrote.

"I told him: 'No.'"

"He said: 'If you're not a quitter, you're probably going to experience some things that will make you want to quit.'"

Sifford experienced unspeakable acts of racial abuse, slurs, and threats as he became the first African American to play the PGA Tour.

Born in Charlotte, North Carolina, in 1922, Sifford worked as a caddie and dominated the all-Black United States Golfers Association, winning five straight national titles. He challenged the PGA's Whites-only rule, and, in 1961, they rescinded it. Sifford won the Greater Hartford Open in 1967 and the Los Angeles Open in 1969. He also won the 1975 Senior PGA Championship. In 2004, he became the first African American inducted into the World Golf Hall of Fame.

Last year, President Barack Obama awarded Sifford the Medal of Freedom, joining Jack Nicklaus and Arnold Palmer as the only golfers to receive our Nation's highest civilian honor.

Tiger Woods, one of the greatest golfers of all time, has often said he may have never taken up the game were it not for the courage, grace, and perseverance of Charlie Sifford.

Mr. Speaker, Charlie Sifford was not a quitter. He was a hero. He was my hero. May he rest in peace.

WORLD CANCER DAY

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

Mr. HIGGINS. Mr. Speaker, today is World Cancer Day, a day to recognize the patients, survivors, caregivers, and those who raise awareness on their behalf. Cancer has touched every family and community in some way, and it is their stories that sustain the fight for increased funding for medical research.

According to the World Health Organization, cancer has caused over 8.2 million deaths worldwide. By the end of 2015, more than 1.5 million new cases will have been diagnosed within the United States.

Investing in medical research leads to advanced treatments and cures and has the potential to lower these devastating outcomes. It boosts the economy through job creation and new discoveries, and it allows America to maintain its position as a global leader in the fight for a cure. Yet, in the last decade, funding to the National Institutes of Health has been cut by nearly 25 percent. This is unacceptable. Last week, I reintroduced the Accelerating Biomedical Research Act with Representatives ROSA DELAURO and PETER KING. It is a bill that invests in the fight against horrible disease.

While today we recognize World Cancer Day, the goal must be to celebrate the day when we have a world without cancer.

APPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore (Mr. BUCK). 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:

Mrs. MALONEY, New York

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–6)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2015.

The Government of Côte d'Ivoire and its people continue to make significant progress in promotion of democratic, social, and economic development. The United States also supports the advancement of impartial justice in Côte d'Ivoire as well as the Government of Côte d'Ivoire's efforts to prepare for a peaceful, fair, and transparent presidential election in 2015, which will be an important milestone in Côte d'Ivoire's progress. We urge all sides to work for the benefit of the country as a whole by rejecting violence and participating in the electoral process.

While the Government of Côte d'Ivoire and its people continue to make progress toward peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, *February 4, 2015.*

A CALL TO ACTION—BORDER SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Arizona (Ms. MCSALLY) is recognized for 60 minutes as the designee of the majority leader.

Ms. MCSALLY. Mr. Speaker, I really appreciate the opportunity today to spend some time with my colleagues to highlight an urgent and important issue that, quite frankly, should unite this body in a call to action.

I represent Arizona's Second Congressional District, and that includes 80 miles of the southern border. Today, we are going to be talking about the importance of securing our border both in the south and in the north. My colleague here from New York will be speaking on that matter. We do have Chairman MCCAUL here who will be joining us, but I have just a couple of lead-in comments.

I have spent a lot of time down at the border with our border residents and ranchers, and I can tell you the border is not secure. These people are daily taking risks for their families, for their livelihoods. This is a public safety risk, and this is a potential national security risk. Although some efforts have been taken, our border is not secure. We now have the opportunity to have a call to action to take the measures that are important in order to secure the border once and for all, which is impacting, again, the residents of my community.

I am grateful that a bipartisan group of Members of Congress came down to visit our southern border just 10 days ago. We had 20 Members, plus myself, so they could see firsthand what our ranchers and border residents are dealing with in Arizona. The group, under the leadership of Chairman MCCAUL, whom I will ask to join us here in a minute, visited the San Diego sector, then came to our Tucson sector, and then moved on to also see the challenges in Texas. We got to see firsthand what is going on in each of these different sectors and to reinforce the fact that this is an urgent matter that we have to address. It should be a bipartisan and uniting issue.

I have got lots of stories to share from the Tucson sector, but I have a number of colleagues who want to join in the conversation. I will first ask Chairman MCCAUL if he would like to join the discussion.

Mr. MCCAUL. Let me thank my colleague from Arizona for her great leadership. I think this House is well served to have the first female pilot who has served in combat.

We thank you for your service, and I can probably tell a few more stories of bravery about you. I am very fortunate to have you on this committee.

Mr. Speaker, this is an issue of grave importance to the Nation. As chairman of Homeland Security, when I go home, it is the number one issue, and the number one question I get back home is: Mr. Chairman, when are you going to secure that border?

I believe we have an opportunity in this Congress to finally get this thing done and to get it done in the right way and the smart way. People say: Why is it so important? In 10 years in the Congress and as a Federal prosecutor prior to that in dealing with this issue, I have seen the scourge of drug cartels, of human trafficking, the poisoning of our kids with drugs, and the potential threat of a terrorist attack in the United States. I don't want that on this Congress' head. We do have an opportunity to act. We have a bill that was passed out of committee, and I think it does several things.

One, it finally directs and tells the Department of Homeland Security how to get this mission done sector by sector. As the gentlewoman knows, Arizona is very different from San Diego and is very different from Texas, which is where we saw 60,000 children crossing last summer. We know that a surge is probably on its way again if we don't

act in this Congress soon. We also know, with the spread of ISIS overseas, that the threat is real.

With the event of the Jordanian's being lit on fire yesterday, it is a wake-up call that we need to act and that we need to act soon in the Congress to protect the American people. This is more than Homeland Security—it is national security. It is really not an immigration issue. This bill is about securing the border in a smart way.

When I was in Afghanistan and Pakistan, I met with General Allen. They didn't really have much of a fence, but I said: ''What is your border security with the Pak border?'' They pointed to aerostats in the sky that could see for hundreds of miles that we saw on our recent trip down there. With the value of 100 percent visibility to see what is coming in and how to stop it, you can measure success, first of all, but you can respond to the threats in realtime.

□ 1630

In addition, the VADER technology, the radar on the Predator UAVs, is of tremendous value for a smart border. A lot of these assets were actually used in Afghanistan. We have already paid for these assets, and we want to redeploy those to the southwest border.

We also fully fund the National Guard, which to our Governors—particularly my Governor in the great State of Texas—is of vital interest and concern. We allow access to Federal lands for CBP, which, in the past, they have been denied; and we have a U.S. exit system set up—which the 9/11 Commission recommended, and to this day Congress has failed to act on that—to determine who is staying with visas legally and who is overstaying those visas like we saw with the hijackers on 9/11.

At the end of the day, this is an important issue that has to get done. It is no longer time for lipservice; it is time for action on what I consider to be one of the most important Homeland Security issues facing this Nation.

I just want to thank the gentlelady for holding this Special Order. I know we have members of the committee here who have great expertise, both Federal prosecutors, CIA, and other experiences to bring this issue to life. I hope we can do more of this in the future.

The American people know this is an important issue. The problem is the Members of Congress have been tone deaf on this and have not gotten the job done. I would argue to my colleagues who are listening to this and to the American people that now is the time to finally get the job done.

Ms. MCSALLY. Thank you, Mr. Chairman. I really appreciate your leadership on this issue. I also want to thank you for coming to southern Arizona to my district to see firsthand what our border residents and ranchers are dealing with on a daily basis. I look forward to working with you on the committee to get this bill across the finish line and getting the strategy and the resources to those in the Border Patrol so that they can actually address the threat.

Mr. MCCAUL. If the gentlelady would just yield on this point, too, this is a bill not built from bureaucrats in Washington, down. This is a bill designed by talking to Border Patrol agents, to the border sheriffs who support this bill, to the ranchers. What a great presentation we received from John Ladd and his father, Jack, in Arizona.

I will never forget, when you had the press conference, John Ladd was saying: You know, for the first time, I have real hope.

They said: Well, Members have come down here before.

He said: Not this many and not of this caliber of leadership, and for the first time I have hope.

I don't want to let those ranchers down. I want to get this job done for the ranchers, the border sheriffs, and the agents who spend day in and day out in very tough conditions.

Ms. MCSALLY. Thank you, Mr. Chairman. I appreciate it.

Would my colleague from Pennsylvania (Mr. PERRY) want to join the conversation?

Mr. PERRY. Absolutely.

I want to also extend my appreciation to you for bringing up this important issue. I think this is going to kind of be a continuing conversation, at least for the next couple weeks, as we move forward into bringing this particular bill and the legislation to the floor.

With that, I was just thinking that in the last couple days I saw the President on TV, and he asked a question: What kind of country do we want to be?

I think you can think of that in a lot of different ways, but regarding the border, the President, while he says that, has preached over the years that he has made our Nation's border more secure than ever. I just remember last year when he was literally saying that, we saw tens of thousands of unaccompanied people coming across the border, and all of America was saying to themselves: What are you talking about? How can you say that?

The Border Patrol wasn't stopping these people. They were greeting these people and bringing them into the country. You are thinking, maybe that is a great thing, but we don't know who they are or what their intentions are, and you have no credibility, Mr. President, when you say that.

His statement is just supported by bloated statistics and a false sense of reality. I think most Americans understand that. As a matter of fact, the GAO recently found that only 44 percent of the southwest border was under operational control—44 percent. So 56 is just wide open apparently. Listen, that 44 percent, that is based on some best guess or some estimate because, believe it or not, they don't even keep the records.

Now, you know—you know as sure as you are watching this on TV or in the gallery or sitting at home thinking about it—that those Border Patrol agents and those sheriffs are keeping records of the things they do on a daily basis and a nightly basis, drove so many miles, picked up this many people coming across the border.

What happens to that information? Guess what, folks? They don't want us to have it. They don't want the GAO to have it because then we would know that our back door is wide open.

I mean, these gaps on the border lead to higher crime rates and unemployment for American citizens. It is really no more complicated than your own home. Sure, you love your neighbor to your left and your right and the people that adjoin your home to the north and to the south, but that doesn't mean that you leave your doors wide open for them to come in and go as they please at all hours of the day or night.

We want to be a country that is defined by who we are, and it requires protecting. If we are not going to define our country in those ways, why define it by having a border at all? That is what I think the President and many on the other side would propose, that we just abolish the borders. Well, guess what, folks? If we abolish the borders, we don't have any country at all.

I was thinking about another thing I heard recently. Over the last 6 years of the couple million jobs that were created in a downturn economy, almost all of them, statistically, were filled by people that weren't born in this country. Listen, it is great to have people come here and we need to have that policy, a smart policy, but our policy should be what works for America first, and securing our border and doing what works for America is the right thing to do. It is our duty. It is our oath.

Now, people say: Well, why is it so important?

Look at the crime rates. More than 40 percent of all criminal cases initiated by Federal prosecutors were in districts that border Mexico. Is anybody surprised? Do you think that that doesn't correlate to something? That means something, folks. I mean, the Governor of Texas, Rick Perry, stated more than 3,000 homicides were committed by illegal immigrants in the last 6 years.

Now, are we a nation of laws or aren't we? If we are a nation of laws, what does it matter if you have a law that you are not going to enforce? Does it mean anything? The President has not executed the law for biometric exit. That is where we determine who you are, what you are doing here, and when you leave. Come legally, come across our border, but that is part of securing the border. But when it is time to go, it is time to go. If you want to stay, hey, that is great, but show up and let our government know that you are going to stay a little bit longer and what your purpose is. We don't want

you to stay if your purpose is for something other than what it should be.

The Congress has spoken, as a matter of fact, eight times passed a law requiring an exit system at all our ports; yet the executive branch, the one who executes the laws, has decided that is not important. They are just not going to do it.

Folks, this puts us at a huge disadvantage. It makes us unsafe. We are not secure in our homes. We don't have the peace of mind of knowing that we are safe in our homes. We don't have the peace of mind of knowing that the people coming across the border are being screened for maybe diseases or criminal activity.

There is a cost to that. There is a cost in lives. There is a financial cost to that in caring for people that get diseases that we have long eradicated in America that now come across the border unchecked because our border is wide open. That is why it is important to secure the border.

It is important. Congress has spoken. Congress, the representative of the American people, has spoken eight times on this issue, and the President has just said: I can't be bothered. He designates Federal lands, and our own agents can't be on these Federal lands and do their job.

I mean, who thinks that controlling the border and securing the border means being 50 miles off the border? I guarantee you, if you are in the combat zone securing your perimeter, your border—and the gentlelady knows what I am talking about because she has been there herself, as I have been there—you secure your perimeter and you watch your perimeter right on it, not just set up a little fence or draw a line in the sand and then head to the tent and hope nobody crosses it. That doesn't work there, and it doesn't work here. Yet that is what we are doing, and we are espousing it as though it was some kind of policy that is coherent and is realistic. It is not.

Our agents want to do their jobs. They are excited to do the job, they are committed to do the job, and our Federal Government literally is standing in the way and saying: Absolutely, you can't do the job.

We can get some assistance from our State and local, our National Guard, too. I have served on that mission as well. There is a lot of opportunity there to divide the duties and the resources and make this work that is cost effective. There is a lot of expertise from a military standpoint that can be used legally to help secure our borders, but, here again, the President can't be bothered. Mr. Speaker, it is unconscionable.

We need to keep track of these individuals with radical views. If the President had enacted the biometric requirements that have been required by the United States Congress eight times, maybe the Tsarnaev brothers wouldn't have had the ability to come to Boston and blow up people during the marathon. But we will never know because they just come and go as they darn well please to our country, and we don't ask anything. How is that securing the country? How is that good for America?

Mr. Speaker, thanks again to the gentlelady for hosting this. This is an incredibly important subject that we need to be discussing, and it is great that we have some time on the House floor to discuss this.

I hope what this does is it kind of gets the people that are watching this to say: Huh, maybe there is something to this. Maybe I should call my Representative. What does he or she think? How would he or she vote on such a border bill? Is there something missing in the bill, and is there some reason they wouldn't support the bill, and what is that? What would I like, as an American, to see about my border? Should we be letting anybody that darn well pleases come across the border unchecked to come into my community and do whatever they would, take my job, harm my family, or do I want something more as an American? Where does my Representative stand?

I think it is a great opportunity to call your Representative, write your Representative, email, talk to his staff and say: What does my Representative think of this?

So I appreciate the opportunity. I appreciate your leadership. I know, I have been to where you live.

Ms. MCSALLY. You know what we are dealing with.

Mr. PERRY. Yes.

I have flown on the Arizona border down there. I have crossed the border in Nogales, and I have been privileged to be there. America is not where it needs to be on this. The Congress is, but we need to pass a bill, and we need the President to execute it.

I thank you very much for the opportunity.

Ms. MCSALLY. Thank you, Mr. PERRY, and thank you for your support, again, of this urgent matter and the bill that we hopefully will be bringing before our colleagues as soon as possible, because every day that goes by is a day that our ranchers and border residents are still dealing with this.

Before I recognize my next colleague here, I just want to paint the picture of what we have seen go on in the different sectors. In the early 1990s, the San Diego sector is really where most of the illegal activity, the transnational criminal organizations were just at will crossing into the San Diego sector. A lot was done there.

We were visiting it 10 days ago. We got to see the new tactics, the resources, the fencing, the lights, the technology. The agents there are really able to squeeze the activity related in the San Diego sector. These are living organizations, these transnational criminal organizations that are trafficking in our communities and our neighborhoods, so they react. It is like squeezing a balloon.

Guess what happened? They tightened up in San Diego, and that meant that these organizations were now coming in and out of my community. The sector in Tucson put up some fencing and other resources in more populated areas around Nogales, but then that pushed the activity out into the rural areas where the Ladd ranch is that we visited. Mr. Chairman mentioned Jack Ladd, third generation rancher, and John Ladd, fourth generation rancher, with about 10 miles on the border right there. We got to see firsthand what they are dealing with.

These organizations are nimble. They are going to respond and react, and they are going to move. As we create obstacles and we address in certain areas, they are going to move to other areas. What we have seen in the Tucson sector, from fiscal year 1998 up until fiscal year 2012, we have had the highest number of apprehensions. We have had the highest number of assaults in the last couple of years. In the last few years, we have had the highest amount of marijuana seized.

By the way, we don't know what the denominator is, though. Apprehensions is the numerator, but we don't know what the denominator is because our agents do not have full situational awareness. And you can just look at the price of drugs on the street. This is a supply-and-demand issue. If the cost is still low, which it is, it means that we are still not catching a whole lot that is trafficking in and out of these neighborhoods.

So again, the potential for violence is up, and even though the numbers of apprehensions are down in the last few years, those that live on the border—and the Border Patrol has confirmed to me the types of people that are coming—are more the transnational criminal organizations, the traffickers. It is drugs and people coming north and weapons and money coming south, and they have more of a criminal record, and the potential for danger is certainly up.

I do have some stories to share, but I know I have a number of colleagues who want to join the conversation, so I will yield to the gentleman from Texas (Mr. HURD).

What, do you have, 800 miles? I only have 80. You have, I think, 800 in your district.

□ 1645

Mr. HURD of Texas. 820 miles of the border, from San Antonio to El Paso.

I would like to thank the gentlewoman for the time today and also for taking me to your district and seeing that part of the border. Our trip a few weeks ago was great, enlightening to me.

I have spent a lot of time crisscrossing those 820 miles of the border, and it was great to see how the San Diego sector and Tucson and my fellow Texans in McAllen are doing the same thing.

As the gentlewoman knows, I spent 9 years as an undercover officer in the

CIA. I chased groups like al Qaeda and the Taliban. I have chased narcotraffickers all over the world, and the threat is increasing, and the threat is sophisticated.

The drug trafficking organizations in Mexico are making $50 billion a year in the United States. That is a big number. Their tactics, techniques, and procedures are sophisticated, and we need to keep up. It is about moves and countermoves.

What I like about this bill is it empowers our members of Border Patrol to do their job. A lot of people talk about border security. I like to refine it a little bit. Part of it is interdiction, stopping people before they get to the border. It is grabbing them, it is having them in custody, and then it is removal. This bill is focused on this first piece of border security which is interdiction.

We need to make sure that our men and women that are on the border every single day have the tools that they need in order to do their job. It is different in Tucson. It is different in Eagle Pass. It is different in San Diego. What I like about this bill that was developed under the leadership of Chairman MCCAUL is that it gives them that freedom and flexibility.

Having spent a lot of time overseas, I know the disconnect between the field and headquarters, and that is going on right here on our border. We need to make sure that the guys and gals that are on the border have the tools that they need.

This is a sophisticated threat, as you alluded to, using ultralight aircraft to deliver their payload. They are using tactics that intelligence organizations have used all across the world to do denial and deception. We need to make sure we have all the resources—things like the aerostats, things like radar technology, things like UAVs—in order to have that combined picture of the border.

This is something that for 19 months, I talked to folks in the district. I know, like you, this was a very important issue. The American people sent us up here to do our job, and our job is to protect our citizens and to protect our homeland. This bill does it. It is a strong bill, and I look forward to working over these next few days and weeks in order to make this happen.

Ms. MCSALLY. Thank you, Mr. HURD. Again, thank you for your leadership on this issue as well. It is great to be working together with individuals who have operational experience and understand what it takes to get the job done, so I look forward to working with you.

Mentioning the ultralights, I was with our CBP team for several hours a couple of weekends ago and was actually on a Black Hawk getting an aerial tour of the border. We tried to intercept an ultralight. We had a radar hit. We went over to the area. The challenge there is these things are small specks, and you don't have any sense of what altitude they are flying at.

We looked around. We were eyes in the sky. We were trying to find them. As quickly as we have a last radar hit, they pack up, they are out of there, or they are flying back low over the border, and we can't find them. We don't know what they have dropped and where.

These are some of the challenges that our agents have out there in trying to address this threat. It is a very nimble and sophisticated cartel, transactional criminal organizations that are reacting to us. They are much more nimble than we are.

My colleague, Mr. KATKO from New York, if you want to share your perspectives.

Mr. KATKO. I want to thank the gentlewoman from Arizona for her wonderful career serving our country. You are serving your country in a much different capacity now, but I want to honor you for what you have done for your country in the past. I also want to thank you for taking a leadership role tonight and having this session so we can discuss the border security bill in more detail.

I also want to thank Chairman MCCAUL for his great leadership and his ability and desire to empower the young Congressmen and Congresswomen, such as you and I, to take leadership roles with respect to the Homeland Security Committee.

I talk about the border security bill from a law enforcement perspective. For the last 20 years, before I came to Congress, I was a Federal prosecutor for the United States of America in the Department of Justice.

I started my career in 1994 and, soon thereafter, was sent to the southwest border in El Paso, Texas, as part of the Southwest Border Initiative. Back then, it was just simply to try and stem the incredible tide of drugs coming across the border. When I got there, I was stunned to see how wide open the border was. To my understanding, it remains so to this day.

When I was down there, I was prosecuting cartel-level drug trafficking cases. We could get on the roof of the U.S. attorney's office and look across the border and see a cartel member's house on a bluff overlooking the United States. It was wide open, and it remains so.

It was dangerous for Border Patrol. It was dangerous for people living along the border. In some respects, it has become even more dangerous for ranchers and law-abiding citizens.

After a few years there and getting great experience and great perspective, I was sent to Puerto Rico to do similar drug trafficking prosecutions and organized crime cases, and I saw a different perspective, that of being 500 nautical miles from Colombia.

My first day in Puerto Rico, the Federal building's parking lot was lined with boats that were seized that were smuggling hundreds of kilos of cocaine at a time across the 500-mile strait from Colombia.

The last 16 years have been in Syracuse, New York, in the northern district of New York, where we have 300 miles of border with our brothers and sisters to the north in Canada.

While it is definitely a different dynamic than being on the southwest border, the fact remains that less than 4 percent of the Canadian border with the United States is secure. It is wide open. It varies from the northern plains in the Central United States to the Northeast, where there are several major cities along the border with the United States, and that brings a different problem.

In the northern district, over the last 16 years, we have dedicated several individual prosecutors to deal with nothing but alien smuggling, illegal entry cases, and major league drug cases on the northern border. We have well-worn smuggling routes in our district, well-worn alien smuggling routes.

In addition to alien smuggling, we have major drug trafficking from the north coming down south, that being hydroponic marijuana. It is a multibillion-dollar a year industry in Canada. That comes south.

It has developed now that cocaine is going north. The Canadian drug traffickers have hooked up with the Mexican cartels, and cocaine is coming north through our district. Guns are going north. Contraband cigarettes are going north. Like I said, many ethnically based alien smuggling rings are in our district.

I say all that to point to the fact that there is a problem on the northern border as well. Everything that is being prescribed in this bill for the southwest border and the southern border is being prescribed for the northern border.

The prescription for the northern border is based on discussions with Border Patrol and the different sectors throughout the northern United States, just like they did in the southwest border in the pieces of legislation regarding that.

It is the first time in 20 years of being a prosecutor that I saw a bill that actually looks like it is addressing the problem altogether, at once, and that is critically important.

While I was running for this office, I made it clear that my opinion is that we need full immigration reform, but any immigration reform has to start with securing our borders. It is foolhardy to do anything other than that.

This is the first step towards immigration reform, and I wholly applaud it. I do not think this bill is unduly burdensome to travelers coming to and from the United States on the northern border. We have many. To the extent there are burdens, we will address those.

I do say that, moving forward, this is the right bill, it is at the right time, and I applaud everyone who is supporting it, and I hope that we can get this passed.

A related bill to that, which I have submitted to Congress and will be considered as early as next week, is a northern border threat assessment.

It has become clear to me that the northern border has not had a threat assessment done in a detailed fashion like it needs to be done, so this bill simply orders a threat assessment to be done and a report back to us to see if there is any additional legislation or funding needed to address concerns along the northern border.

In short, we don't know the extent of the threat in the northern border, and this bill will help us. With those two bills combined—particularly the border security bill—I am confident that we can get a handle on the problems on both sides of the border, north and south.

I applaud you for your efforts. I applaud everyone else who is supporting the bill. I echo the sentiments of my colleagues before me, and I urge the good citizens of the United States to contact their leaders and ask that this bill get passed.

Ms. MCSALLY. Thank you, Mr. KATKO, for your leadership and the great experience you are bringing to Congress. It is wonderful to have a freshman class with people like you. You bring a unique experience. You also remind us it is not just the southern border, so thanks for your great additions to the bill.

Next, I will invite Mr. CARTER from Georgia to join in the conversation.

Mr. CARTER of Georgia. Thank you very much. Let me begin by complimenting you and applauding your efforts, the gentlewoman from Arizona. Your leadership in this has been invaluable. We appreciate it very much. You have taken a leading role in this.

I also want to compliment and applaud the chairman of Homeland Security, Chairman MCCAUL, for his tenacity in assuring that this gets done.

For most of us, when we go home and we talk about illegal immigration or we talk about the terrorists or the threat of terrorism or when we talk about drug smuggling, the one thing that our constituents say is: Secure the border. Secure the border.

That is always the first thing they say, regardless of what we are talking about, whether it is illegal immigrants, whether it is terrorism, the threat of terrorism. They always say that first, and it is very important.

Now, I will be quite honest with you. I am from south Georgia, and I don't get out a whole lot. In fact, quite honestly, this is the first time I have ever been to the southwest border. I have never been to California before I went on this trip. I have never been to Arizona. Although I have been to Texas, I have never been to the Rio Grande, so it was an eye-opening experience for me.

Before I went there, I think that I was like most of my constituents and like many Americans. I would watch what is happening on TV, and I would holler at the TV: Build a fence. Build a fence.

Ms. MCSALLY. Right.

Mr. CARTER of Georgia. Well, after you visited and after you talked to the Border Patrol agents, after you talked to the ranchers, after you talked to the local officials, you realize that in each sector, that is not necessarily the answer—that in certain sectors, yes, a fence is needed, but in other areas, in other sectors, that is not what is needed.

We need more technology. We need boots on the ground. Those are the types of things we need in certain sectors, and that was eye opening. That was one of the takeaways that I had from this trip.

Ms. MCSALLY. I wanted to point to one of the visuals we have here. Again, this is from the area in my sector where you can see we do have a fence, but the area that is cut out here in the middle is where the cartels very quickly come up, and they cut it out, and they are across that border in a minute or 2 minutes, maximum.

I will give some other examples later, but this is just a visual example of the fence delays the activity, as you saw when you came to visit, but it is not the answer to build a fence and then walk away because they are smart, they are resourceful, they are adaptive, and they are very quickly getting through many different types of fencing, both pedestrian and vehicle fences.

Thanks for bringing that up.

Mr. CARTER of Georgia. Well, thank you. That was the first takeaway I had.

The second takeaway I had from this trip was, for most of us, when we think of the southwestern border, we just think about illegal immigration, but it is much, much more than that.

When you think about the drug cartels that are in Mexico, south of us, when you think about the drug smugglers that are bringing those drugs poisoning our children, poisoning families, ruining families, when you think about that, when you think about the terrorism threat we face as a nation, that shows you just how porous our borders are and just how important this issue is.

Again, that is why this bill is so important—because it addresses that. Yes, it addresses fencing, and it calls for fencing where fencing is necessary. It addresses boots on the ground. It helps us to bolster the number of people and the number of agents that we have in certain areas, and we need that. It also takes into consideration technology. It utilizes the resources that we have.

It is a smart bill. It is a good bill. It is a vital bill—a vital bill—to our national security. That is why I am glad I went on the trip. It was very educational, very eye opening to me.

I am supporting this bill. I hope that my colleagues will support this bill. It is essential and vital to our national security.

Again, thank you, the gentlewoman from Arizona, for the work that you are doing, and thank you to Chairman MCCAUL.

Ms. MCSALLY. Again, thank you, Mr. CARTER, for your comments. Again, thanks for coming to visit my community and listening to the residents there that are dealing with this, having that ear and coming back as an advocate and a leader on this issue. Thanks for supporting this bill. I really appreciate it.

Mr. PALMER from Alabama, would you like to join the conversation?

Mr. PALMER. I would. I want to thank the gentlewoman from Arizona for the work you have done on this. I know this has been—I don't want to say a labor of love, but you have an incredible sense of urgency, I think perhaps more than anyone that I have been involved with, a sense of how important this is.

I want to talk a little bit about the fence. Like the gentleman from Georgia, I have been to the border before but not in the context of examining our border security. I am a strong proponent of the fence. I have been all along.

What this trip opened my eyes to is the fact that the fence by itself is not enough. It is an impediment. One of the things that was impressed upon me on this trip was the sophistication of the cartels and the people across the border in breaching our fence and breaching our security.

□ 1700

There is some pretty serious engineering going on here. When we were in San Diego, for instance, we saw where we have double-layer fencing. We have got the metal mat, landing mat fence on the Mexico side. We have got the high, the heavy gauge fence with the razor wire at the top on the U.S. side.

They are using hardened blades for laser saws. It literally takes 1 minute to cut through there. All along that fence you saw where it was patched and what the border patrol calls doggy doors. They cut it out in three places, push it open, and they are through.

The interesting thing is there, you have got 3 million people in Tijuana on the Mexico side, and you have got 3 million in San Diego. Almost the minute they are through, they are assimilated.

But the thing that is going on there is the cooperation between local law enforcement, the Coast Guard, the Border Patrol, and how diligent they are to be there immediately once that line is breached to interdict that.

They have been so effective at it that they are now pushing these folks offshore. They are using the panga boats now, and the Coast Guard, working with the Border Patrol and local law enforcement, have been so good at interdicting that they are forcing them up the coast of California. That is not the case in Arizona.

What people need to understand is that just building the fence and pulling back and thinking that is going to stop them—I don't care how high we build it, how wide we build it, how many layers we have; if we don't have people in forward operating positions to interdict these people when they are staging

to come across, we are not going to stop them.

The picture that you are showing there next to you is the fence in Arizona, and the attention was drawn to where they had cut through the mesh there. That is not the thing that got my attention.

If you will notice there, those are 6-inch I-beams supported by 6-inch channel. That is quarter-inch carbon steel. That is all along that border.

They came along there, with these hardened blades, laser saws, cut through the I-beam, cut through the channel, folded it over, ramped over, and drove trucks over it.

Now, this was not reported in the national media. I am not sure that there was any discussion about it from this administration. It was the local media that picked up on it. The ranchers know about this.

But I think—and you can correct me if I am wrong—but I think they said there have been 47 vehicles that crossed over that. These are pickup trucks loaded with drugs and other items, contraband, whether it is guns or drugs or human trafficking. But that is the issue.

Ms. MCSALLY. If the gentleman will yield, I will elaborate a little bit on that. That was on Mr. Ladd's ranch less than two weeks ago, where we saw that, and they showed where they ramped over.

According to Mr. Ladd, there have been 47 drive-throughs on his ranching area in the last about 2½ years.

That particular case was caught by the Sierra Vista police, which is a town a little bit further inland, because the truck just didn't look right. It was weighed down. Its wheels looked a little funny, and they got about $600,000 worth of marijuana, 2,000 pounds of marijuana they caught on that vehicle alone. So that is just an example of what is happening.

Mr. PALMER. Well, think about the staging that had to take place for that, that a vehicle that heavy, to be able to cross that fence, obviously—and the interesting thing is they used our own I-beam and channel to support the ramps that would bear that weight for that truck to get over it.

This is not a static situation. Just building the fence is not enough. We have got to have the aerial surveillance, the unmanned aircraft, the aerostats.

Looking into Mexico and seeing the staging that takes place for an operation like that to take place—you have been in the military, you understand this—that if you are going to—it literally looked like a military operation where they cut this down and ramped over it and drove over it.

If we are looking into Mexico and see that, we need people in forward operating bases that can react immediately, not 20 minutes later, not 30 minutes later, because they are already over and gone.

So this has got to be a combination of things. I am fine with the fence. We can build the fence as high and wide and as long as we want to, but we have got to be able to interdict.

We have got to be able to see them staging, because they are not carrying ramping material on their backs for 3 or 4 miles to the fence. This happened fairly close to the fence, and we should have been able to see that and stop it.

The other issue is the morale, and the fact that we don't—that we are not doing anything about catch and release has really hurt the morale, I think, with our law enforcement and with our Border Patrol.

And it definitely has hurt the morale of the ranchers. My heart really goes out to those guys. They have been there through many generations. They have put in their blood, sweat, and tears in this. And it is not just that they love their ranch. They love their country, and it was very evident in what they had to say.

I think it is incumbent upon us, as Members of Congress, to do our duty to protect the border.

And the other thing, again, going back to the morale, it is different in San Diego, it is different in Arizona, it is different in Texas. What we need to do—and I am very, very grateful for the work that is being done to bring alongside this bill an enforcement bill.

We have got to do this, I think, in a way that makes sense to the American people. Build the fence, secure the border, but have the right enforcement that goes along with this, that makes the work that our Border Patrol is doing worthwhile. When they catch the bad guys they need to be able to—there ought to be some consequences for it.

Earlier, Mr. PERRY from Pennsylvania made this point about, when are you forward-deployed in a combat zone, you secure your perimeter. There are consequences if you cross that perimeter a little more lethal than they would be here, but, in all honesty, we have got to do these things together.

I applaud you for the work you are doing. It is extremely important, and I look forward to working with you on this.

Ms. MCSALLY. Thank you, Mr. PALMER. I appreciate it.

Just to elaborate a little bit on what my colleague was talking about, the challenge we have—the men and women in Border Patrol are doing the best they can. They are my constituents as well. I really appreciate them every day putting on the uniform and doing the job they are doing.

But the strategy is not working for those who live in these rural areas near the border, and we need a strategy that pushes our intelligence deeper south of the border, using intelligence-driven operations, so that we can use some of these airborne assets and radars in order to detect the cartel activity, detect the movement, monitor the movement.

Then these forward operating bases are critical. The bill—in consultation with the chairman, they agreed to add in two forward operating bases in Tucson to get the Border Patrol operating right at the border so that we can either prevent the activity or they can very quickly respond to it when they see a breach happening, a challenging response time if they are further inland or in some of the tougher terrain.

So some of the things that I added into an amendment to address this issue are related to the fact that right now they are focused on defense in depth. So sometimes we are seeing mules and traffickers—and I will show a picture here—oftentimes, 30, 40, 50 miles inland.

This is just one example of mules with packs on their backs. So they are trafficking across private property while they are moving into the defense in-depth strategy, and that is just not working.

So we have got to get the Border Patrol closer to the border. I offered an amendment. I am glad the committee agreed to it, to get the Border Patrol closer to the border, have them patrolling on the south side of John Ladd's ranch and not on the north side.

Have those forward operating bases manned to the max extent possible and also developing a quick reaction capability, so that when we see the activity happening, they can quickly get—especially in these areas of tough terrain—to stop the activity or intercept it as soon as possible when it comes over the border; because this, again, if they are coming through Mr. Ladd's ranch and some of the other ranchers', they don't know who it is. They don't know if they are armed. They don't know what their intentions are, and it puts them at risk on a daily basis

Mr. PALMER. If the gentlelady would yield, I would like to add one other thing to that.

This bill would allow access through Federal lands, and it has created a huge impediment for Border Patrol in the interdiction of people like this, whether they are coming across on foot or coming across in vehicles, if our Border Patrol do not have access to roads through Federal land. So that is another very important component of this bill.

And then, last thing. Down in Texas we have got this Caruso cane on the banks of the river that basically is a natural hiding place for people who are crossing the river. We have got to allow our Border Patrol to take whatever measures are necessary to eliminate those type of natural hiding places and barriers to interdiction.

So all of this is extremely important. I am glad you put that picture up because I don't think people fully appreciate, when you talk about people bringing drugs across the border, the massive amounts that can cross just on the backs of individuals.

Ms. MCSALLY. Exactly. Thank you, Mr. PALMER.

Now I yield to my colleague from California (Mr. DENHAM).

Mr. DENHAM. I thank the gentlewoman from Arizona for yielding. It

was a pleasure to travel to your southern border. I have traveled to the southern border of California many times. And as we saw on the entire border security trip, our entire southern border is very different depending on which State and which area of the State that you are in.

In my home State of California, we saw the jet skis that were coming along the surf that were bringing in a couple of illegal aliens at the time. We have got to be able to address that from a Coast Guard perspective.

And when you have double fencing in those high urban areas, we saw the Vietnam landing strips that, at one time, were a very good piece to add along border security when we had nothing. But now we have got to replace that with new fence that will allow our Border Patrol agents to actually see through and address it when there is a weakened area in that fence.

We have got to go much further. Along the California border we also have a number of mountains and even cliffs where we have to address the border differently. And in your area, we saw where a truck was able to cut through, while you had a big fence, was able to cut through that fence and actually go across the border into your area, which is why we need the VADER technology.

We saw some of the technology that is being redeployed from Afghanistan, and with that infrared technology, we actually saw individuals coming across the border.

But with the VADER technology, we can actually see 150 miles. So you would see people actually lining up on the border or preparing to bring drugs across.

Now we can actually work with our counterparts in Mexico to actually go and address it from their perspective before it even gets on to American soil.

So there is much more that we can do, both with technology that is coming back from Afghanistan, coming back from Iraq, as well as new technology that will give the American public the assurance that we have the measurements and metrics in place to secure our border.

Part of our challenge right now is not knowing how many people are coming across. If you never know how many people are coming across, you can never address how many you are actually catching, and the metrics are on how many people are actually coming into our country.

If we are going to have a full debate on immigration, we have to first give the American public the sense and the security that we need and deserve, and this bill will do just that.

We have to do it now. We can no longer wait until there is another surge of 50 or 60,000 unaccompanied minors or family units that are coming across the Texas border, where they are just hopping in a boat, going 100 yards, and stepping on American soil and then looking for refuge.

We have to send that message across Central America, across South America, that we are actually sending the message that our borders are secure, and this isn't going to just be an automatic path during the summer months across that river.

Many things we can do. Many things we need to do. This bill will give us the measurements and metrics to secure our border.

Ms. MCSALLY. Thank you, Mr. DENHAM. I appreciate you coming to visit our district to see that firsthand, and I look forward to working with you as well on getting this bill across the finish line.

One thing I think is important for those who are watching to know is we have had a variety of people speak in support of this bill. Often we have different views on some other topics or even what we should be doing as we are addressing some of the other challenges related to immigration. But we are all in agreement on one thing, which is we need to secure the border; that this is an urgent issue.

Across the spectrum, this is something that unites those of us within the conference, and really should unite this body.

I know my community is a very split district politically, but everyone agrees, whether they are Democrat, Independent or Republican, they want their family to be safe and secure. They want their community to be safe and secure, and this bill does that.

So it is time that we work together to get this thing passed. So thank you, Mr. DENHAM.

I will continue to tell a few stories here from my district that I do want to share.

Mr. PERRY, I yield for just a minute. I do have a number of things I do want to share before we wrap up.

Mr. PERRY. We want to make sure that we get all the information out about this. As I said, the GAO's best estimate, I think, is about 56 percent of the border is not secured.

Another thing to mention about this bill is that we are looking for 100 percent. Now, we understand, just like law enforcement, they don't catch every criminal, and sometimes prisoners escape from prison, but we expect the warden to secure the prison, and the plan is to keep everybody in prison in prison.

But with this bill we expect 100 percent, and it is important to note that the other side would have us diminish that standard.

□ 1715

Right now, GAO is saying that 50 percent of the border is unmonitored and not secured. We actually have people in this Congress saying let's lessen the standard that we have currently right now, and the best we can get is 50-some percent.

I don't know who in their life plans to fail, doesn't plan to exceed and do the maximum. Whether it is showing up for work on time or anything you endeavor in, nobody shoots for below the bar. You shoot for the best. Yet in this endeavor, we have people literally in this Congress who are saying let's actually do less than we can do—actually, let's do less than we are doing right now. So that seems to fly in the face of what every single American, regardless of your positions on other things, feels about securing the border.

Ms. MCSALLY. Thank you so much. I appreciate it, Mr. PERRY.

Again, I have about 10 minutes to wrap up here. I do want to tell some stories related to the level of activity in the district and how it is impacting real people in southern Arizona and their families and the threat that has been increasing.

For those who are not aware, Rob Krentz is a rancher in my district, and he was killed. He was murdered on his own ranch in 2010. This is as it was reported by The Arizona Republic:

> On a breezy spring morning, a red ATV rolled across southeastern Arizona's border badlands beneath the mystical Chiricahua Mountains. A gray-haired rancher in classic cowboy attire—jeans, boots, denim vest, and shirt—was at the wheel, accompanied by his dog, Blue.
>
> Robert Krentz, 58, was checking stock ponds and water lines on the 35,000-acre spread not far from where Apache leader Geronimo surrendered to the U.S. cavalry. The Krentz clan began raising cattle there more than a century ago, shortly before Mexican Revolution leader Pancho Villa prowled nearby. In modern times, the sparsely populated San Bernardino Valley, bordering New Mexico and Senora, became a magnet for bird watchers and a haven for smugglers.
>
> Krentz pulled to a stop, as he noticed a man apparently injured. The rancher made a garbled radio call to his brother, Phil—something about an illegal alien hurt; call Border Patrol. It was about 10:30 a.m., March 27, 2010.
>
> What happened that morning as shots echoed across the grassy range would roil Arizona politics and fuel the U.S. immigration debate for years to come.
>
> One day earlier, Phil had put Border Patrol agents onto a group of suspected drug runners on the family's land, resulting in eight arrests and the seizure of 200 pounds of marijuana.
>
> After Krentz's broken radio transmission, family members almost immediately launched a search.

And also neighbors. There were other ranchers in the area that started this search, trying to track the killers, and they enlisted help to track the footsteps south.

> Rob was found just before midnight, his body lying on the ground with his feet still inside the all-terrain vehicle. Two 9-millimeter slugs had fatally penetrated his lungs. Another bullet wounded his dog, which had to be euthanized. Krentz carried a rifle and pistol in his Polaris Ranger but apparently never got a chance to use them. After being shot, he managed to drive about 1,000 feet before collapsing.
>
> The only immediate sign of an assailant was a set of footprints. Trackers followed them nearly 20 miles south to Mexico, where the trail vanished.

His murderers have never been caught to this day. Rob Krentz' family deals with this grief and deals with the

fear of the border not being secured and what is going to happen next to them. This is very real in southern Arizona.

In 2010, Brian Terry, a Border Patrol agent, was also murdered by smugglers in our district.

On December 14, 2010, Border Patrol Agents William Castano, Gabriel Fragoza, Timothy Keller, and Brian Terry demonstrated extreme bravery while facing a lethal threat from a superior number of armed subjects suspected of trafficking drugs in the area.

And I am reading from a citation, where he earned the 2010 Congressional Badge of Bravery.

All four agents were operating as members of a small four-man rural assault element tasked with interdicting armed suspects operating west of the town of Rio Rico, Arizona. This four-man element had occupied a remote interdiction site consisting of rugged, steep, and difficult terrain for a period of 48 hours without relief.

At approximately 11 p.m., the team was alerted to at least five suspects moving into the interdiction zone. Without regard for individual safety, the small team maneuvered into a position to interdict and apprehend the five individuals passing directly in front of them. As the agents identified themselves, suddenly and without warning, the subjects opened fire on them. Placing themselves at great risk of serious physical injury or death, all four agents bravely stood their ground in an attempt to provide vital protection for their teammates.

During the short and horrific gun battle, Agent Brian Terry sustained a fatal injury. Realizing that Agent Terry had been injured, the team, without hesitation, continued to selflessly place themselves in harm's way by attempting to provide lifesaving techniques for Agent Terry and providing perimeter security, preventing the assailants from maneuvering on their position. One of the suspects was wounded during the incident and was ultimately taken into custody.

Brian Terry is a hero. Rob Krentz was on his property when he was murdered. Brian Terry was brutally murdered.

Let me tell you another story, one of rancher Kelly Glenn Kimbro, a fourth generation rancher. I am reading from an email that she sent to me in June, just an incident that she had on her ranch east of Douglas.

A couple of days ago, I was driving from the Malpai Ranch to Douglas on Geronimo Trail. At mile marker 11, I could see motion ahead of me in the road; and as I approached, 13 men formed a barricade with their bodies across the road. I slowed and tried to pass on the right. They moved right. I had locked my doors as I approached and my windows were up.

Knowing that I had to either run over several of them, I stopped. They immediately surrounded my truck. Two fellows stood in front of my truck with their hands on the hood, holding me in place. Several guys started to climb onto the running boards and into the back. One was rummaging around my tools. I was thinking that if he proceeded to break a window that I would possibly use my pistol. I was not sure if I was being hijacked or what.

Think about it. This is a woman alone in her truck, with 13 men stopping her in her tracks.

I put my window down a couple inches and told them to get back. They started talking English. They were frantic to have me take them to the ''police.'' They stated they were from India. I talked them out of my truck and back onto the side of the road, promised them I would, no doubt, call Border Patrol, and they let me leave.

Yep, scared me for a few minutes.

Let me tell you, Kelly Glenn Kimbro is a tough woman. She is a rancher. She is a mountain lion hunter. She is cool under pressure. How would you behave in that circumstance?

The challenge that she has—and she has got an 18-year-old daughter who often drives home alone. They are having to make life-and-death decisions. How did she know that they were not armed? How did she know what their intentions were? And if she decided to hit the gas and did harm them, then they would be questioning her actions because they were, in fact, unarmed.

This is just the type of circumstances that these people are dealing with, just living in their own homes, just going in and out of their own community, just traveling to the store and going about their business.

There are a couple of other stories.

Gary Thrasher is a rancher and veterinarian who has worked and practiced in Cochise County since 1984. Over the past 30 years, he has seen how border security issues have led to dramatic changes in the county's way of life.

Gary lives about 3 miles from the border. Over the past 4 years, 11 of his ranch family clients have sold out, and that has had a big economic impact on his practice as well. They have just decided to give up. They can't afford to ranch in the area under this danger anymore. Many of those families have just said that they can't deal with the threats and the anxieties of life along the U.S.-Mexico border; and for the ranchers who remain, it has become increasingly hard to find people who want to work on their ranch near a border that is constantly crossed with these transnational criminal organizations.

Another rancher shared, anonymously, that he has got a couple of houses, one 2 miles and one 40 miles from the border, and he has got far more trouble at the house 40 miles from the border. He has had, according to him, 15 to 16 break-ins, home invasions, and one of them was just 3 weeks ago.

One last story from another rancher. He and his son, they said they left the ranch. Someone broke in, stole food, and then they left. The next day, they saw individuals moving north. The son pursued them, and the Border Patrol then captured them. It turned out, according to this rancher, that, after breaking into his ranch, they broke into a hunter's property and stole a weapon. The pistol was ditched before they were caught but connected back to them. Who knows what their intentions were.

This is the challenge that these people have.

The rancher talked with the migrant criminal. And he said he admitted to being a lifetime criminal and a repeat offender. He is just used by these traffickers going back and forth. He was detained for 2 days, and he wasn't charged with weapons charges or multiple entries, and he was sent back to Mexico, again, to probably be used by these transnational criminal organizations.

This is very real to southern Arizona. The transnational criminal organizations are daily trafficking.

There is another photo I have right here, and you can see on the other side of the photo, a number of individuals that are just mules. They are packing drugs, and they are just going through their property.

There are other photos I have here related to some of the ranchers who—there is just no fence. Again, as we talked about earlier, the fence is not the only solution, but fencing will at least delay the activity. This is just one of the rancher's pictures of just a barbed wire fence that is easy to be cut through on foot or with a vehicle.

So I am urging my colleagues to pass this border security bill. I am urging those who are listening to please contact your Members of Congress in the House and the Senate. Let's not play politics with securing our border. Now is the time.

These ranchers have put up with this for decades. They have cooperated with Border Patrol. Border Patrol is doing the best they can, but we have got to change the strategy, and we have got to address this issue. It should be a bipartisan issue and something that unites us. Let's get the job done so we can protect the people of southern Arizona, the people of Texas, the people living in other border communities, and our Nation.

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

BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. AL GREEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the leader for allowing me to be a designee for this moment in time.

I am also very appreciative for this special time. This is Black History Month, and it is a very special month in the life of African Americans. But if the truth be told, it is a special month in the life of all Americans because Black history is American history.

I had the opportunity just a couple of nights ago to appear on the floor with a couple of my colleagues, the Honorable DONALD PAYNE, JR., from New Jersey and the Honorable ROBIN KELLY from Illinois. They were here to have a Special Order hour. I want to compliment them because that Special Order hour, indeed, dealt with a lot of Black history. They talked about 50

years from Selma—where we were, where we are now, and where we are headed. They did such a great job that I thought it appropriate to acknowledge the outstanding effort and the fact that a good number of Members were very supportive of what they did. I am honored to also say that we plan to continue that tonight with this Special Order time, and we will talk about Black History Month, but from a slightly different perspective.

We are honored to say that this resolution that we have introduced into Congress—it was introduced on January 6, 2015—this is the ninth time that I have had the pleasure of introducing this resolution, and it has 24 original cosponsors. And I want to thank all of the original cosponsors for being a part of helping this resolution come to the floor for this Special Order time.

We are not here for the purpose of passage, but we are here for the purpose of expressing much about Black history and explaining why this resolution is so important. It is important not only to me and the people in my district, which is, quite frankly, one of the most diverse districts in the country—in my district, the ballot is printed in four languages: English, Spanish, Vietnamese, and Chinese. Hence, Black History Month is important to not only the African Americans in my district, but all of the other friends, associates, and constituents that I have in my district. They constantly talk to me about Black History Month. We talked about other aspects of history as well, but tonight we will focus on Black history.

It is important to note that this is the 100th anniversary of the organization that promoted and promulgated Black History Month. This organization, the Association for the Study of African American Life and History, founded by the Honorable Carter G. Woodson, is the organization that has carried the torch, the flame of hope for history to be inclusive, and they have done an outstanding job.

There was a time that I can remember in my lifetime, in my history book, when there was little mention of the accomplishments of African Americans in history; and in world history, even less. I remember one of my books proclaimed that the reason there was little mention of the nations, the countries in Africa was because they contributed very little to history. Literally, that was the kind of statement that I had to read as a child.

Well, I am honored that we have come a long way from a point wherein we were rarely included to a point where we are included, but I think not enough yet. My hope is that at some point in time we won't have a Black History Month, we won't have any type of history month other than history on a daily basis, because at that point in time we will have included all persons and all of the great cultures in this country in the history of our great Nation.

□ 1730

Black history does not mean that Black people assume that they are better than anyone else. It just means that they would like to be included in history because they believe that no one else is better than we are. We are all the same. We are all God's children, and we all bring special talents and special attributes that make this great country the wonderful place that it is.

Tonight, in talking about this century of Black life, history, and culture in this, the United States of America—and we could make it the world—but let's just talk about the United States since the organization the Association for the Study of African American Life and History was founded in the United States—this is the 100th anniversary—I will ask the question and give some examples of why this question is so important.

The question that I pose tonight is with reference to the giants that we know about in history, and we stand on the shoulders of giants—we all do—the shoulders of giants, people who have done great things to make it possible for us to have these great opportunities that we have, people who suffered many of the slings and arrows of life so that others could have a better quality of life. Many of them are well known. We stand on the shoulders tonight of giants.

The question that I pose is: Whose shoulders do the giants stand on? If we stand on the shoulders of giants, whose shoulders do they stand on?

Thurgood Marshall, one of the greatest litigators in the history of the United States of America, won 29 of 32 cases before the Supreme Court. He was a great litigator and went on to become a Justice on the Supreme Court of the United States of America, the first African American, a giant.

I stand on the shoulders of Thurgood Marshall. A good many people in this Congress stand directly on the shoulders of Thurgood Marshall, in that we are here because of some of the litigation that he won before the Supreme Court of the United States of America. We stand on the shoulders of Thurgood Marshall.

On whose shoulders does Thurgood Marshall stand on? Well, the person that probably shaped his legal career more than any other was the honorable Charles Hamilton Houston. Charles Hamilton Houston was a Harvard lawyer. He was a person who was the dean of the law school at Howard University.

He was the person who concluded that the Constitution of the United States of America did not condone ''separate but equal,'' the person who is said to have killed Jim Crow, the person who was a part of all of the lawsuits of the civil rights era from 1930 to 1954, including Brown v. Board of Education, the honorable Charles Hamilton Houston. He is the person that cultivated and mentored Thurgood Marshall.

Thurgood Marshall came to Howard University after having been a reject at the University of Maryland. He tried to get in, and he could not. In a strange sort of way, it compels me to say: Thank God for the University of Maryland because had they not rejected Thurgood Marshall, he would not have come to Howard University.

There is a good likelihood he would not have met Charles Hamilton Houston and, as a result, may not have acquired the intelligence that Charles Hamilton Houston provided a plethora of lawyers about the Constitution as it relates to ''separate but equal.'' It was Thurgood Marshall who became his prize student. Thurgood Marshall, along with Charles Hamilton Houston, became two of the great litigators to bring down Jim Crow.

One of the cases that Thurgood Marshall and Charles Hamilton Houston brought before the Maryland Court of Appeals, the one that stands out more than any other, is the case of Murray v. Pearson.

In that case, Murray wanted to get into the University of Maryland as well. Isn't it ironic that Thurgood Marshall, who could not get into the institution and who went to Howard University, had the opportunity to become the understudy, if you will, of the honorable Charles Hamilton Houston? Isn't it ironic that the circle comes back to the University of Maryland with one of his first cases after completing law school?

Thurgood Marshall was the lead counsel, along with the honorable Charles Hamilton Houston, against the University of Maryland to bring about an opportunity for the use of the doctrine of ''separate but equal'' being attacked with constitutional provisions, and they were successful.

I am proud to know that while Thurgood Marshall is the giant, a Supreme Court Justice, Thurgood Marshall is known far and wide for his legal prowess. He stood on the shoulders of an even greater giant, an unsung hero to some extent. Well, now, we do know much more about Charles Hamilton Houston than previously in previous years.

It is important to note that he is not the person who has received all of the glory, all of the platitudes, and all of the accolades that Thurgood Marshall received, but he was the architect. I am proud to say that Thurgood Marshall stood on the shoulders of a giant.

Let's go on. Let's talk now about another giant of the civil rights-human rights movement, and that was Rosa Parks. Everyone knows the story—most everyone does—about how Rosa Parks decided that she was going to take her seat. Rosa Parks was a giant. She decided to take a seat in what was, at that time, a racist Southern town.

The story is told that Rosa Parks was tired and that she just had to take her seat because she was tired—not true my friends, not true.

Rosa Parks was an officer in the local NAACP. Rosa Parks was a person

with great standing and credibility in her community. Rosa Parks had stature. Rosa Parks had the backing of the NAACP. Rosa Parks had people who could get her out of jail.

She had people who could work with her and help to stage, if you will, in the minds of some, this moment in time when she literally decided that she was not going to move back nor stand up so that her seat could be held and had by a person of a different hue.

It was a bold thing to do. It was a very bold thing to do in the South, the segregated South at that time, the segregated South where the Constitution accorded us all of the rights of other citizens, but our friends and neighbors denied us those rights that the Constitution accorded us. This was the segregated South, and this was Rosa Parks. She decided to take that seat, backed by the NAACP and backed by a host of persons who were prepared to work with her and support her.

The truth be told, the honorable Rosa Parks, who is considered by many the ''mother of the civil rights movement,'' the honorable Rosa Parks stands and stood at that time on the shoulders of a giant. She stood on the shoulders of a giant that we rarely hear about and rarely read about.

It is the story of a giant who was but 15 years of age at the time she made her mark, if you will, in history. It is the story of a giant who was arrested 9 months before Rosa Parks for doing the same thing that Rosa Park did. She was a 15-year-old girl, Claudette Colvin. She was the first person arrested under the circumstances comparable to Rosa Parks in Montgomery, Alabama.

She went to jail. Little is known about her. Little is known because it was thought at the time that she was not the ideal person around which to rally. It was thought at the time that a more senior person was needed, a person who had greater standing in the community. She was not that person.

Ah, but here is where history—history—tells the story. She was one of four people to file the lawsuit—the lawsuit—that ultimately ended segregation of the bus line in Montgomery, Alabama.

Although Rosa Parks, Dr. King, and the multitudes marched and protested, they marched and they protested for approximately a year or more, it was not the march or protest that actually brought about the ending of this form of invidious discrimination. It was really the lawsuit, Browder v. Gayle. It is important to note that there were four plaintiffs in the lawsuit and that Claudette Colvin was one of those four plaintiffs.

It was that lawsuit that made the difference in the lives of not only those people in Montgomery, but people across the length and breadth of this country because that was one of the first times that the opinion expressed in Brown v. Board of Education was expanded to include public transportation. That was an important, significant event in history.

It was Rosa Parks who received a lot of the credit. I love her, and I think she deserves all the credit she received, but I also think there are these unsung heroes and heroines who have not received their fair share of credit for what they too have done. In fact, they are the shoulders that giants stand on. Claudette Colvin is the giant on whose shoulders Rosa Parks stood on.

Moving to another giant, we all know of Dr. King, and last week and earlier this week, we talked a lot about Selma, and we talked about the march that took place there.

In talking about that march, we talked about how people assembled at a church, and they decided that they were going to march peacefully from Selma to Montgomery. As they proceeded to march, they came to a turning point in history. They came to one of those seminal moments in history that will forever define the life of a country, to be quite candid.

They came to the Edmund Pettus Bridge, and they confronted the constabulary on the other side of the Edmund Pettus Bridge. If you have not gone to the Edmond Pettus Bridge, you should go and see the Edmund Pettus Bridge.

If you understand the times that these persons were living in, you have to realize that these were some brave, courageous, and bold souls to be willing to march across the Edmund Pettus Bridge, knowing that the constabulary was on the other side with clubs and on horses.

You have to ask yourself candidly: Would you have confronted what you knew was waiting for you in the form of possible death on the Edmond Pettus Bridge?

The Honorable JOHN LEWIS indicates that he thought he was going to die that day because, when confronted by the constabulary with these clubs, they beat the marchers all the way back to the church.

If you see the movie ''Selma,'' you can get a fair depiction and representation of what happened on the Edmund Pettus Bridge. There will be another march this year across the Edmond Pettus Bridge. For those who are interested, I am Congressman AL GREEN. You can call my office, and we will tell you about it. You might want to join us.

Let's talk about the Edmond Pettus Bridge and this march. Dr. King was not there for Bloody Sunday. There were reasons that compelled him to do some other things in his life. There were other persons there. The Honorable JOHN LEWIS was one of them.

In a sense, when Dr. King came back—or he came to Selma following Bloody Sunday to march, he was standing on the shoulders of those who had already gone before him and confronted this constabulary.

Let's really take a closer look at the history—at the history that we rarely talk about and hear about as it relates to the Edmund Pettus Bridge because there is a person that I conclude is the greatest unsung hero of the civil rights movement who had a hidden hand in the march from Selma to Montgomery.

□ 1745

When they went back to make the final march with Dr. King, as they moved across the Edmund Pettus Bridge, they had a hidden hand that had signed a court order. That court order was signed by the Honorable Frank M. Johnson, a Republican appointee to a Federal court, appointed by the Honorable President Dwight Eisenhower.

Frank M. Johnson signed the order clearing the way for them to march from Selma to Montgomery. And it is interesting to note that he was a contemporary of George Wallace. In fact, they were classmates. He and George Wallace had a constant confrontation, a mild form of confrontation, sometimes it got a little bit more than mild, but they continually battled each other. Frank M. Johnson was so much of an impact on the times that he had to be guarded 24 hours a day. He was a Federal judge unlike any other. In fact, Dr. King said he put the justice in the word ''justice,'' the Honorable Frank M. Johnson.

So the question becomes, on whose shoulders did Dr. King stand on that day when they marched across the Edmund Pettus Bridge? On whose shoulders did the marchers stand on? They stood on the shoulders of a hidden hand of the civil rights movement, the Honorable Frank M. Johnson.

Frank M. Johnson integrated schools, he integrated the jury system. He changed the face of the South, and so little is known about this giant on the shoulders of whom many of the great icons of the civil rights movement stood on that day. This is not to demean or diminish—obviously, we can't—the role of Dr. King and the Honorable JOHN LEWIS; this is simply to say there are others whose stories are not told enough, whose stories should be told more.

And on an occasion like this when we want to celebrate Black history, I think we have to acknowledge that there were unsung heroes and heroines on whose shoulders many of the giants stood on. And we also have to acknowledge that many of these unsung heroes and heroines are not of African ancestry. You see, there really is a White side to Black history. Frank M. Johnson is a part of this White side of Black history. But we also must know that Frank M. Johnson, the great hero that he was, is not in the history that we speak of, is not celebrated to the extent that he should be.

So tonight, I want to say to the family and friends, relatives, those who knew him, we celebrate him tonight. We celebrate the Honorable Charles Hamilton Houston tonight. We celebrate the Honorable Claudette Colvin

tonight. These are persons who were in the shadows but who made a difference, and giants stood on their shoulders.

Now to close. Let's go back to the Edmund Pettus Bridge because a significant thing occurred. At the Edmund Pettus Bridge when they marched across, at that time there were five African Americans in Congress; there were four Latino Americans in Congress, Hispanic Americans; and there were three Asian Pacific Islanders in Congress. Now, rather than five African Americans, we have 48. Rather than four Hispanic Members, we have 38. Rather than three Asian Pacific Americans, we have 14. I would also note that there were 14 females in Congress at that time. We now have 104.

Crossing the Edmund Pettus Bridge provided the world an opportunity to see the horrors of invidious discrimination, of onerous segregation, the horrors that people, decent God-fearing human beings in the South, had to suffer. And it provided the President of the United States, the Honorable President from the State of Texas, Lyndon Johnson, the opportunity to sign the Civil Rights Act of 1965.

That Civil Rights Act is in no small part why I happen to stand before you in the Congress of the United States of America. I stand on the shoulders of many giants. Many of them are known to us, but there are a good many of them who are not known to us, and I am proud to say that during this time of Black History Month, it is appropriate for us to acknowledge them and celebrate them for what they have done to make it possible for many of us to have the opportunities that we have.

And today, as we look back and we revisit the Special Order hour, ''50 Years Ago From Selma: Where Are We and Where Are We Headed?,'' I must tell you, in concluding, that we are headed back to the future. We are headed back to the future because the Civil Rights Act of 1965, which accorded us the many opportunities that we have today, that Civil Rights Act of 1965, section 4 of it has been eviscerated. And as a result of the evisceration of section 4, we have seen, unfortunately, section 5 of the act lose its potency because without section 4, you don't have a section 5. Section 5 has been emasculated; section 4 eviscerated, section 5 emasculated. Section 5 is there, but it does not have the coverage areas that it is to address. And so without section 5, we find ourselves back to a point in time wherein we will have to again relitigate the whole question of the right to vote, to a certain extent—very limited—but also in this context the means by which we were able to secure many of the seats in Congress that the 48 Members presently enjoy.

So without that section 5, an effective, potent section 5, we find ourselves with a circumstance where we are looking back now to that future, that future that is going to require us to do some heavy lifting to reinstate section 4 of the Voting Rights Act.

And, as they marched once before, we will march once again this year. My hope is that we will be able to in this Congress come to a bipartisan conclusion that section 4 of the Voting Rights Act is still important to a good many people, and that we will work together to revitalize section 4 of the Voting Rights Act so as to give section 5 the potency it needs to provide the coverage that has been of great benefit to us.

Mr. Speaker, I am so grateful to have had the opportunity to share these thoughts at this moment in time about some of the great heroes and heroines and some of the unsung heroes of the civil rights movement. I thank you, and I thank the leadership for allowing us this time to celebrate Black History Month in these, the great United States of America. God bless you, and God bless our great country.

I yield back the balance of my time.

AMERICA'S NATIONAL CONVERSATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, first, if my friend, Congressman GREEN, wouldn't mind staying a moment, I would like to offer a few comments on what you said. Unfortunately, I missed the larger body of your talk, but I would like to add a few things, if you don't mind.

Mr. AL GREEN of Texas. I welcome the opportunity to stand with you, my dear friend. Thank you.

Mr. FORTENBERRY. I think it should be acknowledged that we were elected at the same time.

Mr. AL GREEN of Texas. We are classmates.

Mr. FORTENBERRY. We are classmates. While we are on different sides of the political aisle, nonetheless I hope that you consider me as much of a friend as I consider you.

Mr. AL GREEN of Texas. I do. And if I may say, I rarely think of sides of the aisle when you and I are talking. It doesn't become a significant factor in our lives as we converse and we celebrate our friendship.

Mr. FORTENBERRY. I would like to note a couple of things you pointed out in your speech, and then you can move on with your evening. I don't want you to stay through my other comments, but nonetheless, you said a few things. You talked about the important progress that has been made in this country, and I think that is notable. You talked about that particularly difficult period in the 1960s, and you referred to Black History Month as America's history month as well. I think those are all notable comments, and I wanted to tell you that.

In that tough time, something happened to me that I would like to share with you. I was not born in the State that I represent. Nebraska is my home. It is where I have decided to raise my family. It has given me a bounty of opportunity, and I am so privileged to be a Representative from Nebraska. I was born in the Deep South in a State where segregation and racial difficulties were particularly difficult.

When I was in third grade, it was time for my birthday, and we had a birthday party and I invited all of my classmates. This was basically a White, middle class stable school in a stable neighborhood, but there was one African American family, either because of the beginning of desegregation that was taking place at that time or because they lived in proximity, they were at the school. One of the young boys was named Philip Brown. He was not only my classmate, but my friend. So I invited all of the boys, including Philip, to my birthday party. Philip didn't come. And I saw him on the Monday afterward and I asked him, I said: Philip, I didn't see you at my birthday party. Why didn't you come?

He said: I did. They wouldn't let me in.

Now this is an 8-year-old child.

I remember then thinking during the party, my father had come over to me and whispered in my ear, in terms of the time, he said: Jeffrey, is Philip a Black boy?

And I said: Yes, and I didn't think any more about it.

He had to go outside. My father had to go outside and talk to Philip's father because the establishment there, unbeknownst to us, but the establishment didn't let in African American children.

Now, I want to fast-forward, though. I told that story to my little children. I have five daughters, and they are growing up now, but I told this to them a few years ago. To your point about progress being made, they were visibly upset. They said: Daddy, you have to go find Philip. You have to go find him.

Mr. AL GREEN of Texas. What a wonderful thought.

Mr. FORTENBERRY. Because they were deeply touched, wounded, if you will, by this story. How could this happen to a little child?

But I think you rightfully acknowledge that those days are behind us. And through all of the difficulties, toils and struggles that occurred, thankfully they are behind us. And I think what you said is appropriate, that Black History Month ought to also be called America's History Month because these chapters are an important, essential part of our national fabric and our national culture.

Again, I didn't intend to dialogue with you. But I was sitting there thinking of this, and I have never shared that story publicly. But I think the main part of the story is the painful look on my own little children's faces when they heard that, and I think that means good progress.

I yield to the gentleman.

Mr. AL GREEN of Texas. I appreciate you sharing that vignette with me because it is very much heartfelt. It is good to have a person to tell the actual story. If you have read it, you will know of what I speak; if you haven't, I commend it to you—Dr. King's ''Letter from a Birmingham Jail.''

Mr. FORTENBERRY. I am very familiar with it.

Mr. AL GREEN of Texas. It is one of the greatest pieces of literary history, saving a few holy books, I would say. It is absolutely one of the best stories of what that time was like. Dr. King talks about how he had to explain to his children why they couldn't go to a certain theme park, and how he could see the clouds over their heads as they were saddened by their inability to go to the theme park because of who they were.

I ask people to please read that letter because it really parallels what you are saying tonight here on the floor of the House of Representatives. You are right—we have come a long way from those times. These times are difficult in a different way, however. There is still great work to be done, and you and I can work together to get some of this additional great work done.

But notwithstanding all that I have said tonight, I conclude with this: On a bad day, it is still good to live in the USA.

Mr. FORTENBERRY. Amen.

Mr. AL GREEN of Texas. On a bad day when your spouse wants to leave you, or on a bad day when your puppy wants to bite you, let your puppy bite you and let your spouse leave you, in the United States of America, on a bad day, it is still good to live in the USA.

□ 1800

Mr. FORTENBERRY. I thank you for listening to me and your commentary tonight. Let's continue our robust friendship and our collegiality as we work through differences and difficulties, which are inevitable in a body like this where there are indeed philosophical divides.

There ought to be certain principles that unite us, and I have myself quoted from Dr. King's letter in the Birmingham jail in other speeches.

Mr. AL GREEN of Texas. Thank you very much.

Mr. POE of Texas. Will the gentleman yield?

Mr. FORTENBERRY. I yield to the gentleman from Texas.

Mr. POE of Texas. I thank you for yielding. I won't take all of your time.

You and I, our careers have mirrored. We both became lawyers the same year, and we both started at the courthouse in Houston I think the same year—'73, '74, right in there.

Of course, you were on one side, the defendant side, and I was on the prosecution side. We worked before the same judges. You and I both became judges about the same time and then we left the bench at the same time and ran for Congress and joined Mr. FORTENBERRY in the infamous class of 2004 or '5.

I do want to make this comment that things at the courthouse during all that time changed a great deal as to who was at the courthouse in the courtroom representing either the State of Texas or the citizen accused, as you referred to him.

Were you the first African American to practice in the courtroom? Or was it Ned Wade or Ron Mock? Which one of you was it?

Mr. AL GREEN of Texas. I was not and probably someone prior to Ned Wade. There were other lawyers who were there long before us.

Mr. POE of Texas. It has changed a great deal. In fact, the judge who took my place is an African American judge at the courthouse in Houston. It is hard looking back on history to realize things were not always that way at the courthouse and the legal profession as they were in many other professions.

I think your accomplishments as an attorney and as a jurist are admirable. They have served the State of Texas quite well, but you fought a lot of battles during that time as well, and I want to thank you for fighting those battles.

Mr. AL GREEN of Texas. Well, thank you.

I know that your time is of the essence, and you have been very generous with me, Mr. FORTENBERRY.

Will the gentleman allow one additional comment? The Honorable TED POE and I have had a friendship for many, many years. He is imminently correct. We were on different sides of the table, literally, in the courtroom, but we never allowed many of the political maneuvers of the time, the political issues of the time, to prevent us from being friends, and we brought that friendship to the Congress of the United States of America.

While there is still great work to be done—even in the courts, there is still great work to be done. There is great work to be done in the area of litigation that still is matriculating through the courts, but we still have to acknowledge that it is a better time to do it now than to do it then.

We have greater friendships and greater opportunities. On a bad day, it is still good to live in the USA.

Mr. FORTENBERRY. A great expression. Thank you.

Thank you, Judge POE.

Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Nebraska has 20 minutes remaining.

Mr. FORTENBERRY. Thank you, Mr. Speaker.

Before I deviated, I had some other thoughts that I wanted to convey tonight. Mr. Speaker, let me start out with this thought.

It is a high goal, a principle, that I think across this body we all share, and it is this: Americans deserve a smart and effective government. I don't think nor do I think many of us believe that Washington should be mired in mediocrity, nor should we be divided by class or income, but I do think we have to acknowledge several difficult truths.

I think our national conversation should also start here. The reality is we have a tale of two very different economic recoveries. One recovery was working pretty well for transnational corporations, many of which are subsidized indirectly by the state, but the other recovery is not working quite as well for everyone else.

Too many families are facing downward mobility, stagnant wages, and an increased cost of living, and many feel abandoned by a Washington and Wall Street axis. There is an incomplete picture being given, I think, in the dynamics of the statistics that are now being promulgated about the current economy.

Yes, we have some good news. Energy prices have significantly fallen, and that is taking a lot of pressure off a lot of sectors and a lot of individuals. Some recovery is happening.

But as the head of the Gallup organization points out, the recent reports that the unemployment rate has dropped to 5.6 percent are really quite misleading. The Department of Labor doesn't count those who are trapped in unemployment and who have stopped looking.

In fact, the further you unpack these statistics and you look at what is causing the causal relationship here is, unfortunately, we are entering into a period of what I am calling an entrepreneurial winter, where there are more small businesses dying than there are being born; in other words, the net outcome of small business creation is in a negative range for the first time in the history of our country.

The reason this is significant is this is where most jobs come from. Most people in America are working hard and are looking for their opportunity in small business. We are not talking about larger entities, which have an important role in not only economic recovery and in creating employment for many, but small businesses are where the majority of jobs are created.

It is also where this dynamic of an interdependent economy, a healthy economy, is really born, an opportunity economy, where the benign forces of competition create a certain interdependency between the one who is making a good with their own two hands or their intellect and selling it to another who needs that good and, in turn, reinforcing a social dynamic that is essential to personal well-being and a healthy economy.

Well, how did we get into this position? I think we have to analyze this as well.

Mr. Speaker, I received a phone call last spring, and the gentleman was very, very eager to talk to me, so I called him back. In fact, he was so eager to talk to me that he was actually sitting at the Nebraska spring football game where the white team versus the red team, they play it out.

This is a big deal in Nebraska. Tens of thousands of people actually go to this game. He was sitting in the stands, and he took his time out from watching the Nebraska spring game to talk to me which is a high honor.

He wanted to point out that he was a small business person. He owned and started a heating and air-conditioning business and, until very recently, had five employees. Because he could see what was coming—particularly in health care—he got rid of all of his jobs, and it is just him now.

If you ask the question—and analytics are showing this—as to why small businesses are not taking proper risk going out into the marketplace to create new products and hire people, there are two simple—this is a bit simplistic—but two answers are what come forward. The first is health care, and the second is regulation.

You see, in the name of trying to create an orderly and just and fair economy when Washington overreaches and creates an environment that is setting up the guardrails for proper economic function, if it is too heavyhanded and it is penalizing those who don't have an army of lawyers and accountants and regulatory personnel, that means that the playing field suddenly shifts toward much bigger entities that, in many ways, can become impersonal.

The more Washington imposes regulatory burdens that are affecting the outlook and expectation of small business people, the more they are hesitating to hire.

The second factor is health care. Now, I think we have to have this hard conversation. We have a broken health care law. The Affordable Care Act, as it is called, could be called now the ''Unaffordable Care Act.''

The law was designed to fix some real cracks in our system that were very evident. People with preexisting conditions or people being priced out of the market were having a very difficult time finding health insurance, and that needs to be addressed, and it needs to be addressed through Washington policy.

But we need a health care system that is focused on decreasing cost and improving health care outcomes while also helping vulnerable persons. What we have gotten now is higher escalating cost, fewer choices, and a dampening effect on the entrepreneurial small business economy—again, where most jobs come from. It is not me saying this. This is what the statistics are bearing out and the research is bearing out; and it is a hard, hard reality.

Instead of just saying ''no'' to the Affordable Care Act, those of us who have said ''no'' many times also have a responsibility to find a responsible replacement in public policy for us—again, one that is going to increase competition, improve health care outcomes, give additional choice, while also decreasing cost, and protecting vulnerable persons.

Mr. Speaker, I think Americans deserve the best possible health care outcomes in the world. The question is how do we get there?

Well, from my perspective, a new framework, a new architecture of approach is needed, but it basically expands a policy that we already have.

A long time ago, I had a very significant headache. I was in my twenties. I carried my own health care policy, and it was very expensive, so I had a very high deductible.

Because the headache was particularly severe, I decided: Well, I assume the family physician will probably just send me on to a specialist.

So I called the ear, nose, and throat specialist directly and went and got an appointment. She did an x ray and said: I can't really tell from the x ray, so I am going to have to do a CAT scan.

I said: Doctor, is that really necessary? You know, I understand the problem of liability and the need to push the boundaries on testing. Is it really necessary?

She asked me directly, almost kind of indignant, she said: Why are you talking to me about this? I said: Because I am paying for this. My deductible is very, very high. I am actually paying the cost of this test. I just want to know if this is absolutely necessary. Help me to make that decision.

She said: Oh, yes, of course, it is necessary. But now that you said that, I am just looking at your sinuses, so why don't we call places in town that have the machine and see if they will widen the cross section and give you a discount? I said: Great.

In 3 minutes, she had her assistant call. We found a place in town that was about $75 cheaper than normal. The doctor got the test that she needed. Perhaps most importantly, in the aggregate, the resource was more properly allocated, all because I had the incentive to ask a simple question because I was actually paying for the test.

Now, we have a policy that encourages health savings accounts. Some Americans have them; some Americans don't. They are not appropriate for every American, particularly Americans who are getting older and at the ending point of their professional careers, because health savings accounts coupled with catastrophic insurance are a very, very proper way, I think, to manage health care when you are younger and in middle life. We ought to be expanding this.

The second point is: How do we get there? Guaranteed access to affordable, quality catastrophic health insurance with health savings accounts.

What you get for that is you are protected. If something really goes wrong, if you are in the hospital in the emergency, you shouldn't be put in the position of asking: Who is the chief anesthesiologist around here? I need to compare prices.

No, in those scenarios, you are protected. But in ordinary health care decisions, in partnership with your doctor—health care provider—making prudential decisions about what is really necessary and what is not, I think this is a mechanism by which we can again significantly empower families to save money, control their first health care dollar cost, and be protected at the same time.

The health savings account is a tax-preferred vehicle whereby money is set aside on a tax-preferred basis and accumulates over time. Now, most people in their lifetimes don't get significantly sick, so there is the opportunity here again for young people to begin to set aside money in this tax-deferred account that actually helps them pay for when ordinary medical expenses arise. Then again, if something really goes wrong, you have catastrophic insurance.

Over time, these accounts would become larger and larger and help supplement retirement, help supplement the Medicare system, strengthening those important retirement security programs.

□ 1815

I think this is a key to reworking our current health care model, not for everyone, but an expansion of this opportunity, I think, is the right architecture in moving forward for the next generation, particularly, so that we guarantee access to affordable, quality health care.

I think we carry forward some important provisions in that no one with a preexisting condition can be denied. I think the provision whereby children can stay on their parents' health care longer, now until age 26—I actually supported that before the new health care law—is smart policy. We remove caps on insurance, but that doesn't save any money. It just penalizes those who get really sick. We carry those provisions forward, again, to protect persons in a vulnerable circumstance, but we give everyone the access to affordable, quality health insurance.

There is a lot of detail that would go into how you would make that happen—whether or not you would spread that cost over the entire market through regulation or whether you would subsidize it like the government does in other insurance markets, like flood insurance and crop insurance. Nonetheless, I think that is the right framework and architecture for a robust, competitive health insurance marketplace that is going to improve health outcomes, reduce costs, and protect vulnerable persons.

What will we get if we do this? What will we get if we are courageous enough as a body to step forward and say, ''Do you know what? We can do better. Americans deserve better than the current arrangement''?

We will get peace of mind for ourselves and for our doctors. I think this would go a long way toward helping resolve the underlying problem here of stagnation in the economy, particularly among those who want to be entrepreneurs—small business persons

who are creating jobs, those who have a gift or an idea and who want to take a little risk but who now aren't empowered to do so because of the environment that has been created that has dampened their ability to seize this opportunity. This would be the key to unlocking a healthy economy, one that is focused on opportunity for all.

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

THE STALKING GOVERNMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. POE) for 30 minutes.

Mr. POE of Texas. Mr. Speaker, just a few weeks ago, this Chamber was filled with Members of the House of Representatives, and all of us stood up and raised our right hands, and we took an oath to support and defend the Constitution of the United States. It is the same oath the President takes and that others take—the military. We do that for a lot of reasons, but the main reason is that, in this country, the Constitution is paramount to all other law. I agree with that philosophy. The Constitution, I think, is a marvelously written document, as well as the Declaration of Independence, which justified the reason for us to start our own country.

Attached to the Constitution is what is commonly referred to as the Bill of Rights—rights to the people and prohibitions against government intruding on those rights. They call it the ''Bill of Rights.'' There were originally 12, and 10 of them passed. That is why we have 10 instead of 12 under the Bill of Rights. I would like to start and talk about only one of those rights. Since there are only 30 minutes, I am going to talk only about one of those, and it is the Fourth Amendment. Let's go through it together, Mr. Speaker.

The Fourth Amendment to the U.S. Constitution:

''The right of the people''—that is us—''to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated''—that sounds pretty absolute to me—''and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.''

Now, you don't have to be a legal scholar or a lawyer to understand what this is talking about. It is the right of privacy—that government could go into our homes and our effects and our things and our stuff. It generally cannot do that except under circumstances which require that they go get a warrant.

I used to be a judge. Judge GREEN, who was just in here a while ago, used to be a judge. What that means is the police, generally, go to the judge and say: ''Judge''—in a written document with the affidavit that they swear to—''the affidavit states we believe—I believe—that there are,'' let's say, ''drugs—cocaine specifically—in Bobby Oglethorpe's home.'' Bobby Oglethorpe is a notorious Texas outlaw, so I am going to use him as the one. It describes what they are looking for. They say where it is, and they give the address of where Bobby Oglethorpe lives in Houston. Then I read it to see if it states probable cause.

What does that mean? There are a lot of definitions to it, but, basically, the statement proves, with the affidavit of the peace officer, that there is probable cause to believe that that item is where the police officer says it is, and is drugs, so that would be illegal.

The judge signs the warrant. What that does is it orders the police officer to go to that specific location in a certain timeframe. You can't do it, like, forever. You don't have 6 months to go look for it. It is usually 3 days. You go over there, and you search that address, looking for that specific stuff—cocaine, drugs—that is in the possession of Bobby Oglethorpe. Then the police officer normally would leave a document with the person at the house as to what they seized.

The officer comes back to the judge and says: ''Judge, I executed the warrant you gave me to Bobby Oglethorpe's house, and I brought you back the return on the warrant—what I seized—because I was ordered to go get it.'' Then he files the return in the court with the clerk, and that varies from State to State.

Basically, the concept is, before government goes into your house or other things, an independent person—a judge—has got to separate the law—the police—from the citizen and make an independent decision as to whether or not what they are looking for is where it is, or they have not established probable cause. Now, that is a generalization of the whole concept of a warrant.

Why do we even have these things? It goes back to our history, our American history. Everything seems to be based on history, and it is good that we reflect on it.

Back in 1761, America was not a country, it was a colony, made up of 13 Colonies. At that particular time—this is not a new thing about warrants, this is not a new thing—British subjects who lived in England, specifically, had the right to have what was called a ''specific warrant'' issued against them before they would have to give up the item, as opposed to what I will show you as being a general warrant.

Generally speaking, before a magistrate in England would allow some British subject's home to be searched, the peace officer would have to go to a magistrate and show some specificity as to where the document or the item was, with some type of probable cause, but in coming to the Colonies, that was not true. English magistrates who ruled over the Colonies did not give colonists the same protection as other British subjects back in England. So what would occur is this:

Those colonists, it has been said, were hiding rum, rum that had been brought into the United States—the Colonies—and other things, and they had not paid the tax on the rum. So the British would go to a magistrate and say: ''Give us a general warrant to go search,'' let's say, ''Bobby Oglethorpe's great, great, great-grandfather. We will search his warehouse to find any items that may not have been stamped with the appropriate tax.''

The colonists didn't like that. That is a general warrant. You have got a piece of paper from a magistrate, saying, ''Ah, go over there, and look around. See if you can find something that is illegally in the possession of colonists without the Stamp Act on there.'' These were called ''writs of assistance.'' They were called ''general warrants.'' They are pretty much the same thing. I won't go into the difference of those two individuals.

With the colonists being the type of folks they were in Massachusetts, they took them to court. They took the British Crown to court. Their lawyer was James Otis, and he protested in a courtroom, saying, ''Your warrant is not specific enough. It is too general.'' The British judge, magistrate, ruled against the colonists, and there were several businessmen who were being sued in this case.

Now, that may not seem like a big deal, but John Adams, who later became President of the United States, observed all of this, and he said that act was the spark which originated the American Revolution. What is that? It is the act of government invading the privacy of the colonists. He said that sparked the American Revolution, what we now call the ''Fourth Amendment,'' because the colonists weren't protected from unreasonable searches and seizures. They weren't protected from specific warrants saying specifically what they were looking for in a specific place based on probable cause. The local magistrate would just write out a document, saying, ''Go over there and look at this warehouse, and see if you find any,'' in this case, ''rum that doesn't have the stamp, that doesn't have a tax on there.''

Our history shows that this is an important concept. Now, what does it require?

It requires a specific warrant as opposed to a general warrant. It requires that it be specific as to what you are looking for. It has got to be based upon probable cause. It just doesn't give the police the authority to go into someone's home and look around and see if you find some contraband. You have got to have it based upon probable cause, sworn to, and it is limited in scope, as required under the Fourth Amendment, which we will read again if we have enough time.

The right of privacy was important to our ancestors—it is in the Fourth Amendment—and it is important to

Americans today. We are a little unique on this right of privacy. It is really not one of the things that a lot of other countries have. Remember, it is not supposed to be violated by government, our right to be secure in our homes and in our effects.

So here we are in 2015, and where are we?

This morning, somewhere in the United States, somebody woke up and sent out some emails and made a phone call. A person may have had a meeting, so he got his little iPhone out—5 or 6 or whatever it is—and pulled up Google maps to figure out a route to get from where he was to where the meeting was. He took his vehicle or maybe jumped in a cab and checked Facebook if he were in a cab, on the phone, texted his friend, and maybe even played what is now something fun, I guess, for some people—''Candy Crush''—on the iPhone.

After the meeting is over with, this individual may head off to the office, log onto the computer, do a little G-chatting with a friend about where he planned to go for dinner that evening, and later that evening, he uploads a photograph from supper, as we call it in Texas, on his Instagram. That is, maybe, a typical day for a lot of people.

But, all during that route of the American citizen's, the Federal Government has the ability to stalk that individual every step of the way because of the devices that he is using electronically. Maybe, until last year—until some news came out by the national media—most Americans were unaware that their every move could be tracked by Big Brother. Through the NSA, which I call the ''National Spy Agency'' now, the government has the ability to read citizens' emails, to read their texts, to know their phone logs, to track the location and travel and movements of citizens, to snoop and collect information about individuals through smartphones, apps, to read G-chats, and to look at private photographs—all unknown to the citizen.

The failure to disclose any of this information until recently is why many Americans now fear government intrusion—I call it government stalking—into our lives. The stalking government has kept its Peeping Tom activities a big secret until, primarily, Edward Snowden told us all about it.

□ 1830

His issue is a different issue, but now we know about it.

So how did we get here? Over the years, technology has rapidly changed and given power-hungry—my opinion—bureaucrats the capability to sift through data and find out more information than ever. Just because they have the physical ability doesn't mean that they have the constitutional right or any right to violate the Fourth Amendment because this protects Americans. The Fourth Amendment doesn't protect government; it protects Americans. It protects citizens.

The government seems to justify the snooping, the Peeping Tom for a couple of reasons. The White House, the administration claims that NSA has no interest in monitoring American citizens; they are just looking for bad guys. Well, I have a hard time believing that. Until evidence came out to the contrary, the NSA, it seems, was snooping and spying on lots of Americans in the name of trying to catch the bad guys.

Furthermore, NSA, when they did a little investigation, they found dozens of instances where their own employees misused intelligence capabilities to spy on people—ex-girlfriends and others. Why? Simply because they had the ability.

So we have learned for years that the NSA has quietly, in my opinion, snooped and spied on millions of Americans without a warrant—and that is the key—and without their knowledge and without their consent. This is justified for a second reason, based upon the name of national security. It is said we live in terrible times. We do. We have got these terrorists running all over the world, bad guys trying to hurt us, so we at the NSA need to get this information to protect Americans from these bad guys.

Well, let's analyze that just for a moment if we can.

We have heard reports that, well, we have caught a lot of bad guys because of this information that NSA has seized, this megadata. So during a Committee on the Judiciary hearing last year, I asked Deputy Attorney General James Cole this question: How many criminal cases have been filed based upon this massive seizure of information by NSA, collecting information on Americans without the use of a warrant and storing it? And to my knowledge it still exists. How many criminal cases?

He testified: Maybe one. Maybe one.

So this nonsense about we are doing all of this because we have to catch the bad guys, they have got one criminal case that they can talk about. Even if there were more, it does not justify, in my opinion, the massive seizure of data without constitutional safeguards.

Let's read it one more time. ''The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue''—in this case no warrants at all are issuing—''but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

That is not what is occurring. It is just massive amounts of information are being seized.

Let me try to describe it this way. Let's go back to Bobby Oglethorpe. Let's say that Bobby Oglethorpe lives close to where I do in Atascocita, Texas, and the police come to me as a judge and say: Judge, we know that Bobby Oglethorpe lives in this ZIP Code here, but we don't know where he lives, and he is no good. He is a criminal, and he is in possession of firearms and drugs, and all kinds of illegal things he has done, but we don't know which house he is in in this particular ZIP Code, so we want to go search all the houses in the ZIP Code and hopefully we will catch him.

No judge in this country would sign a warrant and say: All right. Have at it. Start searching all the houses looking for this one guy with all this bad illegal stuff that he is in possession of.

No judge would do that. Why? Because it violates the Fourth Amendment. Why? Because it is not specific enough. It is a general warrant, like the British were imposing on the Colonies that, as John Adams said, sparked the American Revolution. Wouldn't do that.

Or another example, it is like finding a needle in a haystack. The government wants to seize the whole haystack. They can't do that. They have got to find the needle. They have got to be specific in their warrant. So, in my opinion, based upon the Fourth Amendment, the activity of the NSA, by seizing lots of data, violates the Fourth Amendment of the Constitution.

There are other examples.

So we talked about NSA seizure of data, and to my knowledge, like I said, they still store all this information.

May I inquire of the Speaker how much time I have left?

The SPEAKER pro tempore. The gentleman has 12 minutes remaining.

Mr. POE of Texas. Thank you. I appreciate it.

NSA. Let's move on to what is called ECPA. We will talk about the IRS a little bit.

This spring, most Americans are going to be filing taxes, their tax returns, and many Americans, including me, are concerned about the IRS' ability to take information from Americans without their consent or without a warrant. Sometimes that includes emails. So let's talk specifically about the concept of government seizure of emails without consent of the person who sent it or received it and without a warrant.

Current Federal law is that, if somebody has an email within 6 months of when that email was sent, that email, to be obtained by government—not just law enforcement, but any government agency—they have to get a warrant to seize that. But as soon as that 160 days runs, past 160 days, the government doesn't get a warrant because the law doesn't require it. I think in the spirit of the Fourth Amendment, the Fourth Amendment should require that.

Email, what is email? That is an electronic message sent to another person.

Let's go back to regular mail or snail mail, which some people call it. If I write a letter and I seal the envelope and I put the postage on there and I

send it, go put it in the mailbox, one of those blue mailboxes, and I drop that in the mailbox, the government does not have the authority to go in that mailbox and take the letter out, read the letter, seize the letter without a warrant.

So it flows through the United States postal system from wherever to wherever, and it lands in somebody else's mailbox. That mail, generally speaking, is protected under the Fourth Amendment, because it violates the Fourth Amendment if government seizes it and goes into the contents without a warrant.

The same should apply to emails. It is communication. It is just done electronically. But the law does not allow—let me say it another way. If emails are over 6 months old, Americans should be aware of the fact that government may seize those emails from a private company without your knowledge, without your consent, and without a warrant.

That is why I have introduced, along with Representative ZOE LOFGREN from California, that the law should be that emails are protected, that it is a right of privacy and it is an expectation of privacy for Americans that emails be protected and that government should be getting a warrant before they seize those documents, because it is a violation at least in the spirit of the Fourth Amendment. I hope that that legislation does finally come to the floor and we get a vote on protecting the Fourth Amendment, the right of privacy for Americans when it comes to emails.

The same applies not only just to emails, but under the circumstances, it would apply to geolocation devices that the government knows where you are. I think the government, to keep up with you, needs a warrant to stalk you throughout the United States.

The third thing I wanted to mention in the remaining time is a completely different issue, but it has to do with drones, the right of privacy. We are in the drone age. It is estimated that by 2030 we will have 30,000 drones over the skies of the United States, 30,000 of them.

Drones are a marvelous invention. They are highly technical. They can be very small. You can get one at a local store that you can put in the palm of your hand. No question about it, there are good uses for drones. Right now the law is that the FAA regulates the use of drones throughout the United States. It may permit some; it may not permit, may refuse to permit them. It is a bureaucratic decision by the FAA.

Congress needs to weigh in on the issue of drones and set down constitutional guidelines. People need to know the rules. Law enforcement needs to know the rules, and private citizens need to know the rules about their use of drones. And basically, the Fourth Amendment ought to apply to the use of a drone except with the exigent circumstances that already apply to the Fourth Amendment—high-speed chases, disasters, fires, et cetera—but we need some guidelines on the issue of drones.

Congress has the responsibility to protect the Fourth Amendment of the surveillance of Americans by either law enforcement or by private citizens and develop a standard for both law enforcement and for private citizens to know what the standard is. Yes, there are reasons why we should use them, and the law should allow those, but Congress needs to make the decision, not the FAA.

I have a local sheriff, or the sheriff in Texas where I am from. He generally says he doesn't want to use drones because he doesn't know what the courts are going to decide down the road as to whether or not that use of a drone was a lawful or unlawful violation of the Fourth Amendment. So rather than wait for the courts to decide if this specific use is or is not a violation of the Fourth Amendment, Congress needs to come up with guidelines about the design and the protection of the Fourth Amendment that drones can only be used in certain circumstances; otherwise, they are not allowed to be used because they violate the Fourth Amendment of the United States.

So those are three issues that have the right of privacy that are being, I think, chilled today because there is more and more government intrusion into all of those areas: into the massive data of phone information, information that is put on your iPhone, for example, that is being seized, can be seized without knowledge, without warrant; the massive amount of emails that can be seized—we really don't know how much is being seized because over 6 months your personal email is not protected by law; government agencies, not just law enforcement, can seize that—and then the skies will have 30,000 of those drones.

There needs to be some regulations within protection of the Fourth Amendment, and we need to work with industry and government to outline what those rules ought to be to protect the Fourth Amendment, protect the right of privacy of individuals to be secure in their homes, in their papers, and their effects from government intervention and government intrusion. Congress should set the standard for what a reasonable expectation of privacy is, especially in those areas that I mentioned and the one regarding drones as well.

So I hope that we see some movement in this legislation. Once again, ZOE LOFGREN and I have introduced legislation, as well as others, to protect the right of individuals to be free from searches of their emails after 6 months without a search warrant. We have that legislation pending as well. Hopefully, we can rein in what I call the stalking government about stalking American citizens.

America is not about keeping up and following every citizen in the United States by government. That is what other countries do. That is what countries like the Soviet Union used to do. That is not what America should be doing, and Congress needs to weigh in on this to protect individuals' right of privacy under the Fourth Amendment, which was the spark, according to John Adams, to the American Revolution, that concept of the Fourth Amendment being violated.

And that is just the way it is.

I yield back the balance of my time.

BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 30 minutes.

Ms. JACKSON LEE. I thank the gentleman very much for the yielded time, and I thank the floor staff and the representatives of the Democratic cloakroom, Republican cloakroom for their courtesies.

I want to join my good friend who was on the floor earlier this evening. I was detained in a diplomatic meeting. I could not join my good friend, Congressman AL GREEN, as he began to commemorate and salute Black History Month.

□ 1845

This is story of a proud people, of Americans who participated in every historic event since the founding of this country and whose ancestors proudly wore the uniform on many occasions, including the uniform in the Civil War and wars beyond.

Tonight, I come to salute both national heroes and local heroes from Houston, Texas, and—in particular—the 18th Congressional District.

This, in fact, is the 39th commemoration of Black History Month, and we celebrate the contributions of African Americans who have contributed to the history and the greatness of our Nation.

We pay tribute to trailblazers, pioneers, and leaders, like many of us know, such as Reverend Dr. Martin Luther King, Jr.; Supreme Court Justice Thurgood Marshall; United States Senator Blanche Kelso Bruce; a U.S. Congresswoman from my congressional district, the Honorable Barbara Jordan, who most recently sat amongst us, retiring from the United States Congress in 1978–79; U.S. Congressman Mickey Leland, who lost his life trying to provide food to hungry people in Ethiopia; astronauts like Dr. Guion Stewart Bluford, Jr., and Mae C. Jemison; Frederick Douglass; Booker T. Washington; James Baldwin; Harriet Tubman; Rosa Parks; Maya Angelou, who taught me at Yale University; Toni Morrison, a premier writer; along with another outstanding writer as well, Gwendolyn Brooks—just to name a few of the countless well-known and unsung heroes whose contributions have helped our Nation become a more perfect union.

The history of the United States has been marked by the great contributions of African American activists, leaders, writers, and artists. As a Member of Congress, I stand on those shoulders.

Their struggles and triumphs made it possible for me to stand here today and continue to fight for their values and really the values embedded in what America is all about: the values of equality and justice, progress for all, regardless of race, religion, gender, or sexual orientation.

Mr. Speaker, I have two very special giants. They are my mother and father. Mrs. Ivalita ''Ivy'' Jackson, a vocational nurse, and Mr. Ezra C. Jackson, one of the first African Americans who was welcomed for a short period of time into the growing comic book publishing business during World War II.

That was the entertainment. Many Americans found stories of joy, drama, various superheroes, monsters, and a number of other things in the comic book business.

In New York City, a young man by the name of Ezra Jackson was given the door as the youngest son of my grandmother, Olive Jackson, who had sent three sons off to World War II. My uncles each fought. The youngest son was to stay with his widow mother. In doing so, he found in himself a talent.

Even today, I am very proud to say that his works have been shown in the Smithsonian. He is just an individual, one might say average man—an African American man—who suffered the indignities of discrimination and later found no place in that industry as he was being replaced by White citizens.

I know that their strength—a mother in her tenacity and longstanding work at Booth Memorial Hospital—was the foundation for myself and my brother Michael Jackson and now with many who have come behind. They were beloved parents, and they taught me the value of education, hard work, discipline, perseverance, and caring for others.

I know this is not family night, but I cite my husband, Dr. Elwyn Lee. He became the first tenured African American professor at the University of Houston School of Law.

There are many today that make their pathway standing on the shoulders of others. The most wonderful tribute that I like is to our military veterans who, as I indicated when I started, have fought in every war since the Revolutionary War—how amazing.

These people came first in the bottom of a belly of a slave boat as slaves. They can count their history to every single war, fighting on behalf of the sanctity and the security of our Nation.

I remember joining Congressman JOHN LEWIS and Congressman CHARLES RANGEL, a Korean war veteran, as we were invited to pay tribute to the Tuskegee Airmen and the 555th Parachute Infantry Battalion, the famed ''Triple Nickels.''

I was honored to be able to be at that ceremony sponsored by the U.S. Army commemorating the 50th anniversary of the 1964 Civil Rights Act.

Everything that we have gained has been because our soldiers, regardless of their race, religion, or background, were able to put on the uniform. I am very grateful to say that so many of those who put on the uniform, even when they were treated in an unfair manner in this country, proudly put on that uniform and fought for the Nation.

I am reminded of all of them, Mr. Speaker, because they live amongst us in our communities, and as we have seen in the honoring of the Devils yesterday, we see that they are so proud to wear their uniform. They have fought so hard.

Let me salute all of our veterans and soldiers, and let me be reminded of those from the African American community who went to serve, even as the laws of this Nation did not treat them fairly.

I am well aware of the Tuskegee Airmen because my father-in-law was a Tuskegee Airman, along with his wife, who was one of the supporters. Phillip Ferguson Lee and Ethiopia Lee, now 94 years old, received a Congressional Gold Medal.

Of course, we know the story of the Tuskegee Airmen achieving one of the lowest loss records of all the escort fighter groups and being in constant demand for their services by the Allied bomber units, a record unmatched by any other fighter group.

You know something, Mr. Speaker? These brave men and women, no matter—as I indicated—what race, it is so interesting. They do not tell their story often. That is why I am so glad that the United States Congress over these last years has begun to honor all of these groups so that their story can be told and forever embedded in the history of this Nation.

I want to go on to say that the impressive feats of the Tuskegee Airmen were outstanding and astounding. I believe that their efforts and much of the success of African American soldiers in World War II caused, in 1948, to persuade President Harry Truman to issue his famous Executive Order—which I am so glad he issued—No. 9981, which directed equality of treatment and opportunity in all of the United States Armed Forces and led to the end of racial segregation in the United States military forces.

One person to tell that story in the eloquent way that it has been told is General Colin Powell—or the famous Davis generals, ''Chappie'' Davis was who was one and well known—but Colin Powell tells that story.

Clearly, these individuals bravely fought for their country, but they show that they had the right stuff. They are American history, and they certainly are a testament to Black history.

Clearly, what began as an experiment to determine whether ''colored'' soldiers were capable of operating expensive and complex aircraft ended as an unqualified success, based on the experience of the Tuskegee Airmen, whose record included 261 enemy aircraft destroyed, 148 aircraft of the enemy damaged, 15,553 combat sorties, and 1,578 missions over Italy and north Africa.

They also destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions. They proved that ''the antidote to racism is excellence in performance,'' as retired Lieutenant Colonel Herbert Carter once remarked.

I take joy in this presentation and sharing this with my colleagues. It is Black History Month, but sometimes, we need to remember to say thank you to all Americans who have gone on before us. This month, we happen to be focusing on African Americans.

Who can forget United States Congresswoman Shirley Chisholm and the strong voice that she was for the vulnerable? A lady from Brooklyn, her first appointment in this Congress was to the Agriculture Committee. No, she didn't run away from it. She ran toward it. Her famous statement is: ''A tree grows in Brooklyn.'' She ran for President. She made history there.

There are others like Harriet Tubman—we call her General Moses—who led slaves to freedom up and down the east coast. She had a sharp tongue and told anybody that was lagging behind: You aren't going to stay behind because, if you did and got caught, all my others who are trying to escape would be captured.

Certainly, Rosa Parks, who was a proud American, had the great fortitude—although a small woman who did tailoring work—to indicate in a way that subjected herself to being put in prison, put in jail, is that: I, too, am an American.

I am so glad that Mae Jemison lives in my community. I obviously represent the city that loves NASA and loves human space exploration. Mae Jemison, the first African American woman to go into space, now has dedicated herself to exposing young people to math, science, engineering, technology, and creating more astronauts for the restored and reinvigorated human space exploration. That is a good thing. That is a very good thing.

I believe we can look to work together in the 50th year of the Voting Rights Act of 1965. I am a member of the United States Congress and the Judiciary Committee, led by a man who made history himself at that time, JOHN CONYERS, who has served in many capacities but has been a chair of the Judiciary Committee, being the first African American to ever chair that committee, but also a man that at every cornerstone of justice has a fight, whether it is sentencing, whether it is prison reform, whether it is dealing with the issues of copyright, whether it is the social justice issues.

Let me say he was the first employer of Rosa Parks outside of her town of

Alabama where she made her historic stand in Montgomery, Alabama. She worked for Congressman JOHN CONYERS.

I mentioned this is the 50th anniversary of the 1965 Voting Rights Act. We all know the story. I knew the story beforehand. I worked for the Southern Christian Leadership Conference. Right after the death of Dr. Martin Luther King, I knew the names of Hosea Williams and James Orange and Ambassador Andrew Young as those who worked closely with Dr. King. Certainly, Reverend Jesse Jackson had moved up to Operation PUSH.

I say that to say that we know the story that it was the throngs of unnamed persons who pursued a simple right: the right to vote. I believe their heroic efforts have made it part of America's history.

I always believed one vote, one person is not for me. It is not for whether you are White or Hispanic or Asian or African American. It is for America. I truly believe that they made the first step to tell America that a vote should be unfettered for every citizen.

You should not be blocked from voting—and I hope, Mr. Speaker, we will get to that point—not selfishly for one group versus another, but I hope we will get to that point for all of America.

I think in this month of Black history commemoration, I need to give a challenge. That challenge needs to be that we need to pass the Voting Rights Act reauthorization as was crafted in the last Congress and supported by bipartisan Members.

I had the privilege to be one of the original cosponsors. Former Congressman Spencer Bachus was on that bill with me. We had seen each other and marched across the Edmund Pettus Bridge. He was, of course, a Representative from Alabama. There was no forcing, no pushing.

It was just quiet thought that this was the right thing to do by a number of Republican Members who supported that legislation in the last Congress, including one of the esteemed former chairmen of the Judiciary Committee, Mr. SENSENBRENNER.

□ 1900

But it was all about thinking that it is important not to block anyone from voting. I still think that that is the right thing. I think the premise is right. I think it is premised on the Constitution.

There is no statement about voting in the Constitution, but there are statements of philosophy and rights and liberties, all driven by someone's right to vote for a government that will promote religious freedom, freedom of access, freedom of the press, freedom of speech, the right to a trial by jury, due process.

Certainly, we know the 13th, 14th, and 15th Amendments were all geared toward the idea of freedom. And you can only secure freedom, one, by your wonderful men and women who are willing to stand in uniform and fight for us, many who have gone through the ages and shed their blood.

But the other is an active and involved and participatory civic society, and the actions of a civic society are their voice and their votes.

I plead with my colleagues, let us make the vote and the voice real by supporting the reauthorization of the Voting Rights Act, written to respond to the United States Supreme Court.

I may have disagreed with the Supreme Court's position on section 5, but, Mr. Speaker, I have a basic internal mechanism that says you adhere to the law. You follow the law. You follow the dictates of the courts as they reach their final answer in the highest Court of the land.

So we went to working on a structure that, in fact, was not pointed but broad, meaning that you would not point out certain States, you would just say that you couldn't violate a person's right to vote.

And the good news is, you had the ability to work yourself out of the coverage of that act. That is a good thing—work yourself out.

Then, if a State—though I don't think it might happen with the diverse States that we have—wants to work its way in, we find a way to correct their laws that might be blocking someone's right to vote. I am going to have the confidence that we are going to take that up and make a difference in the lives of all Americans.

Let me move on to say that I hope my challenge will be accepted, and I hope that we will take the words of Dr. King. I enjoy reading his writings. He was more than, if you will, the civil rights leader. He was a man who thoughtfully crafted words and messages to inspire and give us a road map.

He had these famous words, ''Why We Can't Wait,'' which were found in the 1960s. What a provocative statement. Is he trying to provoke people to violence? Absolutely not.

He was a committed, dedicated servant and disciple of Gandhi's nonviolence, and his own internal mechanism of nonviolence. It was in his DNA. He would not provoke any form of violence.

We should know that because, as the story looks back and things happened, if you were part of the SCLC, they were driven, they trained all of their foot soldiers in an absolute commitment to nonviolence. And if you showed any sign that you could not adhere, you would not be part of their efforts.

Dr. King had some famous words that I like. I know and like many of his words, but this one: ''Everybody can be great or anybody can serve. You only need a heart full of grace and a soul generated by love.''

Let me also say, Mr. Speaker, it is important when you come up and talk about great people, that you don't forget home. And I just want to acknowledge some of the great leaders in my community. I can't call all their names, but I do want to acknowledge Reverend F.N. Williams, Sr., one of the founding pastors of the Antioch Missionary Baptist Church. His father was almost the founding father of Acres Homes, one of the great leaders in the 1920s and 30s, and he has carried on his civil rights legacy.

Dr. S.J. Gilbert, Sr., who led the Mount Sinai Baptist Church.

Reverend Crawford W. Kimble, who was the pastor of Barbara Jordan, an erudite man that wrote beautiful words of leadership and challenge.

The late Reverend E. Stanley Branch, in essence, a Republican, who was a leader who brought all people together.

Reverend Dr. William A. Lawson, the founder of the Wheeler Avenue Baptist Church, who walked with Dr. King and is the go-to person on issues of, again, marching and fighting nonviolently for justice.

Reverend Johnny Robeson, who was a great leader of the Baptist Ministers Association. And I remember him distinctly not indicating what politics or party it was, but is it right, is it just?

Commissioner El Franco Lee is the first African American Commissioner on the Harris County Commissioners.

Mr. John Bland, one of the Texas Southern University students who marched to desegregate the various lunch counters.

Ms. Ruby Mosley, up in age, who is a fighter for senior citizens and is a mother of Acres Homes.

Ms. Dorothy Hubbard, the late Dorothy Hubbard, who, in fact, worked in my office and instructed me about how you serve and help people.

Ms. Doris Hubbard, one of the first young persons to be active in the Texas Democratic Party and who has been a champion for equality and justice.

Willie Bell Boone, another one who minces no words about fighting to make sure that everyone's voice is heard.

Holly HogoBrooks, who, again, is a great leader as it relates to the civil rights movement and the marching on the counters.

Mr. Deloyd Parker founded this great organization called Shape, that has lifted the boats of inner city children, one by one. And out of that Shape Community Center have come doctors and lawyers, have come scientists and businesspersons. But they all have a heart for service.

''Doll'' Carter, Ms. Lenora Carter, with her husband, was the founder of the Forward Times, I believe, the oldest newspaper.

So you can see that Black history is a storytelling history.

And so, as I close my remarks, I have to take a moment of personal privilege to be able to talk about something that I have enjoyed.

You see, Mr. Speaker, around this time of year, in Houston, we have something called the Houston Livestock Show and Rodeo. It is eons and

decades of years old. It goes back to our traditions as cowboys and cowgirls, and we are not going to let it go.

So every year—we are coming up on it—it is probably going to go for, we say, almost two months that we are legitimately in our cowboy, cowgirl attire.

I was privileged to be honored by the Houston Livestock Show and Rodeo Black Heritage Committee, which I helped found 20-some years ago because I knew that the Black cowboys and others wanted to be so much a part of it.

I want to pay tribute to Verna Lee ''Boots'' Booker, who was the first cowgirl, if you will, to be in the Houston rodeo. And I received that award. What a privilege to acknowledge that we are everywhere. She was a competitor, and I believe it was in the barrel competition. But what an exciting night to recall her history.

So we are going to be rodeoing over the next couple of weeks, and I want to pay tribute to all of the trail riders, and particularly, those of African American heritage. They have carried on this tradition.

I want to make mention, I know there are many others, but allow me to make mention of the Prairie View Trail Ride Association, which makes its annual trek to the Houston Livestock Show and Rodeo in Hempstead. They rendezvous with a dozen other caravans at Memorial Park and they join the rodeo.

Mr. Speaker, they stay out on the trail. This is real. They don't get into a hotel and then get on their horses. They ride that trail for 2 and 3 and 4 weeks, and then come down to the rodeo on the day of the big rodeo parade.

The Prairie View Trail Ride was founded in 1957 by James Francies, Jr., Dr. Alfred N. Poindexter, and Myrtis Dightman. I know there are others, but these are those who started.

Their mission was to promote agricultural interest in young Americans and to perpetuate those principles and methods which have come to be regarded as the ideals and traditions of the Western World as well as the Negro Western Heritage.

I am glad that they wanted to perpetuate this great tradition and, particularly, among African Americans.

A good many of the first Black cowboys were born into slavery but later found a better life on the open range.

I know many of us have heard of the Buffalo Soldiers. The Indians called African American soldiers that because of the woolliness of their hair. They were on horses, and they were fighting as well for the viewpoint of that time.

Some Black cowboys took up careers as rodeo performers, or were hired as Federal peace officers in Indian territory.

Our history weaves in and out, and it is a colorful history, and it mentions a number of people. I will mention Daniel W. ''80 John'' Wallace, who started riding the cattle trails in his adolescence and ultimately worked for cattlemen Winfield Scott and Gus O'Keefe. He put his accumulated savings toward the purchase of a ranch near Loraine, where he acquired more than 1,200 acres—that is a big deal—and 500 to 600 cattle.

We have been ranching for a long time, and Texas has a great tradition.

I want to talk about my friend, Mollie Stevenson, a fourth-generation owner of the Taylor-Stevenson ranch. I would take my children out there. She would have little horses and ponies for them to run and ride. She founded the American Cowboy Museum to honor Black, Indian, and Mexican American cowboys, to be able to embrace everyone.

Weekend rodeos featuring Black cowboys began in the late 1940s and continued to be popular. The contests of the Negro Cowboys Rodeo Association is evident that we have a strong history.

So I think it is important tonight that we salute the long history that we have had in many different areas and be able to say, as I close, again, that there is work yet to be done in the pouring forward of our history, whether it is to reflect on the cowboys who, at times, were poorly fed, underpaid, overworked, deprived of sleep, prone to boredom and loneliness, but they kept on going; or it is to fix the criminal justice system of the 21st century, to be able to recognize that for all the cowboys and the historic persons whose names I have called, Dr. King and his wife, who stood alongside him, Coretta Scott King, that we fix together the criminal justice system, and that we work to find ways to work with law enforcement; but we answer the questions of those grieving mothers, Trayvon Martin's mother, Eric Garner's mother, Sean Bell, Michael Brown, Tamir, and all of them, and we find ways to ensure the wives and family members of law enforcement, that, yes, your husband or wife, as a law enforcement officer, will come home.

Over the years, I have worked with the Federal law enforcement as a member of the House Judiciary Committee. We have always found ways to make their life easier in terms of the quality of life and work and expanded cops on the beat programs, and so now we can come together on training and the grand jury system and prison reform, which are not prone to any one group in America. It is an American issue.

I truly believe that the history of all people, the history of Americans, no matter what their background, is one of clinging to democracy and the principles of the Bill of Rights, that we all have a decent opportunity to be respected by our law enforcement processes. Whether it is our courts or whether it is our process of trying cases, we all are to be respected.

With that, Mr. Speaker, let me say that I end on the very note that this is a great country, and the history of African Americans has contributed to its greatness. Let us use the richness of their history to cast forward a new lot that will change America for the best as we move forward for justice, equality and freedom.

Mr. Speaker, this February we recognize and celebrate the 39th commemoration of Black History Month.

This month we celebrate the contributions of African Americans to the history of our great nation, and pay tribute to trailblazers, pioneers, heroes, and leaders like Rev. Dr. Martin Luther King, Jr., Supreme Court Justice Thurgood Marshall, U.S. Senator Blanche Kelso Bruce, U.S. Congresswoman Barbara Jordan, U.S. Congressman Mickey Leland, Astronauts Dr. Guion Stewart Bluford Jr. and Mae C. Jemison, Frederick Douglass, Booker T. Washington, James Baldwin, Harriet Tubman, Rosa Parks, Maya Angelou, Toni Morrison, and Gwendolyn Brooks just to name a few of the countless number of well-known and unsung heroes whose contributions have helped our nation become a more perfect union.

The history of the United States has been marked by the great contributions of African American activists, leaders, writers, and artists.

As a member of Congress, I know that I stand on the shoulders of giants whose struggles and triumphs made it possible for me to stand here today and continue the fight for equality, justice, and progress for all, regardless of race, religion, gender or sexual orientation.

The greatest of these giants to me are Mrs. Ivalita ''Ivy'' Jackson, a vocational nurse, and Mr. Ezra A. Jackson, one of the first African-Americans to succeed in the comic book publishing business.

They were my beloved parents and they taught me the value of education, hard work, discipline, perseverance, and caring for others.

And I am continually inspired by Dr. Elwyn Lee, my husband and the first tenured African American law professor at the University of Houston.

Mr. Speaker, I particularly wish to acknowledge the contributions of African American veterans in defending from foreign aggressors and who by their courageous examples helped transform our nation from a segregated society to a nation committed to the never ending challenge of perfecting our union.

Last year about this time, I was honored to join my colleagues, Congressman JOHN LEWIS and Congressman CHARLES RANGEL, a Korean War veteran, in paying tribute to surviving members of the Tuskegee Airmen and the 555th Parachute Infantry, the famed ''Triple Nickels'' at a moving ceremony sponsored by the U.S. Army commemorating the 50th Anniversary of the 1964 Civil Rights Act.

The success of the Tuskegee Airmen in escorting bombers during World War II achieving one of the lowest loss records of all the escort fighter groups, and being in constant demand for their services by the allied bomber units—is a record unmatched by any other fighter group.

So impressive and astounding were the feats of the Tuskegee Airmen that in 1948, it helped persuade President Harry Truman to issue his famous Executive Order No. 9981, which directed equality of treatment and opportunity in all of the United States Armed Forces and led to the end of racial segregation in the U.S. military forces.

It is a source of enormous and enduring pride that my father-in-law, Phillip Ferguson Lee, was one of the Tuskegee Airmen.

Clearly, what began as an experiment to determine whether ''colored'' soldiers' were capable of operating expensive and complex combat aircraft ended as an unqualified success based on the experience of the Tuskegee Airmen, whose record included 261 aircraft destroyed, 148 aircraft damaged, 15,553 combat sorties and 1,578 missions over Italy and North Africa.

They also destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions. They proved that ''the antidote to racism is excellence in performance,'' as retired Lt. Col. Herbert Carter once remarked.

Mr. Speaker, Black History Month is also a time to remember many pioneering women like U.S. Congresswoman Shirley Chisholm; activists Harriet Tubman and Rosa Parks; astronaut Mae C. Jemison; authors Maya Angelou, Toni Morrison, and Gwendolyn Brooks; all of whom have each in their own way, whether through courageous activism, cultural contributions, or artistic creativity, forged social and political change, and forever changed our great Nation for the better.

It is also fitting, Mr. Speaker, that in addition to those national leaders who contributions have made our nation better, we honor also those who have and are making a difference in their local communities.

In my home city of Houston, there are numerous great men and women. They are great because they have heeded the counsel of Dr. King who said: ''Everybody can be great because anybody can serve. You only a need a heart full of grace. A soul generated by love.''

By that measure, I wish to pay tribute to some of the great men and women of Houston:

1. Rev. F.N. Williams, Sr.
2. Rev. Dr. S.J. Gilbert, Sr.
3. Rev. Crawford W. Kimble
4. Rev. Eldridge Stanley Branch
5. Rev. William A. Lawson
6. Rev. Johnnie Jeffery ''J.J.'' Robeson
7. Mr. El Franco Lee
8. Mr. John Bland
9. Ms. Ruby Moseley
10. Ms. Dorothy Hubbard
11. Ms. Doris Hubbard
12. Ms. Willie Bell Boone
13. Ms. Holly HogoBrooks
14. Mr. Deloyd Parker
15. Ms. Lenora ''Doll'' Carter

As we celebrate Black History Month, let us pay tribute to those who have come before us, and pay forward to future generations by addressing what is the number one issue for African American families, and all American families today: preserving the American promise of economic opportunity for all.

Our immediate focus must be job creation, and enacting legislation that will foster and lay the foundation for today's and tomorrow's generation of groundbreaking activists, leaders, scientists, writers and artists to continue contributing to the greatness of America.

We must work to get Americans back to work. We must continue to preserve the American Dream for all.

Mr. Speaker, I am proud to stand here in celebration of the heroic and historic acts of African Americans and their indispensable contributions to this great Nation.

It is through our work in creating possibilities for today and future generations that we best honor the accomplishments and legacy of our predecessors.

PRAIRIE VIEW TRAIL RIDE ASSOCIATION

The Prairie View Trail Ride Association makes an annual trek to the Houston Livestock Show and Rodeo in Hempstead.

They then rendezvous with a dozen other caravans at Memorial Park where they will join the rodeo parade in downtown Houston.

The Prairie View Trail Ride Association was founded in 1957 by James Francies Jr., Dr. Alfred N. Poindexter and Myrtis Dightman Sr.

This group's mission statement says: ''The purpose of the Prairie View Trail is to promote agricultural interest in young Americans and to perpetuate those principals and methods which have come to be regarded as the ideals and traditions of the Western World as well as the Negro Western Heritage.

PVTR serves as a booster for the Houston Livestock Show and Rodeo and supports Prairie View A&M University in their educational programs.''

BLACK COWBOYS OF TEXAS

Black cowboys have been part of Texas history since the early nineteenth century, when they first worked on ranches throughout the state.

A good many of the first black cowboys were born into slavery but later found a better life on the open range, where they experienced less open discrimination than in the city.

After the Civil War many were employed as horsebreakers and for other tasks, but few of them became ranch foremen or managers.

Some black cowboys took up careers as rodeo performers or were hired as federal peace officers in Indian Territory.

Others ultimately owned their own farms and ranches, while a few who followed the lure of the Wild West became gunfighters and outlaws.

Significant numbers of African Americans went on the great cattle drives originating in the Southwest in the late 1800s. Black cowboys predominated in ranching sections of the Coastal Plain between the Sabine and Guadalupe rivers.

A number of them achieved enviable reputations. Bose Ikard, a top hand and drover for rancher Charles Goodnight, also served him as his chief detective and banker.

Daniel W. (80 John) Wallace started riding the cattle trails in his adolescence and ultimately worked for cattlemen Winfield Scott and Gus O'Keefe. He put his accumulated savings toward the purchase of a ranch near Loraine, where he acquired more than 1,200 acres and 500 to 600 cattle.

He was a member of the Texas and Southwestern Cattle Raisers Association for more than thirty years. William Pickett made his name as one of the most outstanding Wild West rodeo performers in the country and is credited with originating the modern event known as bulldogging. He was inducted into the National Cowboy Hall of Fame in 1971.

Black cowboys have continued to work in the ranching industry throughout the twentieth century, and African Americans who inherited family-owned ranches have attempted to bring public recognition to the contributions of their ancestors.

Mollie Stevenson, a fourth-generation owner of the Taylor-Stevenson Ranch near Houston, founded the American Cowboy Museum to honor black, Indian, and Mexican-American cowboys. Weekend rodeos featuring black cowboys began in the late 19405 and continue to be popular.

These contests owe their existence to the Negro Cowboys Rodeo Association, formed in 1947 by a group of East Texas black businessmen-ranchers and cowboys.

In the early days of Texas, the work of the cowhand was essential to the newly arrived settlers building a life on the frontier.

The story of the Anglo cowboys who worked the ranches of Texas is well known, but much more remains to be discovered about the African American cowhands who worked side-by-side with the vaqueros and Anglo cowboys.

The cowboy learned his craft from the vaqueros of New Spain an Texas when it was the northern territory of Mexico, as well as from the stock raisers of the South.

Such a life was hardly glamorous. Poorly fed, underpaid, overworked, deprived of by snakes or tripped by prairie dog holes.

Work centered on the fall and spring roundups, when scattered cattle were sleep, and prone to boredom and loneliness, cowboys choked in the dust, were cold at night, and suffered broken bones in falls and spills from horses spooked collected and driven to a place for branding, sorting for market, castrating, and in later years, dipping in vats to prevent tick fever.

African American cowboys, however, also had to survive discrimination, bigotry, and prejudice.

The lives of these cowhands tell a story of skill and grit, as they did what was necessary to gain the trust and respect of those who controlled their destiny.

That meant being the best at roping, bronc busting, taming mustangs, calling the brands, controlling the remuda, or topping off horses.

From scattered courthouse records, writings, and interviews with a few of the African American cowhands who were part of the history of Texas, Sara R. Massey and a host of writers have retrieved the stories of a more diverse cattle industry than has been previously recorded.

Twenty-five writers here recount tales of African Americans such as Peter Martin, who hauled freight and assisted insurgents in a rebellion against the Mexican government while building a herd of cattle that allowed him to own (through a proxy) rental houses in town.

Bose Ikard, a friend of Charles Goodnight, went on Goodnight's first cattle drive, opening the Goodnight-Loving Trail. Johanna July, a Black Seminole woman, had her own method of taming horses in the Rio Grande for the soldiers at Fort Duncan.

These cowhands, along with others across the state, had an important role that has been too long omitted from most history books.

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

ADJOURNMENT

Ms. JACKSON LEE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 5, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

313. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's Buy American Act Report for fiscal year 2014, pursuant to 41 U.S.C. 10a(b), as amended; to the Committee on Education and the Workforce.

314. A letter from the Director, Defense Security Cooperation Agency, transmitting the Agency's reports containing the September 30, 2014, status of loans and guarantees issued under Section 25(a)(11) of the Arms Export Control Act; to the Committee on Foreign Affairs.

315. A letter from the Under Secretary for Industry and Security, Department of Commerce, transmitting a report entitled ''Russian Sanctions: Licensing Policy for the Crimea Region of Ukraine'', pursuant to the Export Administration Act, section 6(f)(2), under the authority conferred by Executive Order 13222, as amended and extended; to the Committee on Foreign Affairs.

316. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties, entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

317. A letter from the Administrator, Agency for International Development, transmitting the Fiscal Year 2014 Agency Financial Report, pursuant to the Federal Managers' Financial Integrity Act (FMFIA) of 1982; to the Committee on Oversight and Government Reform.

318. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting notification that the Administration complied with the Government in the Sunshine Act for calendar year 2014, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

319. A letter from the Congressional Relations, Federal Mediation and Conciliation Service, transmitting the Service's annual report for Fiscal Year 2014, prepared in accordance with Title II, Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

320. A letter from the Secretary of the Board of Governors, U.S. Postal Service, transmitting the Service's 2014 report to Congress, as required by Section 3686(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

321. A letter from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the Fiscal Year 2013 Report to Congress on the Funding Requirements for Contract Support Costs, pursuant to 25 U.S.C. 450j-1(c); to the Committee on Natural Resources.

322. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Safety Management Systems for Domestic, Flag, and Supplemental Operations Certificate Holders [Docket No.: FAA-2009-0671; Amendment Nos.: 5-1 and 119-17] (RIN: 2120-AJ86) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

323. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30993; Amdt. No.: 3622] received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

324. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30996; Amdt. No.: 3624] received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

325. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30995; Amdt. No.: 3623] received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

326. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0692; Directorate Identifier 2012-NM-024-AD; Amendment 39-18031; AD 2014-23-15] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

327. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0587; Directorate Identifier 2013-NM-219-AD; Amendment 39-18059; AD 2014-26-08] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

328. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0580; Directorate Identifier 2014-NM-081-AD; Amendment 39-18062; AD 2015-01-01] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

329. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Airplanes [Docket No.: FAA-2014-0108; Directorate Identifier 2013-CE-052-AD; Amendment 39-18063; AD 2015-01-02] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

330. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0927; Directorate Identifier 2014-NM-230-AD; Amendment 39-18068; AD 2014-26-53] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

331. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0924; Directorate Identifier 2014-NM-228-AD; Amendment 39-18067; AD 2014-25-51] (RIN: 2120-AA64) received January 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

332. A letter from the Chairman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting notification about a Commission survey regarding cyber threats to U.S. critical infrastructure; jointly to the Committees on Ways and Means, Foreign Affairs, and Armed Services.

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. YODER (for himself, Mr. POLIS, Mr. ADERHOLT, Mr. ALLEN, Mr. AMASH, Mr. AMODEI, Mr. BABIN, Mr. BARLETTA, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mr. BEYER, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACK, Mrs. BLACKBURN, Mr. BLUM, Ms. BONAMICI, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROOKS of Alabama, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mr. BUCHANAN, Mr. BUCSHON, Mr. BURGESS, Mr. BYRNE, Mr. CALVERT, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTER of Georgia, Mr. CARTWRIGHT, Mr. CHABOT, Mr. CHAFFETZ, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAWSON of Florida, Mr. CLEAVER, Mr. COHEN, Mr. COLE, Mr. COLLINS of New York, Mr. CONNOLLY, Mr. CONYERS, Mr. CRAMER, Mr. CRENSHAW, Mr. CULBERSON, Mr. CUMMINGS, Mr. CURBELO of Florida, Mr. RODNEY DAVIS of Illinois, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELBENE, Mr. DENHAM, Mr. DENT, Mr. DESAULNIER, Mr. DESJARLAIS, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. DOLD, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. DUCKWORTH, Mr. DUFFY, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Ms. EDWARDS, Mr. ELLISON, Mrs. ELLMERS, Mr. EMMER, Ms. ESHOO, Ms. ESTY, Mr. FARENTHOLD, Mr. FARR, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FLORES, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Ms. FUDGE, Ms. GABBARD, Mr. GARAMENDI, Mr. GARRETT, Mr. GIBBS, Mr. GIBSON, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. GRIJALVA, Mr. GROTHMAN, Mr. GUINTA, Mr. GUTHRIE, Mr. HANNA, Mr. HARRIS, Mrs. HARTZLER, Mr. HASTINGS, Ms. HERRERA BEUTLER, Mr. HILL, Mr. HIMES, Mr. HONDA, Mr. HUDSON, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HUNTER, Mr. HURD of Texas, Mr. ISRAEL, Ms. JACKSON LEE, Ms. JENKINS of Kansas, Mr. JOHNSON of Georgia, Mr. JOLLY, Mr. JONES, Mr. JORDAN, Mr. JOYCE, Ms. KAPTUR, Mr. KILMER, Mr. KINZINGER of Illinois, Ms. KUSTER, Mr. LABRADOR, Mr. LAMALFA, Mr. LANCE, Mr. LATTA, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LONG, Mr. LOUDERMILK, Mrs. LOVE, Mr. LOWENTHAL, Mr. LUETKEMEYER, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. LUMMIS, Mr. MARCHANT, Mr. MARINO, Mr. MASSIE, Mr. MCCLINTOCK, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHENRY, Mr. MCKINLEY, Mr. MEADOWS, Mr. MEEHAN, Mr. MEEKS, Mr. MESSER, Mr. MOOLENAAR, Mr. MULLIN, Mr. MULVANEY, Mr. NADLER, Mr. NEWHOUSE, Mrs. NOEM, Mr. NOLAN, Ms. NORTON, Mr. NUGENT, Mr. NUNES, Mr. OLSON, Mr. O'ROURKE, Mr. PALAZZO, Mr. PAULSEN, Mr. PEARCE, Mr. POCAN, Mr. POE of Texas, Mr. POLIQUIN, Mr. POMPEO, Mr. POSEY, Mr. QUIGLEY, Mr. RANGEL, Mr. REED, Mr.

RIBBLE, Mr. RICE of South Carolina, Mrs. ROBY, Mr. ROE of Tennessee, Mr. ROKITA, Mr. ROONEY of Florida, Mr. ROUZER, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SALMON, Mr. SANFORD, Mr. SCALISE, Mr. SCHOCK, Mr. SCHRADER, Mr. SCHWEIKERT, Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SENSENBRENNER, Mr. SERRANO, Mr. SESSIONS, Mr. SHUSTER, Mr. SIMPSON, Ms. SLAUGHTER, Mr. SMITH of Missouri, Mr. SMITH of Texas, Ms. SPEIER, Mr. STIVERS, Mr. STUTZMAN, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mr. TIPTON, Mr. TONKO, Ms. TSONGAS, Mr. TURNER, Mr. VALADAO, Mrs. WAGNER, Mr. WALKER, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WELCH, Mr. WENSTRUP, Mr. WESTERMAN, Mr. WHITFIELD, Mr. WILLIAMS, Mr. WILSON of South Carolina, Mr. WOMACK, Mr. YARMUTH, Mr. YOHO, Mr. YOUNG of Indiana, Mr. YOUNG of Iowa, Ms. GRANGER, Mr. MCNERNEY, Mr. RICHMOND, Miss RICE of New York, Mr. SHERMAN, and Ms. PINGREE):

H.R. 699. A bill to amend title 18, United States Code, to update the privacy protections for electronic communications information that is stored by third-party service providers in order to protect consumer privacy interests while meeting law enforcement needs, and for other purposes; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas (for himself and Mr. BARTON):

H.R. 700. A bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WALBERG (for himself and Mr. KILDEE):

H.R. 701. A bill to amend the Internal Revenue Code of 1986 to expand access to Coverdell education savings accounts; to the Committee on Ways and Means.

By Mr. BARTON (for himself, Mr. CONAWAY, Mr. WILSON of South Carolina, Mr. CHABOT, Mr. BRIDENSTINE, Mr. FRANKS of Arizona, Mrs. BLACKBURN, Mr. SALMON, Mr. PITTENGER, Mr. FLORES, Mr. NEUGEBAUER, Mr. CARTER of Texas, Mr. CRAMER, and Mr. PEARCE):

H.R. 702. A bill to adapt to changing crude oil market conditions; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, 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. GOODLATTE (for himself, Mr. WEBER of Texas, Mr. POE of Texas, Mr. MASSIE, Ms. FOXX, Mr. HANNA, Mr. COLLINS of Georgia, Mr. MEADOWS, Mr. SAM JOHNSON of Texas, Mr. SENSENBRENNER, Mr. PITTENGER, Mr. VALADAO, Mr. DENT, Mr. BRIDENSTINE, Mr. LAMBORN, Mr. DUNCAN of Tennessee, Mr. DUNCAN of South Carolina, Mr. COLE, Mr. ROTHFUS, Mr. STEWART, Mr. PEARCE, Mr. DESANTIS, Mr. FARENTHOLD, Mr. MCCLINTOCK, Mr. NEUGEBAUER, Mr. GOHMERT, Mr. OLSON, Mr. FLORES, Mr. ROE of Tennessee, Mr. NUGENT, Mrs. BLACK, Mr. LABRADOR, Mr. MARCHANT, Ms. GRANGER, Mr. RICE of South Carolina, Mr. BRADY of Texas, Mr. SANFORD, Mr. YOHO, and Mr. ROHRABACHER):

H.R. 703. A bill to repeal the renewable fuel program of the Environmental Protection Agency; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself, Mr. COSTA, Mr. WOMACK, Mr. WELCH, Mr. VALADAO, Mr. WESTMORELAND, Mr. JOLLY, Mr. COOPER, Mr. MEADOWS, Mr. DENT, Mr. POE of Texas, Mr. AMODEI, Mr. SENSENBRENNER, Mr. RICE of South Carolina, Mr. BISHOP of Utah, Mr. COLE, Mr. FLEISCHMANN, Mr. CRAWFORD, Mr. DEFAZIO, Mr. ROTHFUS, Mr. HILL, Mr. BILIRAKIS, Mr. PEARCE, Mr. WOODALL, Mr. HURT of Virginia, Mr. CHAFFETZ, Mr. ROONEY of Florida, Mr. SESSIONS, Mr. PITTENGER, Mr. FARENTHOLD, Mr. WESTERMAN, Mr. BROOKS of Alabama, Mr. COLLINS of Georgia, Mr. HANNA, and Mr. FRANKS of Arizona):

H.R. 704. A bill to amend the Clean Air Act to eliminate certain requirements under the renewable fuel program, to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 705. A bill to amend the authorization in title 49, United States Code, for capital grants for rail line relocation projects; to the Committee on Transportation and Infrastructure.

By Mr. SCOTT of Virginia (for himself and Mr. MASSIE):

H.R. 706. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

By Mr. CHAFFETZ (for himself, Ms. GABBARD, Mr. SMITH of Texas, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. DENT, Mr. HOLDING, and Mr. FORBES):

H.R. 707. A bill to restore long-standing United States policy that the Wire Act prohibits all forms of Internet gambling, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself, Mr. COHEN, Mr. COOPER, and Mr. DESJARLAIS):

H.R. 708. A bill to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and to provide for criminal penalties for such acts; to the Committee on the Judiciary, and in addition to the Committee on 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.

By Mr. RENACCI (for himself, Mr. CHABOT, Mr. TIBERI, Mr. BOUSTANY, Mr. TIPTON, Mrs. BLACK, Ms. JENKINS of Kansas, Mr. HECK of Nevada, Mr. PAULSEN, Mr. NUGENT, Mr. BROOKS of Alabama, Mr. MULVANEY, Mr. RIBBLE, Mr. REICHERT, Mr. FARENTHOLD, Ms. SINEMA, Mr. YOUNG of Indiana, Mr. KLINE, Mr. JOYCE, Mr. MCKINLEY, Mr. ZINKE, Mr. BUCSHON, Mr. FLORES, Mr. LONG, Mr. MEEHAN, Mr. GOWDY, Mr. DELANEY, Mr. WALBERG, Mr. JOHNSON of Ohio, Mr. WEBSTER of Florida, Mr. AMODEI, Mr. ROSS, Mr. MASSIE, Mr. ROKITA, Mr. DESJARLAIS, Mr. POMPEO, Mr. PALAZZO, Mr. PEARCE, Mr. CARNEY, Mr. POLIQUIN, Mr. DUNCAN of South Carolina, Mr. GIBBS, Mr. STUTZMAN, Mr. REED, and Mrs. ROBY):

H.R. 709. A bill to provide for the termination of employment of employees of the Internal Revenue Service who take certain official actions for political purposes; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself, Mr. THOMPSON of Mississippi, and Mrs. MILLER of Michigan):

H.R. 710. A bill to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes; to the Committee on Homeland Security.

By Mr. BRADY of Texas (for himself and Mr. NEAL):

H.R. 711. A bill to amend title II of the Social Security Act to repeal the windfall elimination provision and protect the retirement of public servants; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia (for himself, Mr. YOHO, Mr. LATTA, Mr. FARENTHOLD, Mrs. ELLMERS, Mr. MARINO, Mr. GOODLATTE, Mr. SMITH of Texas, Mr. CHABOT, and Mr. TROTT):

H.R. 712. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. BUCSHON:

H.R. 713. A bill to amend the Internal Revenue Code of 1986 to disallow the refundable portion of the child credit to taxpayers using individual taxpayer identification numbers issued by the Internal Revenue Service; to the Committee on Ways and Means.

By Mr. CAPUANO (for himself, Mr. JONES, and Mr. PETERS):

H.R. 714. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the conversion of leadership PAC funds to personal use; to the Committee on House Administration.

By Mr. CAPUANO:

H.R. 715. A bill to amend title 5, United States Code, to give members of the United States Capitol Police the option to delay mandatory retirement until age 60; to the Committee on House Administration, and in addition to the Committee on 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 Ms. DELAURO (for herself, Mr. ISRAEL, Mr. FITZPATRICK, Mr. BLUMENAUER, Ms. BORDALLO, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. DEUTCH, Mrs. DINGELL, Ms. ESTY, Mr. FARR, Mr. GRIJALVA, Mr. HASTINGS, Mr. HIMES, Mr. HUFFMAN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LOWENTHAL, Ms. MOORE, Ms. NORTON, Mr. DAVID SCOTT of Georgia, Ms. SLAUGHTER, Ms. TSONGAS, and Ms. WASSERMAN SCHULTZ):

H.R. 716. A bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Ms. JUDY CHU of California, Mr. TAKANO, Mr. SABLAN, Ms. LEE, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Ms. SPEIER, and Ms. CLARKE of New York):

H.R. 717. A bill to amend section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Mr. CARTWRIGHT, Mr. COHEN, Ms. NORTON, and Mr. LOWENTHAL):

H.R. 718. A bill to amend the Elementary and Secondary Education Act of 1965 in order to support the community schools model; to the Committee on Education and the Workforce.

By Mr. KATKO (for himself, Miss RICE of New York, Mr. MCCAUL, Mr. THOMPSON of Mississippi, and Mr. SANFORD):

H.R. 719. A bill to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes; to the Committee on Homeland Security.

By Mr. KATKO (for himself, Miss RICE of New York, Mr. MCCAUL, Mr. THOMPSON of Mississippi, Mr. HUDSON, Mrs. TORRES, Ms. BROWNLEY of California, and Ms. MAXINE WATERS of California):

H.R. 720. A bill to improve intergovernmental planning for and communication during security incidents at domestic airports, and for other purposes; to the Committee on Homeland Security.

By Ms. JENKINS of Kansas (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself, Mr. YOUNG of Indiana, Mr. BROOKS of Alabama, Mr. AMODEI, Mr. GOSAR, Mr. MULLIN, Mr. RENACCI, Mr. CALVERT, Mr. ROKITA, and Ms. JENKINS of Kansas):

H.R. 722. A bill to amend title 5, United States Code, to provide for investigative leave requirements for members of the Senior Executive Service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself, Mr. CARTWRIGHT, Mr. YOUNG of Alaska, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. JOHNSON of Ohio, Mr. THOMPSON of California, Ms. BORDALLO, Mrs. TORRES, and Mr. COLLINS of New York):

H.R. 723. A bill to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty; to the Committee on House Administration.

By Mr. LANCE (for himself and Mrs. BLACKBURN):

H.R. 724. A bill to amend title I of the Patient Protection and Affordable Care Act to impose restrictions on the risk corridor program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself, Mr. JONES, Mr. MESSER, Mr. JOYCE, Mr. FARENTHOLD, Mr. GOSAR, Mr. POE of Texas, Mr. LONG, Mr. JODY B. HICE of Georgia, and Mr. DUNCAN of Tennessee):

H.R. 725. A bill to amend the Internal Revenue Code of 1986 to repeal the estate tax and retain stepped-up basis at death; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself, Mr. MASSIE, Mr. SENSENBRENNER, Mr. CONYERS, Mr. POE of Texas, Ms. DELBENE, Mr. POLIS, Mr. O'ROURKE, and Mr. NADLER):

H.R. 726. A bill to prohibit Federal agencies from mandating the deployment of vulnerabilities in data security technologies; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on the Judiciary, 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. PIERLUISI (for himself, Mr. SERRANO, Mr. BEYER, Ms. BORDALLO, Ms. BROWN of Florida, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CLYBURN, Mr. CONNOLLY, Mr. CONYERS, Mr. COSTA, Mr. CROWLEY, Mr. CURBELO of Florida, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. ENGEL, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GRAYSON, Mr. HARRIS, Mr. HASTINGS, Mr. HOYER, Mr. HUFFMAN, Mr. JEFFRIES, Ms. KAPTUR, Mr. KIND, Mr. KING of New York, Mr. LABRADOR, Mr. LARSON of Connecticut, Mr. LEWIS, Mr. MARINO, Mr. MEEKS, Mr. MICA, Mr. MURPHY of Florida, Ms. NORTON, Ms. PLASKETT, Mr. POLIS, Mrs. RADEWAGEN, Mr. RIBBLE, Ms. ROS-LEHTINEN, Mr. RUIZ, Mr. SABLAN, Mr. SCHIFF, Mr. SCHOCK, Mr. TAKAI, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mr. WELCH, and Mr. YOUNG of Alaska):

H.R. 727. A bill to set forth the process for Puerto Rico to be admitted as a State of the Union; to the Committee on Natural Resources.

By Mr. LUETKEMEYER (for himself, Mr. CLAY, Mrs. WAGNER, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, and Mr. SMITH of Missouri):

H.R. 728. A bill to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office''; to the Committee on Oversight and Government Reform.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. BILIRAKIS):

H.R. 729. A bill to provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 Ms. NORTON:

H.R. 730. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, 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. NUGENT (for himself, Mr. SCOTT of Virginia, Mrs. NAPOLITANO, Mr. RYAN of Ohio, Ms. SLAUGHTER, Mr. POCAN, Mrs. BROOKS of Indiana, Mr. LOWENTHAL, Mr. HASTINGS, Mr. JOYCE, Mr. REICHERT, Mr. SENSENBRENNER, Mr. LANCE, and Mr. JOLLY):

H.R. 731. A bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004; to the Committee on the Judiciary.

By Mr. RUIZ (for himself, Mrs. WALORSKI, Ms. NORTON, Mr. CARTWRIGHT, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Mr. JOLLY, Ms. KUSTER, Mr. HONDA, Mr. MCGOVERN, Mr. THOMPSON of California, and Mr. RANGEL):

H.R. 732. A bill to amend title 38, United States Code, to improve the opportunity for veterans to use video conferencing for hearings before the Board of Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. SALMON (for himself, Mr. GOSAR, Mr. BRIDENSTINE, Mr. LONG, Mr. DESANTIS, Mr. SCHWEIKERT, Mrs. LUMMIS, Mr. FRANKS of Arizona, and Mr. POE of Texas):

H.R. 733. A bill to amend the Food and Nutrition Act of 2008 to require households that receive supplemental nutrition assistance benefits to present photographic verification at the time food is purchased with such benefits; to the Committee on Agriculture.

By Mr. SCALISE (for himself, Mr. WALDEN, and Ms. ESHOO):

H.R. 734. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; to the Committee on Energy and Commerce.

By Mr. SERRANO (for himself and Mr. RANGEL):

H.R. 735. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, Financial Services, the Judiciary, Oversight and Government Reform, and Agriculture, 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. SERRANO:

H.R. 736. A bill to authorize the appropriation of funds to be used to recruit, hire, and train 100,000 new classroom paraprofessionals in order to improve educational achievement for children; to the Committee on Education and the Workforce.

By Mr. SERRANO:

H.R. 737. A bill to amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, 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. SERRANO (for himself and Mr. RANGEL):

H.R. 738. A bill to waive certain prohibitions with respect to nationals of Cuba coming to the United States to play organized professional baseball; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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. SERRANO:

H.R. 739. A bill to permit members of the House of Representatives to donate used computer equipment to public elementary and secondary schools designated by the members; to the Committee on House Administration.

By Mr. SERRANO:

H.R. 740. A bill to amend the Internal Revenue Code of 1986 to provide a business credit relating to the use of clean-fuel and fuel efficient vehicles by businesses within areas designated as nonattainment areas under the Clean Air Act, and for other purposes; to the Committee on Ways and Means.

By Mr. SERRANO:

H.R. 741. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contributions to the United States Library Trust

Fund; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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 Ms. SPEIER (for herself, Mr. BERA, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BROWN of Florida, Ms. BROWNLEY of California, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. ELLISON, Ms. ESTY, Ms. FRANKEL of Florida, Mr. GRIJALVA, Mr. HASTINGS, Mr. HECK of Washington, Mr. HIMES, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KILMER, Ms. KUSTER, Mr. LARSEN of Washington, Ms. LEE, Mr. LEVIN, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RANGEL, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Ms. TITUS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WILSON of Florida, Ms. ESHOO, Mr. MCDERMOTT, Ms. ROYBAL-ALLARD, and Ms. LORETTA SANCHEZ of California):

H.R. 742. A bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. STEWART:

H.R. 743. A bill to improve rangeland conditions and restore grazing levels within the Grand Staircase-Escalante National Monument, Utah; to the Committee on Natural Resources.

By Mr. VAN HOLLEN (for himself, Mr. WELCH, Ms. SCHAKOWSKY, Ms. CASTOR of Florida, and Mr. CONYERS):

H.R. 744. A bill to authorize the collection of supplemental payments to increase congressional investments in medical research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WALDEN (for himself, Mr. WELCH, Mr. NUNES, and Mr. NEAL):

H.R. 745. A bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. KING of New York (for himself, Mr. MEEKS, Mr. CLAY, Mr. CONYERS, Mr. RANGEL, Mr. GRIJALVA, Mr. COHEN, Mr. HONDA, and Mrs. NAPOLITANO):

H. Con. Res. 14. Concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Ms. BORDALLO, Mr. CARTWRIGHT, Mr. CONNOLLY, Mr. COOPER, Mr. DENT, Mr. GRIJALVA, Mr. HANNA, Mr. HIGGINS, Mr. LEVIN, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. RANGEL, Ms. SLAUGHTER, Ms. SPEIER, Mr. BEYER, Mr. NOLAN, Ms. LEE, and Mr. CICILLINE):

H. Res. 86. A resolution expressing support for designation of February 4, 2015, as National Cancer Prevention Day; to the Committee on Energy and Commerce.

By Mr. TOM PRICE of Georgia:

H. Res. 87. A resolution providing amounts for the expenses of the Committee on the Budget in the One Hundred Fourteenth Congress; to the Committee on House Administration.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 88. A resolution providing amounts for the expenses of the Committee on Foreign Affairs in the One Hundred Fourteenth Congress; to the Committee on House Administration.

By Mr. VARGAS:

H. Res. 89. A resolution supporting ''United States Foreign Service Day'' in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and to honor those in the Foreign Service who have given their lives in the line of duty; to the Committee on Foreign Affairs.

By Mr. VARGAS:

H. Res. 90. A resolution recognizing the importance of the United States International Boundary Water Commission (USIBWC) and its recent efforts to address trash, sediment, and water quality issues with their Mexican counterparts, Comisión Internacional de Límites y Aguas (CILA), through a proposed minute; to the Committee on Foreign Affairs.

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. POCAN:

H.R. 649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. YODER:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

By Mr. GENE GREEN of Texas:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution.

By Mr. WALBERG:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

Clause 1: The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 18: 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. BARTON:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

''The Congress shall have Power . . . To regulate commerce with foreign Nations . . .''

By Mr. GOODLATTE:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Because the federal government has extended Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. GOODLATTE:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3. Because the federal government has extended Article I, Section 8, Clause 3 (the commerce clause) beyond its intended boundaries, it follows that efforts to rein in excessive federal government encroachment in this area can be justified by Article I, Section 8, Clause 3.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. SCOTT of Virginia:

H.R. 706.

Congress has the power to enact this legislation pursuant to the following:

Aritcle I, Section 8, Clause 3 of the United States Constitution

By Mr. CHAFFETZ:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE 1, SECTION 8, CLAUSE 3

By Mrs. BLACKBURN:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 states that Congress has the power ''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 any Department or Officer thereof.''

By Mr. RENACCI:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: 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 Ms. JACKSON LEE:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 711.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Congress, which grants Congress, ''the power to lay and collect taxes, duties, imposts, and excises . . .''

By Mr. COLLINS of Georgia:

H.R. 712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1, 3, and 18, and Article III of the United States Constitution, Section 2

By Mr. BUCSHON:

H.R. 713.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. CAPUANO:

H.R. 714.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 3, Clause 1: ''The Congress shall have the Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general welfare of the United States;'' Article I, Section 8, Clause 3: ''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. CAPUANO:

H.R. 715.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec.5, Clause 2: ''Each House may determine the Rules of its Proceedings . . .''

By Ms. DELAURO:

H.R. 716.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. HONDA:

H.R. 717.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HONDA:

H.R. 718.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. KATKO:

H.R. 719.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States

By Mr. KATKO:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States

By Ms. JENKINS of Kansas:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. KELLY of Pennsylvania:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 18

By Mr. KING of New York:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LANCE:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution

This states that ''Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.''

By Mr. LATTA:

H.R. 725.

Congress has the power to enact this legislation pursuant to the following:

Taxation: Article 1, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. LOFGREN:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PIERLUISI:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to admit new States into the Union and to make all needful rules and regulations respecting the territories of the United States, as enumerated in Section 3 of Article IV of the Constitution.

By Mr. LUETKEMEYER:

H.R. 728.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, ''The Congress shall have Power to . . . establish Post Offices and post Roads . . .'' In the Constitution, the power possessed by Congress embraces the regulation of the Postal System in the country. Therefore, the proposed legislation in naming a post office would fall under the powers granted to Congress in the Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: to provide for the common defense and general welfare.

By Ms. NORTON:

H.R. 730.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. NUGENT:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. RUIZ:

H.R. 732.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, to make all laws necessary and proper to carry out the powers of Congress.

By Mr. SALMON:

H.R. 733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SCALISE:

H.R. 734.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. SERRANO:

H.R. 735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power ''To regulate Commerce with foreign Nations.''

Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.''

By Mr. SERRANO:

H.R. 736.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes,'' Article I Section 8, Clause 1, which give Congress the power to ''lay and collect Taxes, Duties, Imposets and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States,'' and Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.''

By Mr. SERRANO:

H.R. 737.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. SERRANO:

H.R. 738.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which gives Congress the power ''To regulate Commerce with foreign Nations.''

Article I, Section 8, Clause 4, which gives Congress the power ''To establish an uniform Rule of Naturalization.''

Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.''

By Mr. SERRANO:

H.R. 739.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 5 of article I of the Constitution, which states: ''Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.''

Additionally, Congress has the power to enact this legislation under Clause 2 of section 3 of article IV of the Constitution, which states that ''The Congress shall have

Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. SERRANO:

H.R. 740.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution, which states that ''The Congress shall have power to lay and collect taxes, duties, imposts and excises. . .''

Article I, Section 8, Clause 18 of the Constitution, which states that Congress shall have the power ''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. SERRANO:

H.R. 741.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Ms. SPEIER:

H.R. 742.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STEWART:

H.R. 743.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8 allows Congress ''[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.'' Article IV, Section 3

''The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.'' Article X

By Mr. VAN HOLLEN:

H.R. 744.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article 1 of the Constitution

Clause 1 of section 8 of article 1 of the Constitution

Clause 18 of section 8 of article 1 of the Constitution

By Mr. WALDEN:

H.R. 745.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution, which provies that ''The Congress shall have power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the common defense and general Welfare of the United States.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 25: Mr. ROSS.

H.R. 27: Mr. NEUGEBAUER.

H.R. 106: Mr. RIGELL.

H.R. 131: Mr. FINCHER and Mr. ROKITA.

H.R. 156: Mr. CRAMER.

H.R. 173: Mr. POSEY and Mr. NEUGEBAUER.

H.R. 201: Mr. KILDEE.

H.R. 223: Mr. KILDEE.

H.R. 234: Ms. BROWN of Florida.

H.R. 235: Mr. COLLINS of Georgia, Mr. SESSIONS, Mr. SWALWELL of California, Mr. RUSSELL, Mr. RYAN of Ohio, Mr. KING of Iowa, Ms. MENG, Mr. BILIRAKIS, Mr. HARPER, Mr. JONES, Mrs. MIMI WALTERS of California, Mr. WALDEN, Mr. CONNOLLY, Mr. TAKANO, Mr. LONG, and Mr. DEFAZIO.

H.R. 247: Ms. MOORE.

H.R. 263: Ms. BROWN of Florida.

H.R. 277: Mr. LAMBORN and Mr. BURGESS.

H.R. 283: Mr. SANFORD.

H.R. 304: Mr. SCHIFF and Ms. BASS.

H.R. 340: Mr. ZINKE.

H.R. 352: Mr. GROTHMAN, Mr. JONES, and Mr. NEUGEBAUER.

H.R. 379: Ms. SCHAKOWSKY and Ms. HERRERA BEUTLER.

H.R. 402: Mr. WESTERMAN.

H.R. 429: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 430: Mr. RICHMOND, Miss RICE of New York, and Mr. MCNERNEY.

H.R. 448: Mrs. CAPPS, Miss RICE of New York, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. O'ROURKE.

H.R. 451: Mr. CALVERT and Mr. ROSKAM.

H.R. 455: MISS RICE of New York.

H.R. 465: Mr. RIBBLE and Mr. GOODLATTE.

H.R. 483: Ms. BORDALLO, Ms. DUCKWORTH, and Mr. SWALWELL of California.

H.R. 509: Mr. RUSH and MISS RICE of New York.

H.R. 525: Mr. SANFORD and Mr. WHITFIELD.

H.R. 529: Ms. KUSTER, Mr. FORBES, Mr. HECK of Nevada, and Mr. BERA.

H.R. 531: Mrs. BEATTY.

H.R. 537: Mr. PITTENGER.

H.R. 541: Mr. COHEN.

H.R. 544: Mr. SWALWELL of California.

H.R. 546: Ms. BROWNLEY of California, Mr. DOGGETT, and Mr. POCAN.

H.R. 551: Mr. HIGGINS, Mr. POCAN, Mr. DELANEY, Mr. MCDERMOTT, and Mr. SCHRADER.

H.R. 565: Mr. BUTTERFIELD, Ms. NORTON, and Mr. ELLISON.

H.R. 586: Mr. RUIZ and Mr. QUIGLEY.

H.R. 592: Mrs. BEATTY, Mr. RYAN of Ohio, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. OLSON, Mr. YOUNG of Alaska, and Mr. LONG.

H.R. 594: Mr. JENKINS of West Virginia, Mr. MULLIN, Ms. HERRERA BEUTLER, Mrs. WAGNER, Mr. HECK of Nevada, Mr. ROGERS of Alabama, Ms. JENKINS of Kansas, Mr. DIAZ-BALART, Mr. FLEISCHMANN, Mr. SESSIONS, Mrs. ELLMERS, Mr. ADERHOLT, Mr. JORDAN, Mr. ALLEN, and Mr. DUNCAN of Tennessee.

H.R. 595: Ms. ESHOO.

H.R. 598: Mr. PITTENGER and Mr. ROSKAM.

H.R. 599: Mr. KLINE, Mr. DESANTIS, Mr. SAM JOHNSON of Texas, Mr. RENACCI, Mr. FORBES, Mr. OLSON, and Mr. PAULSEN.

H.R. 608: Mr. YARMUTH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Mr. RUSH, Mr. BISHOP of Georgia, Ms. PLASKETT, Mr. LEWIS, Mr. FATTAH, Ms. KELLY of Illinois, Mr. HASTINGS, Mr. CLEAVER, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. VEASEY, and Mr. RICHMOND.

H.R. 614: Mr. RICE of South Carolina.

H.R. 622: Mrs. BLACK.

H.R. 631: Mrs. ROBY and Mr. OLSON.

H.R. 641: Mr. DESJARLAIS, Mr. FITZPATRICK, Mr. MURPHY of Pennsylvania, Mr. PITTS, Mr. PETERSON, Mr. TIPTON, Mr. LANGEVIN, Ms. PINGREE, Mr. MACARTHUR, Mr. SWALWELL of California, Mr. PAULSEN, Mr. BARLETTA, Mr. POLIS, Mr. YOUNG of Indiana, Mr. SEAN PATRICK MALONEY of New York, Mr. SESSIONS, and Mr. ROSKAM.

H.R. 644: Mr. GIBSON.

H.R. 654: Mr. WILLIAMS, Mr. PITTENGER, and Mr. WILSON of South Carolina.

H.R. 662: Mr. WALBERG.

H.R. 664: Mr. MASSIE.

H.R. 676: Mr. FATTAH.

H.R. 680: Mr. PERLMUTTER.

H.R. 684: Ms. ESHOO, Mr. PALLONE, and Mr. HUFFMAN.

H.R. 696: Mr. KIND.

H.J. Res. 1: Mr. GRAVES of Georgia.

H.J. Res. 2: Mr. HARDY, Mr. COLLINS of New York, Mr. SIMPSON, and Mr. GRAVES of Georgia.

H.J. Res. 9: Mr. BISHOP of Utah.

H.J. Res. 14: Mr. SANFORD.

H. Con. Res. 13: Mr. TIPTON, Mr. PITTS, Mr. BUCSHON, Mr. BROOKS of Alabama, Mr. FRANKS of Arizona, Mr. BARR, Mr. HARRIS, Mr. BURGESS, Mr. PITTENGER, Mr. CONAWAY, Mr. NEUGEBAUER, Mr. LAMBORN, Mr. CHABOT, Mrs. WALORSKI, Mr. WILSON of South Carolina, and Mr. SESSIONS.

H. Res. 12: Mr. MURPHY of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. CAROLYN B. MALONEY of New York, Mr. GARAMENDI, Mr. MCNERNEY, and Mr. KILDEE.

H. Res. 24: Mrs. BUSTOS and Ms. KAPTUR.

H. Res. 26: Mr. WESTERMAN.

H. Res. 32: Ms. PLASKETT.

H. Res. 45: Mr. FORBES.

H. Res. 50: Mr. BILIRAKIS, Ms. DELAURO, Ms. SLAUGHTER, Mr. DEUTCH, Mr. RIBBLE, Mr. LANCE, Mr. SCHWEIKERT, and Mr. RUSH.

H. Res. 54: Mr. RUSH, Mrs. DAVIS of California, Mr. LEVIN, Mr. HIGGINS, Mr. HUFFMAN, Mr. BLUMENAUER, Mr. GRIJALVA, and Mr. POCAN.

H. Res. 56: Mr. FRANKS of Arizona.

H. Res. 67: Ms. SPEIER.

H. Res. 74: Ms. BORDALLO.

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:

The amendment to be offered by Representative SCOTT PETERS (CA) or a designee to H.R. 527 the Small Business Regulatory Flexibility Improvements Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 279: Mr. RANGEL.

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

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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.

Spirit of God, descend on our hearts, for apart from You, life is a tale full of sound and fury signifying nothing.

May our Senators walk in Your ways, keeping Your precepts with such integrity that they will honor You. Lord, incline their hearts to Your wisdom, providing them with the understanding they need to accomplish Your purpose in our world. Let Your mercy protect them from the dangers of this life as they learn to find delight in Your commandments. Keep them ever mindful of the brevity of their days and the greatness of their work.

We pray in Your Holy 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 PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 240.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 5, H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Mr. MCCONNELL. Mr. President, it was good to see the new Senate come together and pass another bipartisan bill yesterday. It was a win for our Nation's heroes. It was yet another win for the American people. But that was only one of the votes we took because just hours after joining Republicans to do something good for our veterans, Democrats voted to block funding for the Department of Homeland Security. It was enough to give anyone whiplash.

Now Americans are wondering, what could possibly lead Democrats to filibuster Homeland Security funding? The legislation Democrats are filibustering would fund the Department of Homeland Security. It would also protect American democracy from overreach, described by President Obama as ''unwise and unfair.'' That is it. You would think that a bill such as this would pass overwhelmingly. You would think that at least the Democrats would allow the Senate an opportunity to improve the bill if it needs to be improved. But Democrats voted to filibuster the bill outright. They prevented the legislation from even being debated.

Today's Democratic Party seems willing to go to any extreme to protect the kind of Executive overreach President Obama once described as ''not how our democracy functions.'' It would go so far as to block Homeland Security funding and to give the President the opportunity to continue to do what he is doing.

The whole situation is a bit perplexing given what some of our colleagues said just a few weeks ago, given what they said about the overreach President Obama referred to as ''ignoring the law.'' One Democratic Senator said that ''the President shouldn't make such significant policy changes on his own.'' Another Senator claimed he was ''concerned about the constitutional separation of powers.'' He said, ''The Constitution doesn't say if the Congress fails to act then the President can do x, y, and z. It just doesn't.'' A third Democratic Senator had this to say of the President's plan for overreach: ''It makes me uncomfortable.'' Yet all of these Senators voted to shut down debate and block funding for the Department of Homeland Security. Every last Democrat voted to filibuster rather than work across the aisle to address the very issue they claim to be concerned about.

Perhaps today's Democratic Party is so devoted to the right of politicians to engage in action that would, as the President seemed to imply, ''violate the law,'' that it cannot tolerate dissent. But that is no reason to shut down the Department of Homeland Security. That is no reason to prevent the Senate from even debating whether to fund the Department.

So the Democrats' Homeland Security filibuster needs to end now. Democratic Senators who say they are serious about keeping our Nation safe and addressing what President Obama acknowledged as ''unwise and unfair'' overreach need to prove it.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER. The assistant Democratic leader is recognized.

Mr. DURBIN. Mr. President, yesterday we were informed of another barbaric act by ISIS—literally burning a Jordanian pilot to death in a cage. This follows news reports of beheadings of Japanese citizens, Americans, and so many others. It is an indication of the threat not just to the Middle East but to the world of terrorism in its extreme, as ISIS demonstrates on a regular basis.

It was ironic that the same day we learned this, I visited the Department of Homeland Security and met with the Secretary, Jeh Johnson, and talked about the political strategy of the Republicans when it comes to funding the

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

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Department of Homeland Security—the same Department that is responsible for keeping America safe from the threat of terrorism.

You see, the Presiding Officer knows well that when we were here in December passing an omnibus appropriations bill, the House Republicans insisted that one agency be singled out and not properly funded, one agency of our government: the Department of Homeland Security. They funded every other agency of the government to September 30 of this year in a regular appropriations process but refused—the Republicans refused to fund the Department of Homeland Security. Why? They wanted to reserve the right to fight with the President over the issue of immigration. They wanted to reserve the right to object to any Executive action taken by the President related to immigration. Their forum for this objection? The appropriations for the Department of Homeland Security.

Yesterday Secretary Johnson came to our Democratic caucus lunch to explain what it was like to manage a department of our government under a continuing resolution. That is the technical name in our Budget Act for temporary funding. He said it was like driving a car with a gas tank that only held 5 gallons of gasoline and not being sure where the next service station was going to turn up. He said: That is how I am called on now to run the Department of Homeland Security—the Department that we entrust more than any other to keep us safe from terrorism.

Why? Why would the Republicans choose this Department to single out and not properly fund? At a time when we are facing threats of ghastly terrorism in this world that we have not seen, why would the Republicans insist on making the appropriations for the Department of Homeland Security the forum for their debate with President Obama?

Now the Senator from Kentucky, our majority leader, comes to the floor and says: Well, yesterday the Democrats refused to vote to fund the Department of Homeland Security.

I will make a point for the record here that when the majority leader turns to page 12 of the publication sitting on his desk, the Calendar of Business of the Senate, when he turns to page 12, he should look at line 7 on page 12 of the Calendar of Business of the Senate, and there he will find S. 272, introduced by Senator JEANNE SHAHEEN of New Hampshire and Senator MIKULSKI of Maryland.

Let me read what S. 272 is:

> A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Read the second time and placed on the calendar on January 28.

This bill will fund the Department of Homeland Security. This bill is a clean appropriations bill.

If you look at the bill Senator MCCONNELL and others have brought to the floor for funding the Department of Homeland Security—I invite the Senator from Kentucky and those who are interested in debate to turn to page 55. Start reading on page 55 the general provisions that were sent to us by the House of Representatives—page after page of riders and restrictions on the appropriations for the Department of Homeland Security.

You see, the House of Representatives said: We will only fund the Department of Homeland Security if we can have our way when it comes to these restrictions on how they spend money.

Well, what is it that is so important to the House Republicans and Senate Republicans that they are willing to risk funding of the Department of Homeland Security? What is it that is holding them up from putting the resources in the hands of Secretary Johnson and this Department that they need to keep America safe? It must be something that is momentous, historic. What is the reason they are taking a stand and leaving America vulnerable? Well, the Republicans clearly must have something that they think is even more threatening to the United States than terrorism. What could it be? Well, it turns out we know, because of riders attached by the House of Representatives. The Republicans in Congress are more fearful of a group known as the DREAMers than they obviously are of the threat of terrorism from these extreme groups.

Who are these DREAMers? Well, I know this issue better than some. Fourteen years ago it came to my attention that there was a serious miscarriage of justice taking place in the United States. It turns out that children brought to our country by their parents who were undocumented literally had no country. They grew up in America. They went to school in America. They lived in America. They considered themselves Americans. They pledged allegiance to our flag in their classrooms. They sang our national anthem. They dreamed of their future, only to learn when they were still children that that opportunity was not there for them. You see, they were undocumented. Their parents brought them to America, never filed any papers, and they were undocumented.

It did not seem right to me at the time that a young person—a toddler, an infant—brought to this country would be paying this heavy price with their lives because of any wrongdoing by their parents. So I introduced a bill, the DREAM Act, at the time cosponsored by Senator HATCH of Utah. We said in that bill: If you were brought to America as a child and your parents brought you here and did not file the papers or left you in an undocumented state, but you lived in America, did nothing wrong in America, graduated from high school in America, we would give you a chance. We would give you a chance to step forward if you were willing to either serve in our military or go to college and put you on a path to legalization. That was the DREAM Act. It was introduced 14 years ago. It has never become the law of the land.

In that period of time, of course, thousands of young people have found themselves in this predicament. It was 2½ years ago when I joined 20 other Senators and wrote to President Obama and said: Can you consider an Executive order that would protect these DREAMers from deportation so that they can live in America? And the President, 2½ years ago, did. It was known as DACA, and this program said to these young people, this is your chance. Come forward, register, go through a criminal background check, prove you graduated from high school, and the President, 2½ years ago, said: We won't deport you.

We estimate 2 million young people would be eligible. Six hundred thousand have stepped forward and have been given this protection from deportation.

This is the program that has led the Republicans in the House and Senate to threaten funding for the Department of Homeland Security. The very thought that these young people could stay in America, live in America without fear of deportation, work in America, go to school in America, is so reprehensible to the Republicans in the House and Senate, they are prepared to jeopardize the funding for the Department of Homeland Security, which protects America.

I have come to the floor on more than 50 occasions to tell the story of these DREAMers, which I will do again this morning.

I ask my Republican colleagues in the House and the Senate to listen to the story of a DREAMer and tell me: Do you believe the person I am about to describe should be deported from America?

His name is Pablo da Silva. He was brought here from Brazil in 2001 when he was 13 years old. Pablo grew up in New Jersey. This is what he said about his childhood:

> The same as every other kid growing up in the U.S., I attended middle school, pledged allegiance to the American flag, and sang the National Anthem. As I grew older, I came to understand that one thing about me differed from my classmates. I was undocumented. However, my parents always taught me to see barriers as a measure of perseverance and an opportunity to thrive.

Pablo's dream was to become a doctor. During high school and college, he volunteered at nursing homes every week. He was a member of a group called Doctor Red Nose. That is where he and others would dress up like clowns visiting hospitals and nursing homes to cheer up the patients and health care providers.

Pablo was accepted at Rutgers University, one of our Nation's best. But because Pablo was undocumented, he didn't qualify for any financial assistance. He would have had to pay out-of-State tuition. So he couldn't afford Rutgers. Pablo enrolled in a community college. Because he had taken

community college courses when he was in high school, Pablo was able to complete a 2-year associate's degree in only 1 year.

With an associate's degree in hand, Pablo was able to transfer to Kean University in New Jersey. In 2011, Pablo da Silva graduated at the top of his class with a major in biology, summa cum laude. He received an award for the highest grade point average in the biology department. He was on the dean's list every semester of college and a member of the honor society Phi Kappa Phi.

Remember, this is the person whom the Republicans in the House and the Senate want to deport from the United States and refuse to fund the Department of Homeland Security until this DREAMer is deported.

After graduating from college, Pablo da Silva was unable to pursue his dream of becoming a doctor. He couldn't go to medical school as an undocumented person, so he worked in a variety of manual labor jobs.

In 2012, President Obama established DACA, and then Pablo heard something amazing. Loyola University of Chicago was prepared to accept students who had received DACA into its medical school.

Like many States across the country, Illinois has a shortage of physicians in inner city and rural areas. Loyola University's DACA Program is an opportunity to address this problem.

The State of Illinois has created a DACA loan program. Under this program, Loyola's DACA medical students can receive loans to help cover the cost of medical education. For every year of loans, every year they get loans to go to medical school, these students must work for 1 year in a medically underserved area in my State of Illinois.

It is quite a tradeoff—1 year of medical school for 1 year of professional life as a doctor helping people who have no access to doctors. As a result, an amazing thing happened. Some of the best and brightest students in America have come to Loyola to get a medical education, and they have signed up to stay in Illinois to serve the parts of our State where the people I represent are desperate for a doctor.

Last fall, Pablo da Silva began medical school at Loyola where he is pursuing his dream of becoming a cardiothoracic surgeon. He wrote me a letter and this is what he said about the DACA Program:

> DACA has allowed me to fulfill my long-lasting aspiration to pursue a career in medicine. It has truly changed my future and for that I'm truly grateful. I'm eager to contribute my share to the country I call my own.

When you read this letter, you stop and think, how can the Republicans in the House of Representatives and the Senate have made this man their enemy? How can they look at this young man, who has struggled throughout his life to obtain an education—who has overcome the odds, who has volunteered time and again in his community, who is willing to work in underserved medical areas—how can they look at this man and say he is the enemy?

The Republicans in the House and Senate fear Pablo da Silva more than they fear the extremist terrorist groups. They fear this DREAMer, and they are willing to give short-term funding to a Federal agency to make their point.

If the House Republicans and some in the Senate have their way, Pablo da Silva won't be able to finish medical school. He won't become a doctor. And if they have their way and deport him—which is what the House bill calls on us to do—my State is going to be denied a doctor in a medically underserved area.

We are a nation of immigrants. My mother was an immigrant to this country. I believe immigrants have brought so much to America, not just in hard work—and they take the toughest jobs—but also this risk taking that is involved in immigration. They are willing to put it all on the line.

In my case, my grandparents came here with my mom, when she was a little girl, to a country where they barely spoke the language and knew a handful of people. They made a life, raised a family, and I was lucky to be part of it. And I am honored to stand on the floor of the Senate today.

That is my story, that is my family's story, and that is America's story. That is the story of Pablo da Silva.

Why are the Republicans at war with this young man? Why do they think that stopping his opportunity to go to medical school and serve America is in the best interests of our Nation? It certainly isn't.

Yesterday the Senate assistant majority leader said on the floor that DACA ''kicked the people who played by the rules to the back of the line and the people who did not to the front of the line.''

Here is the reality: The President's immigration action simply puts a temporary hold on the deportation of low-priority cases like immigrant students such as Pablo da Silva. It doesn't put the DREAMers or any other undocumented immigrants in the same line as legal immigrants, and it doesn't put any legal immigrants at the back of the line. Only Congress can do that.

Speaking of Congress, it is important to note that in 2013 this Senate passed comprehensive immigration reform with a strong vote of 68 to 32. Republicans and Democrats voted for it.

For the remainder of that Congress, the year 2013 and 2014—more than 1½ years—the Republican House of Representatives refused to allow a vote on the Senate's immigration reform bill, refused to call their own bill, refused to take any action. It was at that moment when the President stepped forward and said: I have to do something with this broken immigration system.

Instead of slowing down the appropriations to the Department of Homeland Security, I wish to remind the majority leader and the Speaker of the obvious. They are in control. They have the majority. They can call immigration issues before the Senate and the House at a moment's notice. We are prepared—prepared—to debate those immigration issues, but we are not prepared to do that, engage in that important debate, at the expense of funding the Department of Homeland Security.

Now we are going to waste a week of the Senate's time—a week when we could pass the Shaheen-Mikulski bill and fund this Department, a week when we could initiate the debate on immigration, a week when the Republicans can come forward with their own immigration ideas, if they have any, other than deporting Pablo da Silva. They can come forward now, but they refuse to.

They want to make this political point with the President, but they do it at the expense of the safety and security of America, and they do it at the expense of DREAMers such as Pablo da Silva.

Every time we have tried to pass comprehensive immigration reform, the Republicans have said no.

Every student of American history can tell us that anti-immigration parties eventually wither and die. We are a nation of immigrants.

There are some on the Republican side who understand that, and they can't really explain why the Grand Old Party, the Republican Party, is turning its back on immigrants in a nation of immigrants. That is their policy. They are so determined to pursue it they are willing to jeopardize the appropriations for one of the most important agencies of our government, the Department of Homeland Security.

The President has used his legal authority to bring some fairness to our broken immigration system. If the Republicans think they can do it better, they have every right as the majority party in the House and the Senate to offer legislation.

But with the Homeland Security Department facing a shutdown in just 3 weeks, we don't have time for these symbolic votes in the House bill on the floor. Turn to page 15, I say to the majority leader, of the Calendar of Business of the Senate, and you will find the answer to your question. You will find the way to fund the Department of Homeland Security in a responsible way.

What the majority leader should do is to swallow his pride, call Mr. BOEHNER and say: Your idea is not going to fly in the Senate. It is time for us to fund this agency. It is time to understand that as resolute as the terrorists are in harming innocent people and threatening America, America should be as resolute in fighting them back.

The first line of defense is the Department of Homeland Security. It is time to fund it. We could do it in a

matter of minutes this morning if the majority leader would simply call to the floor this clean appropriations bill.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., equally divided, with Senators permitted to speak therein for up to 10 minutes each.

Mr. DURBIN. Mr. President, since I see no other Members on the floor at this time, I ask unanimous consent to speak in morning business.

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

AMERICAN CURES ACT

Mr. DURBIN. Mr. President, 3 weeks ago, scientists at Boston's Northeastern University made an amazing discovery in a pile of dirt. They found a new antibiotic called teixobactin. This new antibiotic, the first that has been discovered in more than 25 years, holds the potential to kill off a wide variety of disease-causing bacteria. It offers hope for a cure to serious and growing antibiotic resistant diseases.

President Obama noted in his State of the Union Address that antibiotic resistance is one of the world's most pressing public health challenges. In the United States alone, it costs us at least $20 billion a year and claims 23,000 lives.

A plastic storage crate filled with backyard dirt might seem like an unlikely source for a breakthrough, but that is exactly where these scientists—who were working under a grant from the National Institutes of Health—discovered this potentially lifesaving medical breakthrough.

Scientific breakthroughs are nothing new for the United States of America. In the last century we split the atom, defeated polio, conquered space, created the Internet, and mapped the human genome. All of those historic achievements had something in common with the discovery of teixobactin—they were backed by U.S. Government research funds.

I have people come up to me in Illinois and say: Name one thing this government has ever done. Well, aside from winning a few wars that were critical to the future of mankind, we have done amazing things when it comes to research.

For generations the United States was the unchallenged world leader in support of scientific research, but in recent years our lead has eroded. In 1965 the United States spent 25 percent of our nondefense discretionary budget on research and development—1965, 25 percent; today, 10 percent.

Meanwhile, other countries are stepping up. China has increased research and development funding by 20 percent a year every year from 1999 to 2009. If we stay on course, China will be investing more in research and development as a share of their overall economy than the United States in as soon as 5 years.

The erosion of U.S. funding is particularly troublesome and costly in the area of biomedical research. Thanks to budget cuts, and particularly the sequestration, the U.S. share of global biomedical research funding declined by 13 percent between 2004 and 2012. Lifesaving discoveries are being delayed and young scientists are finding fewer funding opportunities. A decade ago 30 percent of the qualified NIH grant proposals were funded, today it is just 18 percent.

In Illinois researchers regularly tell me how difficult it is to find government support for their medical research. They can spend as much time applying for grants and opening rejection letters as they do conducting experiments and analyzing data.

There are indications that young researchers are taking their talents to other industries and even other countries. In 1982 18 percent of NIH primary investigators were under the age of 36. In 2011 3 percent of NIH primary investigators were under the age of 36. The young researchers aren't going in to government-sponsored research. Meanwhile, our population is aging, medical conditions from cancer to Alzheimer's are touching more and more lives, and the need for medical breakthroughs has never been greater.

Back in Illinois I had the pleasure of visiting the lab of legendary researcher Dr. Janet Rowley at the University of Chicago. She was an inspiration. I wish I could have met her. Four decades ago, sitting at her dining room table in Hyde Park in Chicago, she had what she called an ''oh wow'' moment—a flash of insight that transformed the world's understanding of cancer. Until that moment it was generally assumed genetic abnormalities were the result of cancer. Dr. Rowley's work showed it was the other way around; that genetic mutations in fact caused cancer. That revolutionary insight led to targeted drug treatments for previously untreatable cancers. What family—what family on Earth—has not been touched by cancer?

Janet Rowley was working under a small grant from the National Institutes of Health when she made this historic finding. One of the parts of her story I love is when she and her family returned to Chicago in 1962, Janet told the University of Chicago she would like to come back to continue her research with a couple of conditions. She said: I am a mother of four boys. I can only work part time. Second, she wanted a microscope, a desk, and a salary. She asked for $5,000 a year. To its everlasting credit, the University of Chicago said yes. Ten years later came her ''oh wow'' moment that changed our understanding of cancer.

One of my deep concerns is this: How many other Janet Rowleys are being lost in America to medical research because they can't get the financial support for the grants they need to move forward? How many medical scientists have been forced to scale back or even abandon vital research because of ill-advised cuts to the National Institutes of Health?

If America is going to remain a world leader in research that does contribute to longer and healthier lives, Federal funding for medical research has to be a national priority. Last week I reintroduced a critical bill. The American Cures Act calls for $150 billion in Federal research funding to support medical breakthroughs over the next 10 years.

I guarantee we will get more than $150 billion in payback if we put that money in medical research. If we can delay the onset of Alzheimer's in this country just by weeks or months, and God willing cure it, think of how much we will save. Last year it cost our Federal Government over $200 billion to treat Alzheimer's patients.

For researchers making long-term plans, it is not only the amount of funding but its reliability. That is why the American Cures Act would eliminate the year-to-year unpredictability of congressional budgets and politics and set a steady growth rate of 5 percent over 10 years.

Francis Collins, one of the most extraordinary doctors in America, heads up the NIH, and he said: This, Senator, will make a difference.

These funds would go to four institutions: the National Institutes of Health, the Centers for Disease Control and Prevention, the Department of Defense health programs, and the VA Medical and Prosthetic Research Program.

The American Cures Act will make funding for lifesaving medical research less political and more predictable.

I thank my colleagues, Senators SHERROD BROWN, AMY KLOBUCHAR, BARBARA BOXER, ED MARKEY, BEN CARDIN, AL FRANKEN, BOB CASEY, and CHUCK SCHUMER, as well as Congresswoman ANNA ESHOO for cosponsoring and sponsoring this legislation. People may have seen the old bumper sticker that said: If you think education is expensive, try ignorance. Well, if you think biomedical research is expensive, try illness.

Medical research is a great investment. Every $1 we spend generates over $2 in economic growth. We more than double our investment and that is before counting the value of diseases cured.

Dr. Anthony Fauci, a brilliant epidemiologist who heads the National Institutes of Allergy and Infectious Diseases, said of the discovery of teixobactin: ''That was a long shot—but it worked.''

That was also true with the polio vaccine, discovered 60 years ago by Dr.

Jonas Salk, and so many other American cures and breakthroughs that have changed the world. Private industry doesn't fund this sort of basic foundational science. It can't. This kind of science takes patience and time and a lot of investment.

America is blessed with some of the best and most generous medical philanthropies in the world, but they can't fill this funding gap. Only we can do it. It takes our government to fund the science that leads to breakthrough cures. This shouldn't be a partisan issue, and it shouldn't be a low-budget priority. I think it should be the highest.

I ask my colleagues to join me in supporting the American Cures Act to help save lives, restore biomedical research leadership, and strengthen America.

As Jonas Salk, the pioneer of the polio vaccine, would say: ''The only way we can lose is if we stop too soon.''

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. COCHRAN. Mr. President, I was very disappointed yesterday that the Senate did not vote to proceed to the consideration of the Homeland Security appropriations bill. I hope we will have an opportunity to reconsider that vote and we will agree to take up the bill.

The need to fund the Department of Homeland Security for the remainder of this fiscal year should not be in question. We know that we are living in a complex world with ever-changing threats to our Nation's security. The Department that we created specifically to combat those threats will operate better and more efficiently with a full-year funding plan that reflects updated spending priorities. I have heard no Senator dispute that.

The leaders of the Homeland Security Subcommittee—both Democrat and Republican—put a great deal of effort into drafting this measure. The bill provides $10.7 billion for Customs and Border Protection—an increase of $119 million over fiscal year 2014. This amount will support border infrastructure, technology needs, roads, air and marine assets, and higher levels of personnel, including Border Patrol agents and Customs and Border Patrol officers.

The bill provides nearly $6 billion for Immigration and Customs Enforcement—an increase of 13 percent.

The bill provides increased funds to identify, apprehend, and remove criminal aliens and provides increases for investigations to help combat human trafficking, cyber crime, child exploitation, and drug smuggling.

The bill provides support for the Secret Service and congressional oversight, including $25 million to address security needs at the White House complex.

The bill provides more than $10 billion for the Coast Guard. This includes additional resources to continue the recapitalization of the Coast Guard fleet.

The bill provides funding for the Disaster Relief Fund. When disaster strikes, it is important that the Disaster Relief Fund contain the resources necessary to support an effective response.

The bill also includes House amendments designed to reverse the President's unilateral actions on immigration enforcement. Given the timing and breadth of the President's actions and the challenge to congressional authority those actions represent, it can come as no surprise that they provoked a congressional response.

I am speaking to remind Senators of the urgent and important need we have for the adoption of funding for the Department of Homeland Security and other provisions this bill contains. I urge my colleagues and the leadership to help ensure that we move the Senate in the direction of early passage after thorough consideration of the provisions of this bill, the passage of this bill to protect our national security.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEE. 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. LEE pertaining to the introduction of S. 356 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Mr. President, as we continue this debate on funding for the Department of Homeland Security, we face some fundamental questions. Are we going to prioritize the safety and security of the American people or are we going to put the country at risk because of an ideological disagreement? That is the choice we face with this bill.

We can debate immigration. I think Members of the Democratic caucus would be happy to do that. The Senate did that 2 years ago when we passed a comprehensive immigration reform bill with 68 bipartisan votes. But this is not the time for us to have this debate.

We need to fund the Department of Homeland Security now so they can continue to do their work. We can either pass a clean bill that makes critical investments in our Nation's security or we can put our Nation at risk by playing politics with funding for the Department of Homeland Security.

I appreciate what the Appropriations Committee chairman, Senator COCHRAN from Mississippi, did earlier today by coming down and laying out what is in the funding for the Department of Homeland Security and laying out the important work of the Department of Homeland Security. I believe most of us appreciate the work they do and why it is so important to the safety and security of the country. That is why we need to pass a clean bill to ensure that they are funded for the rest of this year.

For those who are in the Senate Chamber and for those watching at home who have not been following what has gone on here in Washington with this bill, I will provide a little history on how we got to where we are today.

In the closing weeks of the 113th Congress, Senator MIKULSKI, then chair of the Senate Appropriations Committee, and Congressman ROGERS, chair of the House Appropriations Committee, negotiated spending for the entire government, including the Department of Homeland Security. This was a compromise measure. Not everyone got what they wanted, but the bill funded Homeland Security priorities at levels that would ensure that the Department could fulfill its mission.

Then, sadly, politics came into play. Some Members of the House Republican caucus demanded that the Homeland Security bill be removed from the larger budget because of immigration issues. They didn't like the President's Executive action on immigration. Now the entire Department is funded on a short-term basis through February 27, which is just 23 days from now.

Last month the House of Representatives narrowly passed a bill to fund Homeland Security, but they added politically divisive language that rolls back protections for immigrant children, among other anti-immigrant measures. It also would roll back some of the efforts for surveillance and efforts to address illegal immigrants who are committing crimes when they come into this country.

Because of these controversial immigration riders, President Obama immediately announced that he would veto the House-passed bill. Last week, the entire Democratic caucus of the Senate signed a letter to Majority Leader MCCONNELL urging him to put the security of our Nation first, to put politics aside, and to work with us to pass a clean Homeland Security funding bill

without controversial immigration riders attached—to pass a bill the President can sign.

I ask unanimous consent to have the letter from the Senate Democratic caucus printed in the RECORD.

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

U.S. SENATE,
Washington, DC, January 27, 2015.

Hon. MITCH MCCONNELL,
Senate Majority Leader, The Capitol, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL: As we rapidly approach the date on which the Department of Homeland Security's funding expires, and as law enforcement officials face major threats to our nation's safety and security, we write with one simple request: work with us to pass a clean bill that funds Homeland Security for the remainder of the fiscal year.

The House bill cannot pass the Senate. Democratic Leader Harry Reid has called for a clean funding bill for the Department of Homeland Security. The President has also made clear that he will veto any bill that expressly limits his authority to exercise prosecutorial discretion on immigration matters. While we agree our current immigration system needs comprehensive reform, including border security enhancements, this appropriations bill is not the place for this debate.

In light of recent events in Paris, Ottawa and Australia, the threat of ISIS and the proliferation of foreign fighters that return home radicalized, DHS funding should not be tied to divisive political issues that could jeopardize this critical funding.

We are now four months into the fiscal year. A series of short-term continuing resolutions to fund DHS should be off the table. Secretary Jeh Johnson has noted that if DHS continues to operate on CRs, counterterrorism efforts will be limited, border security initiatives and grants to state and local law enforcement will go unfunded, and aviation security efforts will be hampered.

Every day, new threats emerge that endanger our citizens at home and our allies abroad. We should not cast doubt on future funding for the Department of Homeland Security at a time when the entire nation should be marshalling collective resources to defend against terrorism. Uncertainty undermines security.

Last December, House and Senate negotiators reached a bipartisan agreement on a bill to fund DHS for the entire fiscal year. The best way to provide certainty and stability for the men and women who fulfill DHS's mission to protect the United States from harm is to immediately schedule a vote so that this compromise bill can become law.

We know that you share our desire to keep our nation safe in these dangerous times, and we thank you for considering our request.

Sincerely,

Jeanne Shaheen; Richard J. Durbin; Patty Murray; Elizabeth Warren; Edward J. Markey; Dianne Feinstein; Heidi Heitkamp; Barbara A. Mikulski; Charles E. Schumer; Debbie Stabenow; Thomas R. Carper; Tammy Baldwin; Mazie K. Hirono; Patrick J. Leahy;

Angus S. King, Jr.; Mark R. Warner; Richard Blumenthal; Bernard Sanders; Sheldon Whitehouse; Benjamin L. Cardin; Christopher Murphy; Kirsten E. Gillibrand; Jack Reed; Sherrod Brown; Robert Menendez; Christopher A. Coons; Brian Schatz; Ron Wyden;

Tim Kaine; Cory A. Booker; Jon Tester; Amy Klobuchar; Claire McCaskill; Gary C. Peters; Al Franken; Barbara Boxer; Tom Udall; Michael F. Bennet; Martin Heinrich; Bill Nelson; Jeff Merkley; Robert P. Casey, Jr.; Joe Manchin, III; Maria Cantwell; Joe Donnelly.

Mrs. SHAHEEN. Cloture was not invoked on the House bill. We saw that yesterday in our vote. It is a bill that cannot become law. There are only 24 days left before funding for the Homeland Security Department expires.

The House bill cannot move forward. So I urge my colleagues on the other side of the aisle to work with us to pass a clean full-year budget, without controversial riders, to fund Homeland Security.

As the ranking member of the Homeland Security Subcommittee, I am ready to work with my colleague Senator HOEVEN, who chairs the Subcommittee on Homeland Security, and the chair and ranking member of the Appropriations Committee, Senator COCHRAN and Senator MIKULSKI, and the entire committee to pass a bill to keep our Nation safe and to avoid disrupting the work of the Department of Homeland Security and to keep this critical agency operating at full strength. In fact, Senator MIKULSKI and I introduced a bill last week, S. 272, which would do exactly that.

We live in dangerous times. Every day new threats emerge that threaten our citizens at home and our allies abroad. The Department of Homeland Security's role in protecting our country from these threats cannot be overstated, and its funding should not be controversial.

Right now the U.S. law enforcement community is on high alert for terror threats after attacks in Sydney, Australia, and Ottawa, Canada, and, of course, the Charlie Hebdo attack in Paris.

Just 2 weeks ago, an Ohio man was arrested when authorities discovered he was plotting to blow up the U.S. Capitol in an ISIS-inspired plan. ISIS has thousands of foreign fighters, including Americans among their ranks, who can return to their home countries to do harm and who say they intend to do that.

We were all horrified yesterday by the news of the courageous Jordanian pilot who was killed in such a barbaric and disgusting way by the Islamic State.

We have recently learned that ISIS plans to take advantage of the Syrian refugee crisis and to move their fighters into Turkey and Europe. These are real threats. They are a clear and present danger to this country, and because they are so real, we need our counterterrorism intelligence community operating at full strength. An essential part of our Nation's counterterrorism and intelligence infrastructure is within the Department of Homeland Security.

As Michael Chertoff, George W. Bush's Secretary of Homeland Security said, ''intelligence is not only about spies and satellites.''

Intelligence is also about the disciplined daily tasks of collecting and analyzing thousands of reports and investigations that are ongoing all across our country—from our local and State police, our Border Patrol agents, our port security personnel, and our Coast Guard patrolling our shores.

The Department of Homeland Security takes these thousands of bits of information, sifts out the critical details, coordinates with our foreign intelligence agencies, and gets critical information to our first responders on the ground as quickly as possible. This work is critical to keeping our Nation safe from terrorism.

One of the chief criticisms of the 9/11 report was that we need to improve intelligence information sharing between the intelligence community and our first responders on the ground.

I was Governor on September 11. I know some of the challenges that we had in New Hampshire with that information sharing. Well, that is one of the missions the Department of Homeland Security was created to carry out.

If you talk to Governors and mayors, police chiefs and sheriffs, and the folks on the ground who are responsible for keeping our citizens safe every day, ask them about their fusion centers. Ask them whether they want their law enforcement to go back to the days when all of our intelligence was bottled up in Washington, DC, and our towns and cities were on their own. Of course they don't want to go back to being kept in the dark. There is too much at stake, but that is what could happen if the Department of Homeland Security is not fully functioning.

I wish to point out that we received a letter from the U.S. Conference of Mayors. It is signed by Tom Cochran, CEO and executive director. He sent it to Senators COCHRAN, MIKULSKI, HOEVEN, and SHAHEEN. I will not read the whole letter, but they point out a number of issues which I believe are important in laying out the challenge and why we need to pass a clean funding bill.

Mr. Cochran says:

> I write on behalf of the nation's mayors to urge you to expeditiously report out a ''clean'' bill to fund the Department of Homeland Security for the remainder of the current fiscal year. A fully functioning Department of Homeland Security is critical to the security of our nation, our cities, and our citizens. A Department operating on a short-term continuing resolution, despite its best efforts, faces uncertainty and delays and simply cannot be fully functioning.

He goes on to elaborate a number of the important programs and important work that the Department of Homeland Security does, and I will not read all of that.

I ask unanimous consent that this letter be printed in the RECORD.

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

THE UNITED STATES
CONFERENCE OF MAYORS,
Washington, DC, February 4, 2015.

Hon. THAD COCHRAN, Chairman,
Hon. BARBARA MIKULSKI, Ranking Member,
Committee on Appropriations, U.S. Senate, Washington, DC.
Hon. JOHN HOEVEN, Chairman,
Hon. JEANNE SHAHEEN, Ranking Member,
Subcommittee on Homeland Security, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATORS COCHRAN, MIKULSKI, HOEVEN, AND SHAHEEN: I write on behalf of the nation's mayors to urge you to expeditiously report out a ''clean'' bill to fund the Department of Homeland Security for the remainder of the current fiscal year. A fully functioning Department of Homeland Security is critical to the security of our nation, our cities, and our citizens. A Department operating on a short-term continuing resolution, despite its best efforts, faces uncertainty and delays and simply cannot be fully functioning.

Under its current short-term continuing resolution, DHS cannot undertake any new spending initiatives to respond to national needs, including those along the border, or release any grant funding for non-disaster programs. Among the non-disaster programs it funds are the State Homeland Security Grant Program and the Urban Areas Security Initiative, which provide vital resources to our cities to help them prevent and prepare for the threat of a terrorist attack. The Urban Search and Rescue System is a national resource that provides lifesaving aid to disaster-stricken communities both at home and abroad. The Assistance to Firefighter Grant programs help local fire departments meet their baseline readiness needs. Emergency Management Performance Grants help to fund the emergency managers so critical to our preparedness to prevent and respond to disasters when events—manmade and natural—occur.

Homeland Security Secretary Jeh Johnson recently listed just a few of the activities vital to public safety and security that the Department has funded, including new communications equipment for over 80 Los Angeles area public safety agencies, surveillance cameras and environmental sensors used by NYPD to detect in real time potential terrorist activity, upgraded oxygen masks and tanks for over 30 Denver area; and 150 firefighter jobs in Detroit.

The current threat environment is serious, given the terrorist attacks in Paris, Ottawa and Sydney and public calls by terrorist organizations for further attacks on the Western targets. It's vital that Congress provide stable funding for the remainder of the year to the agency charged with keeping all of us safe and secure, the U.S. Department of Homeland Security.

Sincerely,

TOM COCHRAN,
CEO and Executive Director.

Mrs. SHAHEEN. Mr. President, I will also point out a letter we received, which again, was addressed to Senator COCHRAN and Senator MIKULSKI.

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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak for 3 more minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. SHAHEEN. This is from emergency managers, and it says:

The nation's local emergency managers urge you to include full-year funding for programs at the U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) that support state and local emergency management programs. These programs are critical to preparing our nation for all hazards including terrorist attacks.

Again, they go on at length, and I ask unanimous consent to have this letter printed in the RECORD.

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

INTERNATIONAL ASSOCIATION OF
EMERGENCY MANAGERS,
Falls Church, VA, February 4, 2015.

Hon. THAD COCHRAN,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.
Hon. BARBARA MIKULSKI,
Vice Chairwoman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN COCHRAN AND VICE CHAIRWOMAN MIKULSKI: The International Association of Emergency Managers—US Council appreciates the work of your committee as you consider the FY 2015 budget for the Department of Homeland Security. The nation's local emergency managers urge you to include full-year funding for programs at the U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) that support state and local emergency management programs. These programs are critical to preparing our nation for all hazards including terrorist attacks.

The Emergency Management Performance Grant (EMPG), called ''the backbone of the nation's emergency management system'' in an Appropriations Conference Report, constitutes the only source of direct federal funding for state and local governments to provide basic emergency coordination and planning capabilities including those related to homeland security. The grant is 50–50 cost shared and supports state and local government initiatives for planning, training, exercises, public education, as well as response and recovery coordination during actual events. When a coordinated response is required, it is always a complex undertaking. Local emergency management is core to the coordination and collaboration of multiple agencies, jurisdictions, and sectors.

A recent example of the importance of EMPG is provided by Dr. Russell Decker, Director of Emergency Management and Homeland Security for Allen County Ohio.

In the case of our January 10 refinery explosion and fire, EMPG funds made a successful response possible with trained emergency managers and our public safety partners implementing response plans developed and trained through EMPG funding, hazard materials response and air monitoring equipment funded through State Homeland Security Grant Program funds ensured the safety of responders and nearby residents. I'd hate to think what could have been the outcome if that planning, training, and exercising had not occurred. Since many locals rely on EMPG, extended delays can mean staff layoffs or delays in filling vacancies, postponed training exercises, delays in plan revisions and also delays in acquisition of needed equipment for EOCs which could mean increased costs when funds do become available.

The delay in receiving this annual EMPG funding causes uncertainty for local governments. Some preparedness activities must be put on hold until the reimbursement is assured.

Also important are grant programs such as the State Homeland Security Grant Program and the Urban Areas Security Initiative which help support local government preparations for the continued threat of terrorism. Funding is needed to sustain currently established and critical programs.

We respectfully urge that full year funding be provided for FY 2015 to end the uncertainty.

Sincerely,

JOHN ''RUSTY'' RUSSELL,
President, International Association of Emergency Managers, U.S. Council.

Mrs. SHAHEEN. There are any number of reasons why we need to pass a clean funding bill for the Department of Homeland Security. We should be working to do that now. We should stop the ideological debate and focus on the risk to this country if we fail to act, the potential risk we would face by passing a continuing resolution, and the risk to this country if we shut down the Department of Homeland Security. None of those options are acceptable.

We need to work together and get this done. I urge my colleagues to do that.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Washington.

NET NEUTRALITY

Ms. CANTWELL. Mr. President, I rise today to discuss the importance of the issue of Net neutrality and the importance of it to our innovation economy.

The Internet is a $638 billion economic force, and according to the McKinsey Global Institute, it supports millions of jobs across our Nation. Setting the right policy for the Internet is critical for the continuation of American job creation in an innovation economy.

Over the next 24 hours, FCC Chairman Tom Wheeler is expected to announce strong Net neutrality standards to support the growth of this innovation economy.

According to news reports, the FCC will establish clear rules of the road to ensure that no content is blocked and that the Internet cannot be divided into fast and slow lanes. This announcement would set a clear framework for the innovation economy and the millions of jobs that depend on it across our Nation. It would make a game-changing milestone for American innovators and consumers because a comprehensive plan would protect consumers while still allowing for flexibility of business growth and investment and making sure that American consumers and innovators are protected.

The Commission is expected to vote on this rule later this month, and I hope that all of our colleagues will be paying attention to this decision because this decision is not just whether I can download or use Netflix, it is really about equal access to the marketplace. It is about how the future

success of these innovators are determined.

Over the last few years, we have been debating the future of the Web, and that is because broadband companies have tried to leverage what is to be established as a two-tier Internet—those with fast lanes because of their ability to pay more and slow lanes for those who can't pay more.

I believe the President did the right thing. He called on the FCC to make the right decision when it comes to the Internet and protecting it from cable companies who want to overcharge or slow down connections. The FCC seems to be willing to make the right call, by protecting consumers and the Internet, under a new order which, just like a utility, would give consumers the ability to be protected from bad service or exorbitant fees. At this point in time, that is what we need to do to protect consumers.

According to the news reports, Chairman Wheeler will announce a plan to use the FCC authority in the most comprehensive way to protect Net neutrality, prohibit pay-to-play fast lanes, prohibit blocking and throttling, require greater transparency for consumers, and apply the rules to wireless broadbands so that smart phones are treated just like the browser on your desk.

This plan would cover what is known as the middle mile or Internet traffic or the companies that content providers, such as Netflix, pay to bring traffic to cable companies, such as Comcast, to connect to you, the end user. These important policies will provide certainty to a startup in business, and they will make sure that those products get equal access.

Last month I had a roundtable in Seattle with several startups and experts on Net neutrality, and many of those companies relied on the Internet to transform their ideas into successful businesses. They explained how the debate affects more than just tech companies. They said software is revolutionizing every industry, from retail to health care, everything from the way you pay for your coffee at Starbucks to how you access your own personal health information.

If we allowed a two-tier system to develop, the big guys would have the ability to pay more while the smaller customers would have disruptions. What we have done, hopefully with an announcement today, is to make sure we are putting a stake in the ground to protect consumers.

The CEO of the Washington Technology Industry Association put it best when he said:

> We have a multi-trillion dollar evidence base study that says the current rules of the game—which mean open, neutral access to the Internet—work.

I couldn't agree more.

Our innovation economy depends on equal access for all ideas. The proof is in the numbers. Over 6 million U.S. jobs are tied to the Internet. That adds up to a payroll of $558 billion. In the Seattle metropolitan area alone, from 2009 to 2014, there were 433 different venture capital deals related to Internet companies, totaling nearly $2.6 billion.

All of this growth in the Internet economy relies on an open Internet. That means no blocking, no throttling of these priorities. That is why I support strong net neutrality rules. They need to be responsible and efficient.

I thank Chairman Wheeler for his leadership in setting up strong rules. I hope this information on the Web continues to be one of our great economic engines and continues job development here in the United States.

A strong net neutrality rule is the best tool in the toolbox for preserving the openness of the Internet today. It will go a long way to help us continue our economic prosperity.

I thank the Presiding Officer, and I yield the floor.

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. ISAKSON. Mr. President, I find it tragically ironic that on the same day the Islamic State tragically took the life and murdered a Jordanian pilot that the U.S. Senate failed to get a 60-vote majority to move to a motion to proceed to debate the most important issue facing the United States of America. I agree with my colleagues who have talked about the dangers of Islamic terrorism, the dangers of porous borders, and all the other dangers we have spoken about, but we can't solve those problems unless we get the bill to the floor and debate it.

I was elected in 2004. The No. 1 issue in my campaign and in the general election was immigration policy in the United States of America. Eleven years later, it is still the biggest domestic issue in the State of Georgia. We still have a porous border and we know how vulnerable we are. It is time we move this bill to the floor and fully debate it.

I know there are differences of opinion. I know each one of us would do it differently. But we are part of a constitutional government to make decisions for our people. We don't need Executive orders dictating what we should do. We need a House and a Senate to come to common ground, we need a President who will sign a bill, and we need a bill to be upheld. We are not going to get there until we have debate on the floor and move forward on a motion to proceed to debate funding for the Department of Homeland Security.

I just left a Committee on Foreign Relations hearing on human trafficking. We talked about the terrors of what is happening in terms of sexual abuse, sexual trafficking, child labor, minority labor—all of those horrors that are taking place. Do my colleagues know where they are taking place in our country? They are taking place on the border of the Southwest, in the Presiding Officer's home State of Arizona, where our border is porous. And because of that, drugs and human beings are trafficked every single day. That should stop.

The No. 1 issue when we debated the Department of Homeland Security bill in 2005 was to put in a trigger to ensure that no changes in immigration law took place until we first secured the border.

The border is still not secure. We are trying. I commend our brave soldiers and the State of Arizona, as well as Fort Huachuca, one of the beacons of the drones that are flying on the border with Mexico to try to identify people coming in, but we haven't done enough.

We should bring the Department of Homeland Security bill to the floor. We should make sure the funding for the Department of Homeland Security is sufficient to secure our border. We will find our differences and we will debate our differences and we will come to common ground. But we can't come to common ground—we can't resolve our Nation's No. 1 domestic problem—unless we agree to bring to the floor the motion to proceed and bring a robust debate to the floor of the U.S. Senate.

I, as one Member of the Senate, ran for this job to be a part of the solution, not someone who would throw up my arms and say we can't solve the problems so I am going to sit on the sidelines. Let's get off of the sidelines. Let's come to the floor of the Senate. Let's vote on the motion to proceed. Let's fully amend and debate the bill. Let's send the President a bill from a unified Congress that says we want a secure border, we want an immigration policy that works, and we want to once again be a government of checks and balances, not a government of Executive orders.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I ask the Chair to please notify me at 9 minutes into a 10-minute speech.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. SESSIONS. Mr. President, we are in the odd situation by which our Democratic colleagues are complaining that we are blocking funding for the Department of Homeland Security when the House has passed a bill that fully funds the Department of Homeland Security. It is sitting at the desk today. The majority leader, Senator MCCONNELL, has moved to proceed to that bill, and they are blocking it. Senator MCCONNELL moved to invoke cloture on the motion to proceed—to just

get on the bill—and he has indicated, as he has before, that there would be amendments allowed to the bill. This would be the way to move forward with an appropriations bill in the regular order. So it is unbelievable, really, that our colleagues on the other side of the aisle are trying to contend that the majority Republicans in Congress, in both Houses, are trying to block funding from the Department of Homeland Security when nothing could be farther from the truth.

Look at today's CNN headline. This is on their Web site: ''Democrats Block Funding for DHS to Protect Obama's Immigration Orders.''

Why are they blocking it? To protect Obama's immigration orders that are contrary to Congress's will, clearly overwhelmingly rejected by the American people, and contrary to law. Why should Congress fund unlawful activities? Why should it fund policies it does not approve of? Why should it fund policies the American people strongly reject? It has no duty to do that.

Congress is not a potted plant. It is not a rubberstamp. Congress has a duty to the people, which is to ensure that the laws of this country are followed, that the American people have defense for the homeland, with funding for the Department of Homeland Security, and they have done that. What they have said is we are not going to fund actions by the Department of Homeland Security that undermine the law. We are not going to approve money that undermines the laws of the United States, and we are not going to allow the President to take money, which was given to the Department of Homeland Security to enforce the law, so he can undermine the law.

What has the President done with his Executive orders? It is a stunning action. He said over 20 times he didn't have the power to do this. He doesn't have the power to do what he did. He just did it because political pressure, I guess, caused him to do so. He is going to provide legal status, not for children, for 5 million people. They will be given Social Security numbers. Constitutional scholars have told us, colleagues, the utilization of the idea of prosecutorial discretion is not appropriate in such a massive way as this. What I want to tell you is it goes well beyond prosecutorial discretion. The President is going to provide a Social Security number to people who are unlawfully here. He is going to provide a photo ID for people who are unlawfully in America, providing work permits for them, the right to participate in the Medicare and the right to receive checks from the Federal Government in the form of earned income tax credit to the tune of billions of dollars.

One of the first things we do to try to establish a lawful system of immigration is not provide financial benefit to people who come to the United States unlawfully. So this is a problem. I have to say it is a big problem.

My friend and able Member of this Senate, Senator DURBIN, the Democratic whip, assistant minority leader, said this last night, yesterday: ''It is incredible to me that we have refused to provide funds the Department of Homeland Security needs to keep America safe.'' He said: ''It is incredible to me that we haven't passed a bill that the House sent over here that fully funds Homeland Security.''

I am not blocking the bill. We want to go on the bill. We want to be able to amend the bill to keep America safe. Who is blocking it? It is my Democratic colleagues. Senator DURBIN is the leader of the blocking game. He is the offensive line, the center, I guess, of the offensive line.

Senator DURBIN goes on to say: ''There is nothing wrong with a debate over immigration policy.''

That is correct. He continues: ''In fact, the Republicans, now in the majority control of the House and Senate, could have started the debate weeks ago. They didn't.''

Look, we debated Senator DURBIN's vision. It was rejected by Congress, his ideas. Many supported the bill in this body. It didn't come back this fall in part because of their actions on immigration.

President Obama had the choice to go from State to State trying to elect people to pass his immigration bill, but he either didn't do it or it didn't work. The American people do not want this kind of legislation.

My friend Senator DURBIN said further: ''Instead, they attached five riders to the Department of Homeland Security appropriations bill, and they said: We will not allow that Department to be properly funded unless the President accepts these five immigration riders.''

This is just a normal bill that says how the money is going to be spent. It is going to be spent for enforcement, and we are not going to spend money to not enforce the law. It doesn't change. The bill the House has sent to us does not change one lawful immigration policy of America, not one. It is the President who adopted a radical new immigration policy contrary to law, contrary to the American people's wishes. In fact, quite a number of Democrats urged him not to issue such an order, but he did it anyway. Congress has a duty.

Senator DURBIN talks about the DREAM Act that he offered. It had a chance for passage a number of times. But every time it was carefully read, it was an overreach. It went too far. But the point of which is it was rejected by Congress. Congress didn't pass that.

We need to be clear about who is objecting to what in this body, who wants to fund Homeland Security and who wants to advance a radical, unlawful, unpopular amnesty agenda the American people don't like.

Yesterday on the floor Senator SCHUMER asked if it wasn't possible for the Senate to pass a Department of Homeland Security bill—without language that would ensure the President complies with the Constitution, of course—and then send it back to the House.

Senator SCHUMER is one of our more able Members, for sure, in the Senate, and I respect him and his abilities. But the answer is this: The House-passed DHS bill is the only vehicle because the House of Representatives would blue-slip a bill that originates in the Senate. This is a basic tenet of how a bill becomes law. Article I, section 7, clause 1 of the Constitution states:

> All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Over the years, the House of Representatives has asserted, and successfully asserted, that this applied to revenue spending bills as well. According to the Congressional Research Service, as a result, the House customarily originates all ''money'' bills, including appropriations bills. The Congressional Research Service states:

> In practice, the Senate has generally deferred to the House's insistence on originating appropriations.

Indeed, it has generally deferred because they won't move anything that doesn't start over there. They successfully asserted that gray area to their benefit, and perhaps it is consistent with the Constitution.

My staff has been unable to find a single instance where the House took up a Senate-originated appropriations bill in over 100 years, since 1901.

The PRESIDING OFFICER. The Senator has used 9 minutes.

Mr. SESSIONS. I thank the Chair.

Our friends in the House have been unequivocal: The Senate must pass the House bill. Speaker Boehner said, ''Senate Republicans and Senate Democrats must stand together with the American people and block the President's actions.''

House Appropriations Committee Chairman HAL ROGERS said the Senate, ''should pass the bill, which funds a very vital national security agency but also turns back this blanket amnesty which is illegal and unconstitutional.''

That is where we are. The House has sent over the right bill. It does the right thing. It defends the integrity of the Congress. It defends the wishes of the American people, it defends the policy decision of the Congress of the United States, and prohibits the President from doing what he himself said over 20 different times he did not have the power to do. Professor after professor and historians have said the President doesn't have the power to do it. If the President can do this, if he can execute laws Congress has rejected, what will he be able to do in the future?

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

Mr. SESSIONS. Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE ECONOMY

Mr. SANDERS. Mr. President, the good news is the country has made substantial economical progress in the last 6 years since President Bush left office. Instead of losing 800,000 jobs a month as we were during the final months of the Bush administration, we are now creating some 250,000 jobs a month and have seen steady job growth over the last 58 months.

Instead of having a record-breaking $1.4 trillion deficit as we did when President Bush left office in January 2009, the Federal deficit has been cut by more than two-thirds. Today the 10-year deficit projection is now $5.5 trillion lower than what the projections were back in 2010.

Six years ago the world's financial system, as we all remember, was on the verge of collapse. Today that is not the case. In fact, some might suggest that Wall Street is doing too well.

While we can take some satisfaction as to what has been accomplished in the last 6 years, one would be very naive not to appreciate there is also a lot of very bad news in our economy, especially for working families.

Most significantly, the simple truth of the matter is the 40-year decline of the American middle class continues. Real unemployment is not 5.6 percent—including those people who have given up looking for work or people who are working part time when they want to work full time—it is over 11 percent. Youth unemployment—something we almost never talk about in this country—is a horrendous 17 percent, and African-American youth unemployment is over 30 percent. It is totally unacceptable.

Real median family income has declined by nearly $5,000 since 1999. All over this country—in Vermont and in every other State in this country—we have people working longer hours for lower wages. We have husbands and wives working 50, 60 hours a week just to pay the bills. Incredibly, despite huge increases in productivity, in technology, and all of the global economy we hear so much about, the median male worker now earns $783 less than he did 42 years ago. Let me repeat that. That American male worker right in the middle of the economy now earns, after inflation adjusted for wages, $783 less than he did 42 years ago. The female worker right in the middle of the economy now makes $1,300 less than she made in 2007.

When you ask why people are angry, why people are stressed, why people are frustrated, that is exactly why. Further, this country continues to have, shamefully, the highest rate of childhood poverty of any major country on Earth, and 40 million Americans still have zero health insurance.

In the midst of this tragic decline of the American middle class, there is, however, another reality. The wealthiest people and the largest corporations are doing phenomenally well. The result: The United States today has more income and wealth inequality than at any time since the Great Depression. Today the top one-tenth of 1 percent own almost as much wealth as the bottom 90 percent. Let me repeat that because that truly is a startling fact. Today the top one-tenth of 1 percent—which is what this chart talks about—owns almost as much wealth as the bottom 90 percent.

Today 1 family—the Walton family, owners of Walmart—owns more wealth than the bottom 40 percent of the American people, some 120 million Americans.

I don't believe most of our people think this is what the American economy should be about. In fact, this is not an economy for a democracy. This is what oligarchy is all about. One-tenth of 1 percent owning almost as much wealth as the bottom 90 percent, 1 family owning the equivalent of what 131 million Americans own, that is wealth. In terms of income—which is what we make every year—what we have seen in the last number of years since the Wall Street crash is virtually all new income is going to the top 1 percent.

Last year—just as one example—the top 25 hedge fund managers earned more income than 425,000 public school teachers. Does anybody believe that makes sense? Twenty-five hedge fund managers making more income than 425,000 public school teachers. That gap between the very rich and everybody else is growing wider and wider and wider.

The fact is that over the past 40 years, we have witnessed an enormous transfer of wealth from the middle class to the top 1 percent. In other words, what we are seeing in our economy is the Robin Hood principle in reverse. We are taking from the poor and the working families and transferring that income and wealth to the very wealthy.

From 1985 to 2013 the share of the Nation's wealth going to the middle class has gone down from 36 percent to less than 23 percent. If the middle class had simply maintained the same share of our Nation's wealth as it did 30 years ago, it would have $10.27 trillion more in cumulative wealth than it does today. Almost $11 trillion would have stayed with the middle class but has disappeared since 1985.

But while the middle class continues to shrink, while millions of Americans are working longer hours for low wages, while young people cannot afford to go to college or leave school deeply in debt, while too many kids in this country go hungry, we have seen, since 2009, that the top 1 percent has experienced an $11.5 trillion increase in its wealth. So the top 1 percent in recent years sees an $11.5 trillion increase in wealth, while in roughly the same period the middle class sees a $10.7 trillion decrease in wealth.

This $11.5 trillion transfer of wealth from the middle class to the top 1 percent over a 5-year period is one of the largest such transfers of wealth in our country's history. Here is my point. This is not just a moral issue, although it is a profound moral issue—and Pope Francis, by the way, deserves a lot of credit for talking about this issue all over the world. Are we satisfied as a nation when so few have so much and so many have so little? Are we satisfied with the proliferation of millionaires and billionaires, at the same time as we have millions of children living in poverty? Is that what America is supposed to be about? That is the moral component of this debate.

But this is not just a moral issue. It is also a fundamental economic issue. As we know, 70 percent of our economy is based on consumer spending. When working people do not have enough income, enough disposable income, they are unable to go out and buy goods and services that they would like or that they need. The so-called job creators that my Republican friends often refer to are not the CEOs of the large corporations.

The CEOs of large corporations cannot sell their products or services unless people have the income to buy them. Someone can come up with the greatest product in the world, but if people do not have the money, they are not going to sell that product, they are not going to hire workers to produce that product.

The truth is that the real job creators in this country are those millions of people who every single day go out and purchase goods and services, but if they do not have adequate income, the entire economy suffers. There was a very interesting article, I believe it was yesterday or today, in the Wall Street Journal, written by Nick Timiraos and Kris Hudson, talking about how a two-tier economy is reshaping the U.S. marketplace.

What they talk about is:

> It is a tale of two economies.

Said Glenn Kelman, chief executive of Redfin, a real estate brokerage in Seattle.

> There is a high-end market that is absolutely booming. And then there's everyone in the middle class. They don't have much hope of wage growth.

The article continues.

> Indeed, such midtier retailers as J.C. Penney, Sears and Target have slumped.
>
> ''The consumer has not bounced back with the confidence we were looking for,'' Macy's chief executive Terry Lundgren told investors last fall.

I ask unanimous consent that the article be printed in the RECORD.

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

[From the Wall Street Journal, Jan. 28, 2015]

HOW A TWO-TIER ECONOMY IS RESHAPING THE U.S. MARKETPLACE

(By Nick Timiraos and Kris Hudson)

The advance of wealthy households, while middle- and lower-income Americans struggle, is reshaping markets for everything from housing to clothing to beer.

WOODINVILLE, Wash.—Five years ago, Quadrant Homes churned out starter houses in the Seattle area with an average sales price of $269,000 and the marketing slogan, ''More House, Less Money.''

But facing a debt-burdened middle class and rising land prices, Quadrant has since exchanged entry-level buyers for customers free of credit worries and ready to splurge. Its new slogan, ''Built Your Way,'' accompanies homes with vaulted ceilings and gourmet kitchens that last year sold for an average price of $420,000. ''We used a lot of market research to tell us that our old model wasn't going to work,'' said Ken Krivanec, Quadrant's chief executive.

The emergence of a two-tiered U.S. economy, with wealthy households advancing while middle- and lower-income Americans struggle, is reshaping markets for everything from housing to clothing to groceries to beer.

''It's a tale of two economies,'' said Glenn Kelman, chief executive of Redfin, a real-estate brokerage in Seattle that operates in 25 states. ''There is a high-end market that is absolutely booming. And then there's everyone in the middle class. They don't have much hope of wage growth.''

The recession blew holes in the balance sheets of all U.S. households and ended a decadeslong loosening of credit for middle-class borrowers. Now, credit is tight, and incomes have been flat or falling for all but the top 10th of U.S. income earners between 2010 and 2013, according to the Federal Reserve.

American spending patterns after the recession underscore why many U.S. businesses are reorienting to serve higher-income households, said Barry Cynamon, of the Federal Reserve Bank of St. Louis. Since 2009, average per household spending among the top 5% of U.S. income earners—adjusting for inflation—climbed 12% through 2012, the most recent data available. Over the same period, spending by all others fell 1% per household, according to Mr. Cynamon, a visiting scholar at the bank's Center for Household Financial Stability, and Steven Fazzari of Washington University in St. Louis, who published their research findings last year.

The spending rebound following the recession ''appears to be largely driven by the consumption at the top,'' Mr. Cynamon said. He and Mr. Fazzari found the wealthiest 5% of U.S. households accounted for around 30% of consumer spending in 2012, up from 23% in 1992.

Indeed, such midtier retailers as J.C. Penney, Sears and Target have slumped. ''The consumer has not bounced back with the confidence we were all looking for,'' Macy's chief executive Terry Lundgren told investors last fall.

In luxury retail, meanwhile: ''Our customers are confident, feel good about the economy in general and their personal balance sheets specifically,'' said Karen Katz, chief executive of Neiman Marcus Group Ltd., last month. Reported 2014 revenues of $4.8 billion for the company are up from $3.6 billion in 2009.

Revenue for such luxury hotel chains as St. Regis and Ritz-Carlton rose 35% last year compared with 2008, according to market research firm STR Inc. Revenues at midscale chains such as Best Western and Ramada were down 1%.

On grocery aisles, the recession and its aftermath boosted sales of economy brands. At the high end, Whole Foods Market Inc. reported record sales per gross square foot last year.

''Demand bifurcated,'' said Jason Green, chief executive of the Cambridge Group, a growth strategy firm that is part of Nielsen NV. ''The familiar stuff my middle-class family had in the pantry, those are under significant pressure.''

In the grocery market's middle tier, Safeway Inc., the second-largest supermarket chain in the U.S. was purchased last year by the private-equity group that owns Albertsons, the fifth-largest grocery retailer. Company officials said the deal would allow the companies to reduce costs—and lower prices for customers—as they fend off competition from low-price outlets and high-end stores.

In the cold case, sales of premium lagers are up 16% since 2007 after adjusting for inflation, while sales of economy brands grew 8%, according to research firm Euromonitor International. Sales of midprice beers are down 1%.

The trend hit auto makers some years ago, when BMW AG's former chief executive Helmut Panke described the U.S. market as an hourglass: lots of demand for budget and luxury brands but little in between. Steve Bates, general manager of BMW Seattle for the past 12 years, said new-car sales at his dealership were up 25% last year, while used-car sales were flat. The M4 series, a sporty coupe priced from $64,000, has been ''selling out as soon as it touches the ground,'' he said.

Then there are consumers like Vicki Oliver, 68 years old, of Temecula, Calif. She bought a used Hyundai Sonata last year to replace a wrecked 1995 Ford Explorer. Ms. Oliver and her husband, a real-estate agent, added onto their home two years ago so her daughter and son-in-law, a general contractor, could move in with their family.

''That was a way to make things work in hard times,'' Ms. Oliver said. Caribbean cruises and trips to Florida are now memories. ''We haven't done that for years,'' she said.

The housing market illustrates how weakness among middle-class consumers holds back the U.S. economy. Homes are generally the biggest purchase Americans make. Housing dollars ripple through the economy by triggering spending on appliances, furniture and landscaping.

INEQUALITY IN AMERICA

For the first time, U.S. builders last year sold slightly more homes priced above $400,000 than those below $200,000. As a result, the median price of new homes exceeded $280,000, a record in nominal terms and 2% shy of the 2006 inflation-adjusted peak.

Total sales last year, however, were up just 1% compared with 2013, and more than 50% below their average from 2000 to 2002, before the housing bubble.

New homes are also getting bigger. The median U.S. home was more than 2,400 square feet in the third quarter of 2014, a 20% increase from early 2000 and a 10% increase from the peak of the housing market in 2006.

In Seattle, the median new-home size topped 2,500 square feet last year, a record, according to research firm Metrostudy Inc. Since the market hit bottom in 2011, sales of new homes priced above $600,000 have tripled, while sales below $400,000 are down 16%, according to CoreLogic DataQuick. Builders boost profits selling more expensive homes. But less construction overall means fewer new jobs and reduced total spending.

''Over the long haul, I worry that you can't run our housing market, which depends on volume, on affluent buyers alone,'' said Diane Swonk, chief economist at Mesirow Financial in Chicago.

Young households have been slow to buy homes because of the tough job market. Many would-be buyers can't save enough for a down payment or don't earn enough to qualify for a mortgage. Student debt holds others back.

A typical household, for example, would need around $60,000 in cash to make a 20% down payment on the median-priced new home in the U.S. To qualify for a mortgage, they would need good credit and to show an annual income of about $45,000, assuming little other household debt. A government-insured loan in this example could call for an $11,000 down payment but would require an annual income of $60,000.

Lisa and Nathan Trione are looking for a house in Denver big enough for their five children. But there is little in their price range: $250,000 and under.

''You're already intimidated by the process,'' said Ms. Trione, a 28-year-old paralegal and office manager. ''And then you see this huge price, and you say, 'I'm not ready to do that right now.' ''

Ms. Trione is paying off debt she incurred while earning her associate degree. She also is trying to raise her credit score, which, she said, fell during a series of early financial missteps.

Well-heeled customers, meanwhile, have their pick of mortgages. At the same time, some banks have pulled back from federally insured loans that allow for smaller down payments.

''We would like to build a smaller, higher-quality and less-volatile business,'' Marianne Lake, chief financial officer at J.P. Morgan Chase & Co., told investors last year. With fewer potential customers, builders have largely abandoned the entry-level market. ''If a builder can make money on something, he'll build it. The problem is that they can't make money at the entry level,'' said John Burns, of Irvine, Calif., a consultant to builders.

But rentals, the low-end of the housing market, are booming. Apartment construction has neared its fastest pace since 1989. Two of the nation's largest home builders, Toll Brothers Inc. and Lennar Corp., have both launched multifamily construction divisions, each with around 5,000 units in the pipeline. ''We all wished we had a big apartment portfolio through this downturn,'' said Douglas Yearley, Toll's chief executive, during an earnings call last year.

With sales plunging in 2009, Quadrant called in a research firm that concluded more buyers might materialize if the company built more expensive homes. ''When it's data driven, the courage to make a remarkable change is easier than when you're using your gut,'' said Mr. Krivanec, the company's chief executive.

Quadrant, a unit of TRI Pointe Homes Inc., was finishing seven homes per workday in 2004. They now finish less than two of the more expensive houses a day. But the share of buyers who back out of a deal, typically because they can't get a loan, is down 10% since 2010. To serve more higher-end buyers, Quadrant opened a design studio two years ago that lets buyers choose from dozens of cabinets, countertops, tiles and flooring. Some new buyers spend nearly twice as much on such upgrades, the company said, which adds to the profitability of home sales.

Common design features now include a walk-in closet and bathroom nearly as big as the master bedroom. Kitchens have a walk-in pantry.

On a recent Tuesday afternoon on Little Bear Creek Place, a cul-de-sac in this Seattle suburb, electricians, landscapers and framers worked on some 23 Quadrant home sites.

Nearby, Nick and Adriana Stoll unpacked boxes in their new four-bedroom home. The

home is twice the size of the 1,200–square-foot, one-bedroom apartment they rented in nearby Bellevue.

The Stolls customized almost every feature and finish, including hinges on kitchen cabinets that prevent the doors from slamming shut. ''I'm typically the kind of consumer where I make a quick decision,'' Mr. Stoll said. ''But when it comes to your home, well, we stared at 100 countertops for an hour.''

The Stolls survived the recession and have prospered. Mr. Stoll purchased a Seattle condominium in 2008, the day before learning he was losing his job at Washington Mutual, the thrift sold to J.P. Morgan after it was seized by the Federal Deposit Insurance Corp.

Mr. Stoll changed jobs twice before he was recruited in 2011 to work at a technology company. He broke even on the sale of his condo last year. ''Other people encountered problems where maybe it's student loans or credit cards or car payments,'' he said, ''and we have none of that.''

The couple put 20% down on their new home, which cost $579,000. Ms. Stoll works as a client associate for a large financial services company.

Growth in new home sales this year will depend, in part, on whether builders revive their interest in first-time buyers.

Two years ago, D.R. Horton Inc., the nation's largest home builder, launched Emerald Homes, a luxury division. Last year, the company rolled out Express Homes, a division that pioneered no-frills housing for the entry-level market. Mr. Krivanec, Quadrant's CEO, said he doesn't see a return to his company's former model. There are enough people with good-paying jobs in the area—at Boeing, Amazon and Microsoft—to keep sales going, even it means building fewer homes. ''We like where we're at,'' he said.

Mr. SANDERS. So what we are hearing—basically what this article tells us—is if people's income is going down, they are not going to Macy's, they are not going to Target. Those stores are not hiring workers or are getting rid of workers because the middle class does not have the income it needs.

Here is a very important point. Within President Obama's recent budget—by the way, I think the President's budget is beginning to move us in the right direction—there was a very interesting projection that unfortunately got very little attention. Here is the point: Over the last 50 years GDP growth in the United States of America averaged about 3.2 percent. What the President's budget is suggesting is that more or less over the next 10 years we are going to see 3-percent growth, 3-percent—2.7, 2.5, 2.3. For the rest of the decade, 2.3 percent.

The bottom line is, if we continue along the same type of economic growth we have had over the previous 50 years, unemployment would be substantially lower, people would be paying more taxes, Social Security, among other programs, would be in much stronger shape.

The debate we are going to be having in the Budget Committee—I am the ranking member of the Budget Committee—are two very different philosophies. Our Republican friends believe in more austerity for the middle class and working families. Their goal, over a period of months and years, is to cut Social Security, cut Medicare, cut Medicaid, cut nutrition programs for hungry children, not invest in infrastructure, and then give huge tax breaks for millionaires and billionaires.

In other words, more austerity for the middle class, tax breaks for the wealthy and large corporations. I believe that philosophy is wrong for many reasons, the most important being that if we want to grow the overall economy, if we want to create jobs, we have to put money into the hands of working people. We do not do that by cutting, cutting, cutting, and imposing more austerity on people who already desperately are hurting.

A far more sensible approach is to create the millions of jobs that our country desperately needs by, among other things, investing heavily in our crumbling infrastructure. Last week I introduced legislation that would invest $1 trillion over a 5-year period into rebuilding our crumbling roads and bridges, rail, airports, water systems, wastewater plants.

If we do that, we make our country more productive, safer, and create up to 13 million jobs, putting money into the hands of working people. It not only will improve their lives, but they will then go out and spend their money in their communities, creating further economic growth. That is the direction we should be going.

We also have to raise wages. People cannot survive on the starvation minimum wage imposed at the Federal level of $7.25 an hour. If we raise the minimum wage over a period of years to $15 an hour, we are going to have billions of dollars go into the hands of people who need it the most, improve their lives, allow them to go out and invest in our economy, spend money and create jobs.

We need pay equity for women workers. It is not acceptable that women are making 78 cents to the dollar for men who are doing the same work. We need to address the scandal of overtime right now, where we have so-called supervisors at McDonald's who work 50, 60 hours a week, but because they are so-called supervisors do not get time and a half.

We need to make college affordable for all of our workers. In a global economy we need the best educated workforce in the world, not the one where people cannot afford a higher education. We need trade policies that benefit working people and not just large multinational corporations, which is why we should defeat the Trans-Pacific Partnership.

So there is a lot of work that needs to be done. But the bottom line is, if we are serious about dealing with the deficit and debt reduction, if we are serious about growing the middle class, we need an agenda which creates jobs, raises wages, makes college affordable, demands that corporate America start investing in this country and not in China.

We need a proworker agenda, not an austerity agenda which will strangle the middle class of this country even more than it is hurting today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my colleague from Vermont for what he has said. I would note that there are many in our State who agree wholeheartedly. We are not a wealthy State. We are a proud State. We are not a State that believes in such a huge disparity of income. So I thank the Senator for what he said, not only here but when he has made similar remarks around the country.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 356 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Texas.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. CORNYN. Mr. President, yesterday our friends across the aisle blocked—filibustered, really—a $40 billion funding bill that would have paid the funds necessary to keep the Department of Homeland Security running through the rest of this fiscal year. I understand they had some differences over the content of the legislation the House passed, but it is undeniable that the House acted responsibly by passing this appropriations bill, particularly at a time of heightened security concerns not only here at home but around the world.

Of course, the part that I guess confused me the most is our Democratic friends said: Well, we don't want to debate the bill, but what we want is a clean DHS appropriations bill. So they wanted to get to the end of the process without even starting the process, which strikes me as odd.

As I pointed out last week during the Senate debate on the Keystone XL Pipeline, Senator DURBIN from Illinois, the assistant minority leader, spoke very sincerely in support of a process surrounding that bill. We didn't all agree that the Keystone Pipeline should be passed, but we did at least have an open amendment process that allowed everyone to express their point of view and to get votes on amendments, up or down, before concluding that piece of legislation. I think the most notable part of that was that we actually had more votes in the Senate during the 3 weeks we were on the Keystone XL Pipeline than we had all of last year under the previous management.

So it was amazing to me to see that the Democratic leadership—the Senate minority—worked so hard to marshal their caucus together to block debate on this $40 billion appropriations bill to fund the Department of Homeland Security, especially considering the

promise of the Senator from Illinois to continue to work with us to foster an open debate process and an open opportunity on both sides of the aisle to offer good ideas and to put them up for a vote on how to improve legislation.

It was also amazing to see this outcome considering what so many of our colleagues on the other side of the aisle said last fall when the President made his Executive action on immigration.

As I said yesterday—and I want to repeat it again—we are not upset with people who are seeking a better life in the United States. All we are asking for is a legal process. We are very upset with the President violating his oath of office and purporting to make unconstitutional Executive orders. That is the problem. That is what the House is focused on like a laser.

In fact, this President's actions were a stunning display of Executive overreach. You don't have to take my word for it; take his word for it—at least the first 22 times he talked about it. He said he didn't have the authority to do it 22 different times.

Then there is the view of some of our colleagues in the minority. For example, the senior Senator from West Virginia put it simply last November when he expressed, I think, the feeling of a lot of Democrats when he said, ''I wish he wouldn't do it.''

This was echoed also in a very straightforward manner by the very junior Senator from Minnesota, who said, ''I have concerns about executive action.'' Of course, it is easy to understand why because this is a uniquely legislative responsibility. The President doesn't have authority to make laws on his own—at least that used to be his position.

Then the senior Senator from Missouri said of the President's unilateral action: ''How this is coming about makes me uncomfortable, [and] I think it probably makes most Missourians uncomfortable.'' Well, the public opinion polls I have seen bear that comment out, that while many people think we do need to fix our broken immigration system, the majority of people in the public opinion polls I have seen disagree with the way the President has tried to act by doing this unilaterally—or purporting to do it unilaterally.

Well, I have good news for Senator MCCASKILL, Senator FRANKEN, and Senator MANCHIN. The House of Representatives has actually passed a piece of legislation that addresses their concerns and should give them some comfort.

The legislation on which we are trying to open debate fully funds, as I said, the Department of Homeland Security while reining in the President's unconstitutional actions. This is one of the tools available to Congress—using these legislative riders on appropriations to in effect express disapproval and defund certain acts by the Executive. That is one of the tools we have available to us.

I will renew my request from yesterday to Senator REID, the Democratic leader, and ask the assistant minority leader to honor his commitment that he made when we were debating the Keystone XL Pipeline. Please work with us to achieve at least debate on the floor, if not some significant legislation. But to just throw a fit and say ''We refuse to even start debate on the legislation'' strikes me as more of a political move than a legislative solution.

So I would ask my friends on the other side of the aisle, who so boldly stood up to express their concerns with the President's Executive actions only a few short months ago, to again stand up—this time to their own leadership—and to join us in reining in the President's Executive overreach and to not hold hostage the $40 billion the House has appropriated to help fund the Department of Homeland Security through the end of the fiscal year, through September 31.

If there are parts of the House bill you don't like—and there are parts of the House bill that I have concerns over and that I hope we have a chance to vote on, but that is the way the House and the Senate are supposed to relate to one another. The House passes legislation, the Senate passes legislation, and if they are different, then they get reconciled in a conference committee or through a ping-pong back-and-forth before they go to the President. But to throw a fit and say ''We refuse to do our job of legislating'' just because they don't like where we are starting is extraordinarily counterproductive and is an unfortunate return to the dysfunction I believe the voters repudiated in their vote on November 4. So we will see whether there is a different point of view.

I know the majority leader, Senator MCCONNELL, will come back to the floor and ask to reconsider the vote from yesterday, and so there will be another opportunity for our friends across the aisle to reconsider their vote blocking even beginning considering this legislation. I hope they will reconsider and join us and try to come up with a consensus solution.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Missouri.

Mr. BLUNT. Madam President, I wish to follow up on what the majority whip has been talking about.

Clearly the country is and should be concerned by the President's unilateral Executive action on immigration. He announced this action on November 20 of last year. The majority whip has already gone down that list of a number of our colleagues on the other side who said this is the wrong way to do this. The House happens to agree. In fact, the House of Representatives has passed legislation that agrees that this is the wrong way to do it and try to come up with a remedy.

Frankly, there is a better remedy. We are not going to find that better remedy if we don't have a debate. We are not going to find that better remedy if we don't come to the floor and say: Here is how we think that bill should be changed.

The action taken last November by the President was clearly Executive overreach. It was an affront, I believe, to the rule of law, and it was an affront to the Constitution. Article II, Section 3 of the Constitution states that the President ''shall take care that the laws be faithfully executed.'' That is the end of the quote right out of the Constitution. It couldn't be clearer—''shall take care that the laws be faithfully executed.''

That is why we call the President the Executive. The President's job is not to make the law. The President's job is not to rule as a court would on the law. The President's job is to execute the law. The question here is: Does the law matter or not? The question here is: What do we do when the House of Representatives has passed a spending bill that would allow the funding for the U.S. Department of Homeland Security for the rest of the fiscal year—between now and September 30—which does try to stop President Obama's Executive amnesty plan?

It appears, if you can believe what you read that people have said, that a substantial majority of the Senate agrees the President shouldn't have done what he did. So what is our obligation to try to undo that? The House has done their part by sending a bill over that does that.

The President himself said 22 times that he didn't have the authority to do what he eventually did. I guess this is one case where I agree with the President 22 times. So if anybody is thinking I don't agree with the President, here are 22 times I agree with the President—the 22 times he said he couldn't do what he eventually decided to do. And what was that? The President said he can't unilaterally change the country's immigration laws.

The President didn't have that authority the 22 times he said he didn't have that authority. He didn't have that authority on November 20, 2014, when he took actions that clearly were designed not to enforce the law, and he doesn't have that authority now. So the House sent a bill over that tries to clarify that the President doesn't have that authority; that the legislative branch of the Federal Government is the House of Representatives and the Senate of the United States. It is not whoever gets to act last.

Occasionally, the President will say: I am going to take Executive action if the Congress doesn't do its job. Well, the key point there is that it is the job of the Congress to pass laws, not the job of the President. If the President wants to repeal the law, if the President wants to change the law, nobody is in a better position than the President of the United States to encourage the Congress and the country to do

that. But that doesn't mean the President has the default option, if the Congress doesn't act by some certain date, to just do it himself. That is not in the Constitution. The President is not going to find it there.

I continue to believe the House-passed Department of Homeland Security funding bill is the way to send a message to the President that he can't act unilaterally; that there is a constitutional way to do this. I have not given up on winning over six Democrats in the Senate. Everybody understands the importance of 60 votes in the Senate. There are 54 Republicans, not 60, but there are more than six Democrats who have said they didn't agree with what the President did. I think in all cases they have said they agree with the funding levels or they would vote for the funding levels for the Department of Homeland Security. It seems to me those two things come together pretty nicely here. They get a chance, by debating this bill, to undo what the President did and to fund the Department of Homeland Security. So there are at least six Democrats who have said those are two different things they are for, and this is a case where we get to do that.

We need to pass this House measure that ensures spending at an important time with critical needs of homeland security, but it also would stop the President's illegal amnesty. We should not let that stand. We don't know where these legislative fights will wind up until we have them. Maybe that is why no Democrat yesterday was willing to have this debate, because maybe they do not know what happens if attention is called to the past positions they have had or the need to fund the Department of Homeland Security. But we don't know how these legislative battles work out if we don't have them. I think we need to have this one.

Leader MCCONNELL said our first choice is to try to pass the House bill. If the law shouldn't be followed, then advocate that it be repealed, advocate that it be changed, but don't advocate that it be ignored. The ignore clause of the Constitution doesn't exist. There is no ability of the Executive to do that.

The United States is a nation founded on the rule of law. With every trade agreement we enter into, with all our relationships with other countries, and with people who come here, we talk about this being a country where you can look at the law and rely on the law itself—no matter what your status. The President is to take care that the laws are faithfully executed. Yet President Obama repeatedly has found ways to circumvent the Congress by picking and choosing which laws he wants to enforce.

Take the case of the overwhelmingly complicated health care law, where the President is picking and choosing what dates the law is to be complied with, even though the law often has very clear other dates. The President said: Well, I think there is a better date. This is a bill of which the President was a major advocate. He had a chance to put the dates in there and didn't.

I recently reintroduced the ENFORCE the Law Act to ensure the President can't just continue to blatantly not do what the law says has to be done. This is a bill I introduced in the last Congress, where it passed the House with a bipartisan vote, but we weren't allowed to vote on it in the Senate. Apparently, there are a number of my colleagues who think that not only are we no longer allowed to vote on bills, but now it is even a bad idea if we debate a bill. That is what the vote was yesterday—to debate the bill. It wasn't approving anything except to debate the bill. That is what we should be moving towards now so we can fund this part of the government. The President complicated the funding of this agency with his action last November.

The ENFORCE the Law Act permits the Congress, if the Congress believes the President isn't enforcing the law, to go to court—not to wait months and years for an aggrieved citizen to go to court with their own money and say he or she does not believe the government has the authority to do something. This allows the Congress to go to court and to go early and let a judge decide if the law is being enforced as written or not.

The ENFORCE the Law Act would reestablish the proper limits of the executive branch. It would restore checks and balances. It would also provide a defender of citizens who, in their own capacity, don't have to defend or fight the government by themselves if the Congress itself believes the President has taken authority that he doesn't have or is enforcing the law in a way that wasn't intended.

I think we have to stand up for the rule of law. I have joined in a court case supporting the State of Texas. Texas is suing the administration over what they believe are all kinds of added expenses put on them by the President's power grab in deciding on his own which immigration laws would be enforced and which won't be. Senator CORNYN, Senator CRUZ, and I were signatories to this brief filed in December, and 24 House Members joined us, including the chairman of the Judiciary Committee, saying we agree with these States and that many responsibilities have been placed on them because the President of the United States chose not to enforce the law as written.

Twenty-six States have now joined that lawsuit filed by the State of Texas, and I look forward to the conclusion of that suit because I think the judge is likely to decide that, no, there isn't the selectivity of which laws you enforce that the President has applied here, and there are great costs created for States as a result of that.

Every Senator in this Chamber has a constitutional obligation to curb the unilateral Executive overreach. We have a chance to do that with the bill that could be before us. We have a chance to do that with the bill the House has sent over. This whole issue goes to the very heart of the system of checks and balances in our country and reiterates the importance of the Constitution and following the Constitution—adhering to the rule of law.

I would like to see us have a chance to do that, as this Department of Homeland Security funding bill should—and eventually, I am confident, will—come to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, it is good to follow my good friend, the chairman of the Committee on Rules and Administration, on which I am ranking member. I don't agree with him, but he is a fine man.

Now, I rise to dispel attempts by the other side of the aisle to dodge responsibility for funding the Department of Homeland Security in a responsible way. Here is what is happening. The rightwing of the Republican Party is risking a Department of Homeland Security shutdown to get their way on immigration. They are saying: Take our hard-right stance on immigration or we won't fund national security.

Most Americans don't agree with that view. Most Americans are for a rational immigration policy. A large majority in this body—bipartisan, led by Senator MCCAIN and myself—voted on that in 2013. But we have a small group, led by the junior Senator from Texas, who say: It is our way or we are going to shut down one of the premier agencies dedicated to our security.

As I said when I engaged in a colloquy with my good friend from Texas, our Republican colleagues have the majority. They can debate immigration any time they want. In fact, we welcome that debate. We think the American people are on our side. We are willing to have that debate. We are eager to have that debate but not with a gun put to the head not only of us but of the American people. Do what we, a narrow minority, want or we are going to shut down the Department of Homeland Security—at a time when security is of utmost importance given what has happened around the world and what we just saw happen to the Jordanian pilot yesterday.

This strategy makes no sense. The junior Senator from Texas is leading his party at best into a cul-de-sac, and at worst over a cliff. We are not going to be taken hostage. If my good friend the majority leader, Senator MCCONNELL, thinks that by bringing this bill up again and again it is going to change what happened yesterday, it is not. So we are saying to the other side: Now that you have seen the vote, now that you have shown Speaker BOEHNER that we can't pass his bill in the Senate, get real. I say get real, to my friend the majority leader and to the Speaker of the House.

Let's roll up our sleeves, and let's work out a Department of Homeland Security bill and pass it. Let's not hold that agency hostage. Let's not just renew them every couple of months. As the Secretary of DHS said yesterday, that is like getting a car and only giving it five miles of gas at a time. It just doesn't work. So get real. Let's negotiate a DHS spending bill.

I know our Senator from Maryland, the ranking member of the Committee on Appropriations, and the Senator from New Hampshire, the ranking member of the Subcommittee on Homeland Security of the Committee on Appropriations, are eager to sit down and pass a bill that we can all agree on in terms of funding Homeland Security, and then we can debate immigration. Then we can debate immigration—but no hostage taking and none of this bullying. None of this: If you don't do it my way, I am going to hurt a whole lot of innocent people. That didn't work in 2013 when Republican numbers plummeted after they tried to shut down the government, and it won't work today.

We will not allow a government shutdown. We will not allow hostage-taking. We will ask our colleagues to get reasonable, do things the way they used to be done, debate each issue on the merits. They have the floor. They can debate any issue they want and move forward.

I will say one other thing to my Republican colleagues: The junior Senator from Texas has you tied in a knot. I say that to Speaker BOEHNER as well: Speaker BOEHNER, the junior Senator from Texas has you tied in a knot. Now you are going to have to find a way to untangle it. We will not be bullied. We will not be told we have to negotiate because you seek to hurt innocent people and hurt our security. We will move forward.

So let me suggest the way to go forward: Let's put a good, clean Homeland Security bill on the floor. Let's make America secure. Then, separately, we are happy to debate immigration to the Republican Party's heart's content, but let's stop this govern-by-crisis mentality, especially when national security hangs in the balance.

So I urge Speaker BOEHNER, I urge Senator MCCONNELL to come to their senses, end this wild goose chase and let us vote on a clean bill forthwith.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. NELSON. Madam President, I wish to talk about the necessity of having an appropriations bill for the Department of Homeland Security and the fact that it is being held up over the issue of folks in the House of Representatives who do not want to appropriate money for the actions that the President has taken in trying to improve a dysfunctional immigration system. Holding up the funding for the Department of Homeland Security appropriations is absolutely ridiculous, in the opinion of this Senator.

The fact is the clock is ticking because the funding runs out in just a couple of weeks—February 27. What does the Department's name imply? Keeping the homeland secure.

In one regard, that means cyber attacks. Doesn't it occur to someone that we have had an extraordinary number of cyber attacks recently? Most everybody will remember Sony. People were attacking us because they wanted to stop the expression of free speech, in this case with regard to a movie the Sony company had produced. Because they got in and got all of the personal data and were manipulating the internal controls of the company with this cyber attack, it is the Department of Homeland Security that is charged. Hopefully, if we can ever pass a cyber security bill that can be signed into law, the portal through which the early warnings will come will be the Department of Homeland Security. By the way, that cost the Sony corporation about $100 million.

How about what happened to all of the customers of Target: Addresses, phone numbers, and e-mail addresses were taken from 70 million Americans who were customers of Target.

How about Yahoo: Passwords and user names were exposed to cyber attacks.

How about eBay: Users' passwords, because of a cyber attack, had to be changed because they were compromised.

How about a number of major banks, including JPMorgan Chase: Seventy-six million households and seven million small businesses' accounts were affected by the attack.

How about Home Depot: Six million accounts were put at risk.

That ought to be enough to continue the funding of the Department of Homeland Security, but there is a lot more.

Most folks understand that TSA, which checks us as we go through the security at airports, at seaports—TSA is a part of the Department of Homeland Security. Are we going to cut off the funding for TSA—TSA that is now trying to stop the new kind of attacks with nonmetallic explosives?

Remember, because of our intelligence apparatus, working through liaison partners in other countries, about 2 years ago a cartridge in a printer was discovered ultimately going onto an airplane that was bound for the United States—that was a nonmetallic explosive. We were fortunate we got that, but they continue.

These folks who are trying to attack us all over the world are trying very ingenious ways to avoid the security, and we rely on TSA—especially at American airports—to protect us.

We simply in a couple of weeks can't afford for the appropriations to stop.

How about immigration, U.S. Customs and Border Protection: Again, another responsibility of the Department of Homeland Security, and we are going to cut off the funding on what kind of folks are coming across our borders and what kind of folks we are going to be checking and rechecking and what kind of things they are bringing into the borders.

There are a lot of people who want to get into this country to do us harm. That is the responsibility of the Department of Homeland Security.

So it is not only ridiculous to this Senator, it is almost silly. But the problem is it is tragic, and it could be horrendous given the fact that people around the world are trying to harm us as we try to protect ourselves in our national security every day.

This is a debate we should not be having. Unfortunately, it is a condition our politics have come to, and we need to stop that condition.

I leave the Presiding Officer on a happier note. As the Senate goes into recess at the conclusion of my remarks, happily all of the Senators are going to a bipartisan luncheon where we are going to talk about things we can do together. Indeed, that is the happiest thing I have heard today.

Madam President, as I yield the floor, I understand that pursuant to the previous order, the Senate will stand in recess.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

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

Thereupon, the Senate, at 12:30 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mrs. FISCHER).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the time until 2:45 p.m. be equally divided in the usual form, with Senators permitted to speak for up to 10 minutes each.

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

Ms. MIKULSKI. Madam President, I come to the floor in my position as the vice chair of the Appropriations Committee to urge the Senate to pass a clean Homeland Security appropriations bill.

Yesterday the Senate rejected a procedural vote to take up the House Homeland Security funding bill. This is not about debating the weeds over this bill versus that bill. There are two distinct differences. The House bill has the funding for fiscal year 2015 in it that would take care of every single agency under the Department of Homeland Security to defend and protect the Nation, but at the same time it is loaded with five immigration riders that we call poison pill riders because the President said if legislation to fund Homeland Security passes with these five immigration riders, he will veto the bill.

The President wants to fund an appropriations bill, and so do I. The House Homeland Security bill, if taken up by the Senate, would simply be a delaying tactic. We would talk, we would debate, we would offer lots of amendments on immigration, and after we got lots of amendments on immigration it might go to the President. The President would veto it, and it would come back, and after all is said and done, more would get said than gets done. We have to pass the funding for the protecting of the homeland.

Yesterday the entire world was gripped with poignancy and sorrow about the ghoulish murder of a Jordanian pilot. The threat of terrorism is in the world—attacks by ISIL on people, the possibility of a lone wolf in our own country, a cyber attack in retaliation because we dare fight back against ISIL or because we are willing to challenge some of the other international predators directed at us. We have to protect the United States of America. That is what the Department of Homeland Security does. The Department of Defense protects us over there; the Department of Homeland Security protects us here.

After 9/11—one of the worst days in our country's history—the Congress came together, and we passed legislation to create the Department of Homeland Security so we could take every agency that was involved in protecting the homeland and put them under one umbrella so they could look out for us. Now we need to look out for them. Every day we ask men and women to serve in the Coast Guard, in the Secret Service, in the Border Patrol protecting our borders, in Customs making sure fraudulent products such as counterfeit drugs are not crossing our borders into our country. Now we need to pass that bill. We need to make sure we do not have a shutdown or a slamdown when the funding expires on February 27.

In December when I chaired the committee, in the closing hours of the past Congress, I worked with my subcommittee chairman, Senator Landrieu, the vice chairman of homeland security, Senator COATS, and we put together a crucial funding bill that totalled $46 billion to invest in agencies that protect us. It was $1 billion more—$1 billion—than the continuing resolution. We could have taken up that bill then, but there was a desire, because of controversy over the President taking Executive actions on immigration, not to do it. So now here we are in February. Now it is our time to fund a clean Homeland Security bill.

Immigration is a serious policy issue. I don't dispute that. It deserves serious debate. But don't add it as a series of riders on the funding bill; rather, let's take up immigration separately.

I remind our colleagues that in the last Congress this Senate passed a comprehensive immigration bill, only to have it die in the House. So we say let's pass our bill again, let's have the House take it up, and let's have a real debate on it, but in the meantime, we will have funded the Homeland Security bill.

This isn't BARB MIKULSKI talking about more government spending. Every past head of the Department of Homeland Security has urged the Senate to pass a separate bill. Tom Ridge, the original chief executive of this agency; Michael Chertoff, who also served under President Bush; and Janet Napolitano are calling for it, and so am I.

Right now our Coast Guard is out there safeguarding our waterways. We in Maryland just love our Coast Guard. We love them because, No. 1, they are always there for search and rescue; No. 2, they are always there to protect our bay. Whether it is against a possible oilspill or drug dealers trying to sneak up the bay, they are there. We also know how brave they were. We all recall how, with helicopters, they went in and rescued people during the horrific Hurricane Katrina, and they do it every day.

Then there is the Secret Service. The Secret Service is in the process of reforming itself. They need to protect the President, the Vice President, the First Families. But you know what—they are also out there being the government G-men, fighting things such as credit card fraud.

Then there are the cyber warriors protecting our critical infrastructure—our banking, our power grid.

Then there is FEMA, which right now is responding to disasters, whether it is a blizzard or a hurricane.

Then there are State and local responders. One of the programs I am so proud of in the Department of Homeland Security is the Fire Grant Program. The Fire Grant Program is a competitive grant program—not an earmarked program, a competitive grant program—where local fire departments, particularly those in our rural communities, can apply for a grant to buy the necessary equipment they need to protect them so they can protect us.

I know the Presiding Officer is familiar with this in Nebraska. Turnout gear for a firefighter—the respiratory equipment to protect their breathing, the telecommunications, the fire-retardant/repellent material—can cost as much as $1,000 to $2,000 per firefighter. They cannot do this with pancake breakfasts. They cannot do it with fish fries and chicken dinners. They need the help of their own government to help them.

So I say let's pass a clean Homeland Security bill. Let's stop terrorist threats. Let's secure our borders. Let's safeguard our waterways. Let's make sure we are protecting our homeland and move to a clean bill.

Ms. MIKULSKI. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally divided between the parties.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Thank you, Madam President.

I was very pleased to hear the ranking member of the Appropriations Committee, Senator MIKULSKI, who has done such great work on the committee in putting together the bipartisan agreement that was negotiated last December with the chairman of the House Appropriations Committee, Congressman ROGERS. That was a bill which, as the Senator pointed out, funded the efforts of the Department of Homeland Security to keep people safe, to address emergencies, to try to protect us from cyber security threats—a whole range of efforts at the Department.

I want Senator MIKULSKI to hear a comment that I understand was made by the House Appropriations Homeland Security Subcommittee chairman JOHN CARTER, who is a Republican from Texas. When he was asked about what the outcome of this debate would be on funding the Department of Homeland Security, his comment was, ''Ultimately, there may be a clean bill.''

Well, I say to Senator MIKULSKI, if the House Republicans and the chair of the subcommittee in the House are acknowledging that ultimately there may be a clean bill to fund the Department to do what was negotiated by you and Congressman ROGERS last December, doesn't it make sense that we should get a clean bill done as soon as possible so there is certainty for the Department of Homeland Security so they can continue the planning efforts and they can continue to address the threats to our national security? Shouldn't we just get this done now and stop this ideological fighting and putting at risk people of this country because somebody has an ideological concern about this bill?

Ms. MIKULSKI. First of all, I thank the Senator for bringing Representative CARTER's comments to my attention. I absolutely agree with the Senator's analysis and also with the comments by Representative CARTER. We

should have a sense of urgency in passing the Homeland Security bill. The terrorists and the bad guys—whether they are organized crime trying to get across our borders, whether they are the terrorists watching us—they are saying: Hey, they are so busy fighting each other, they don't have time to think about fighting us. They are watching us and laughing at us because while we squabble and quibble and dribble, they are out there plotting against us.

I say to the ranking member of the subcommittee, I do think there is a sense of urgency.

I also wish to comment on the House. When we were working in the closing hours on the actual money part of the bill, I found remarkable bipartisan consensus. Left to our own analysis about how to be wise stewards of the taxpayer dollars for important security investments, there was wide bipartisan agreement. There may have been a different priority here or there, but by and large we knew exactly which public investments to make. And you know what—we did it within the caps, we did it within the allocation, and we got the job done.

We could do this job this afternoon. I feel a great sense of urgency because while the bad guys are plotting against us, we are busy plotting how we can fight each other.

Mrs. SHAHEEN. Madam President, I certainly agree with the ranking member of the Appropriations Committee. I will just point out that in the last 2 days, we have heard from the Conference of Mayors, which has urged us to pass a clean bill to fund the Department of Homeland Security. We have heard from the emergency managers across this country who are concerned about the risks of assistance for disaster relief and for FEMA, and today we got a letter from the National Association of Counties urging the passage of a clean bill to ensure that the safety of our communities can be maintained.

As the Senator said, we should not put these communities at risk, the efforts that are going on across this country to keep the Nation safe, because there are those people who are angry at the President about an Executive action. We can have that debate, but we should have that debate separately. We need to fund the Department of Homeland Security now to ensure that there are no risks to our citizens.

I thank Senator MIKULSKI and the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. 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.

Mr. HOEVEN. Mr. President, yesterday I spoke about the importance of voting yes to proceed to the Department of Homeland Security appropriations bill for 2015, H.R. 240. That motion was unsuccessful. Despite all the voices from the other side of the aisle expressing support for the Department of Homeland Security, they refused to actually proceed to debate the bill.

My friends on the other side of the aisle have expressed concern that the bill is not 100 percent of what they want. In my experience, it is rare for anyone to get 100 percent of what they want when it comes to passing legislation, and that is certainly true when it comes to passing an appropriations bill. I am not talking about a vote on final passage or even a vote on amendments. I am talking about a vote to proceed to the debate on this bill. In addition to having the opportunity to offer amendments, an important part of the debate on a bill is the ability of any Senator to raise a budget point of order.

My counterpart, the distinguished ranking member of the Homeland Security Appropriations Subcommittee, has pointed out that there are budget points of order against the bill. But the point I would make is that in order for her to raise the budget point of order, you have to actually proceed to the bill.

I am certainly willing to acknowledge her budget points of order, which she brought up on the floor yesterday, but the point I am making is we have to proceed to the bill in order to debate those budget points of order and, in fact, vote on them.

The minority refuses to move to the bill because they object to the amendments added by the House of Representatives. The House went through its process, and now it is time for the Senate to go through its process. That is how the system works. That is regular order.

Last week, after the consideration of many amendments, we passed the Keystone XL Pipeline bill with a bipartisan vote of 62 Senators. There were rollcall votes on 41 amendments.

Since I introduced the Keystone bill, I would have thought it would have been great if we could have just passed it with an up-or-down vote, but that is not how the Senate is designed to legislate. Instead, we vote to proceed to a bill so we can debate it, offer amendments, and work to develop consensus.

I am aware that it has been a long time since we had regular order in the Senate. We are not used to bringing a bill to the floor and debating amendments. But instead of embracing regular order, something we were denied in the previous Congress, we can't even proceed to debate and offer amendments on this bill—an important bill that we need to take up and address.

The contents of H.R. 240 represent the bipartisan prerogatives and priorities of Congress. Again, the House went through its process. What we are asking for now is for the Senate to do the same—to go through the process, go to the bill, and do the work we were sent here to do.

I discussed the merits of the bill at length earlier, but I will go through some of the highlights again just to remind my colleagues what is in the bill and why we are here. This bill will support the economic prosperity, public safety, and security of the American people.

This bill provides $39.67 billion in net discretionary appropriations, plus $6.4 billion in disaster funding. That includes $10.7 billion for Customs and Border Protection, CBP, and that is an increase of $119 million over fiscal year 2014. It supports record levels of personnel, tactical infrastructure technology, and air and marine assets.

The bill provides $5.96 billion for Immigration and Customs Enforcement, ICE. It maintains a record 34,000 adult detention beds and 3,828 family detention beds.

The bill provides strong support for the Secret Service, an organization that requires congressional oversight, given some of the recent incidents, and is $81 million above fiscal year 2014 funding.

The bill provides the funding necessary to construct the National Bio and Agro-Defense Facility, NBAF, in Manhattan, KS.

It provides more than $10 billion for the Coast Guard, including the 8th National Security Cutter, and takes a serious step to address the near-term, heavy-ice breaker needs with $8 million for preserving the ship *Polar Ice*.

The bill supports our cyber security efforts, both protecting government operations and working with the private sector to share threat information and protective measures.

Since homeland security is a national effort, the bill provides continued funding for grant programs to State and local firefighters, emergency managers, and law enforcement.

The bill also provides for research and development, TSA's aviation security screening operations, the Federal Law Enforcement Training Center, and E-Verify, which supports businesses across the United States in hiring legal workers.

Finally, the bill provides a requested $7 billion for the Disaster Relief Fund to assist with recovery costs for communities when they are hit by natural disasters.

What the bill does not fund is the President's Executive actions. The House bill includes several amendments that are targeted at reversing the President's actions and articulating priorities for immigration enforcement. If that is concerning to my colleagues on the other side of the aisle, then allow us to proceed to the bill so we can debate these important issues.

We have returned to regular order in this Chamber, and with that comes the responsibility to debate, offer amendments, and vote on legislation. That is

what we are asking to do, and that is what we are calling on our colleagues to do. That is what the American people want us to do. That is what we are here to do.

I urge my colleagues to vote in favor of proceeding to H.R. 240 so we can do our work.

With that, I yield the floor.

Mrs. SHAHEEN. Mr. President, will my colleague from North Dakota, the chairman of the Subcommittee on Homeland Security, yield for a question?

Mr. HOEVEN. Mr. President, I will.

Mrs. SHAHEEN. I appreciate the work my colleague has done on this funding bill, and I think we certainly agree on the funding that is in the bill. That is not what the debate we are having is about.

I ask the Senator from North Dakota if he has heard the comments of Chairman JOHN CARTER of the House Appropriations Subcommittee on Homeland Security, a Republican from Texas, who said: ''Ultimately, there may be a clean bill.''

If the House is acknowledging that ultimately we may have a clean bill to fund the Department of Homeland Security, doesn't it make sense that we would move forward to get this funding done, and we would make sure there is certainty to address the risks facing this country?

We can debate immigration. I don't think there is anybody on the Democratic side who doesn't want to have an immigration debate. We are happy to have it. But we should have that as a separate debate. As the Republican majority knows, they control the debate in the Senate. So they can decide to bring up an immigration bill as soon as we pass funding for the Department of Homeland Security. So I hope, as the House suggests, ultimately there is going to be a clean bill and that we would pass it as soon as possible to provide certainty and then move on to debate the other issues facing this country.

I ask my colleague from North Dakota if he has spoken to the chairman of the House Appropriations Homeland Security Subcommittee, and does he share his view that ultimately there may be a clean bill?

Mr. HOEVEN. Mr. President, I am pleased to respond to the question of my counterpart on the Subcommittee on Homeland Security in the Senate, and I want to begin by acknowledging and stating again that I enjoy working with her. We have worked together on other committees and other issues, and I think there will be other issues we will work on together.

I am pleased to have this discussion with her because this is exactly the kind of debate we are asking for. We are asking to proceed to this bill so we can debate and, in fact, offer amendments. So what we are saying is—whether it is our colleagues on the House side or whether it is Members of the Senate—let's follow regular order, have the discussion, have the debate, offer amendments, and see where we end up.

Now, I believe the President's actions exceeded his authority in regard to his Executive order regarding immigration. Let's have that debate. Let's go to the bill so we can actually do the work we were sent here to do, where we discuss, debate, and offer amendments. If my esteemed colleague feels there is an amendment she should offer that would change this bill to bring it in line with the opinions of House Members or other Members of the Senate, then she will have the opportunity to do that, as will her colleagues, as will we. That is the point.

So the answer to the question is: We don't know where we end up if we don't get started. So let's get started. That is what we are saying. Please join with us. Just as in our committee, we will have many committee meetings where we will debate issues and where we will take amendments from our fellow Senators who are on that committee. But we can't do that if we don't bring the bill to the committee and get started. That is what we are asking to do on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I point out to my colleague that Senator MIKULSKI and I have introduced a clean bill that addresses funding for the Department of Homeland Security.

The fact is we find ourselves in this situation on the appropriations bill because of the riders that were attached by the House of Representatives. Those riders defund immigration directives that were issued by the President last year.

Yesterday, the senior Senator from Texas suggested that Senate Democrats don't want to debate immigration. In fact, we are happy to debate immigration. In fact, this body, in 2013, passed a comprehensive immigration reform bill with a very strong bipartisan vote.

The debate we are having today is about whether we are going to fund the Department of Homeland Security. The bill that is before us raises concerns about what is in the original clean bill that funds the Department of Homeland Security.

As the Senator from North Dakota and I were just discussing, Senate Republicans control the Senate. If they want to vote on immigration measures, they can bring a bill that would do that to the floor by the end of this week because they control what we consider in the Senate. But the issue that is before us today is whether we are going to fund the Department of Homeland Security. This is an issue that is critical because right now our Nation faces serious national security and terrorism threats.

This bill is not about the President's Executive action; it is about whether we are going to fund the Department of Homeland Security. Since we have heard from so many of our Republican colleagues that they want to discuss immigration and border security, I spent some time yesterday speaking about all of the important investments that a clean, full-year funding bill for the Department of Homeland Security would make in our border security. If we don't pass a clean funding bill, we will fail to make significant upgrades to technology on the border. We will fail to fund expanded enforcement activities for immigration officers. If we are serious about border security, we should support a clean full-year bill to fund the Department of Homeland Security.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. SHAHEEN. I ask unanimous consent to speak for 3 more minutes.

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

Mrs. SHAHEEN. I thank the Chair.

I also think it is instructive at this time to note for the RECORD that included in the Executive actions that Republicans are trying to defund are provisions that increase border security, prioritize enforcement resources, and ensure accountability in our immigration system. The House bill that is before us today defunds—takes away the money—for the new policy of prioritizing criminals and national security threats for removal from the United States. So one of the orders that have been issued by DHS that Republicans want to defund directs law enforcement officers to place top priority on removing national security threats, convicted felons, gang members, and illegal entrants apprehended at the border.

The House bill also defunds increased and strategic border security.

Another one of the memos issued by DHS is on the Southern Border and Approaches Campaign, which establishes three joint task forces to reduce the terrorism risks to the Nation, combat transnational criminal organizations, and prevent the illegal flow of people and goods along our border. So that is another part of this legislation our colleagues want to defund.

It doesn't make sense, if we are concerned about border security, that we would want to pass a bill that includes measures to defund these efforts.

I understand my time has expired. I certainly hope everybody understands what the bill before us, which includes those five House riders, would actually do.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I wish to take a moment to respond to some of the points made by the Senator from New Hampshire. She indicated defunding provisions, but understand that this relates to Executive action undertaken by the President. The very same prioritization in terms of enforcement is funded in the underlying bill

for enforcement of immigration law. Those prioritizations are there.

The other point I wish to make is that the Senator speaks about funding the Department of Homeland Security and their desire to fund the Department of Homeland Security. That is exactly what this bill does. This bill fully funds the Department of Homeland Security. There really is consensus between the House and the Senate that it does it very well. That is what this bill does. It funds the Department of Homeland Security.

So they are saying they want to fund the Department of Homeland Security. That is what this bill does, and that is why we have to proceed to it in order to accomplish full-year funding for DHS.

The third point I will make briefly is that the Senator referred to a bill that she is sponsoring with the Senator from Maryland to fund DHS—to fund the Department of Homeland Security—and she wants to proceed to that bill. Well, the way to do that is to vote with us to get on the bill before us—H.R. 240—and then they can offer that as an amendment, and we will debate it and we will have the vote.

So if the Senator from New Hampshire wishes to have the opportunity to debate her legislation and vote on her legislation, then let's vote to invoke cloture on this motion to proceed, let's proceed to the bill, and we will allow our colleagues to offer amendments which we can debate and vote on. We are offering the other side the opportunity to do exactly what they have asked to do.

Most importantly, again, I wish to go back to the point I just made. This bill fully funds the Department of Homeland Security for the full year, and we are being blocked from going to the bill, debating the bill, allowing amendments on the bill, and getting to the final product for the American people, while working with the House. Remember, we have to produce a product that passes the House, too, to fund the Department of Homeland Security for this country.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I move to proceed to the motion to reconsider the motion to invoke cloture on the motion to proceed to H.R. 240.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I move to reconsider the motion to invoke cloture on the motion to proceed to H.R. 240.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, John Cornyn, Richard Burr, Jerry Moran, John Thune, Johnny Isakson, Marco Rubio, Roy Blunt, Pat Roberts, Deb Fischer, John Boozman, David Vitter, Tim Scott, Roger F. Wicker, Richard C. Shelby, Michael B. Enzi, Rand Paul.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 240, an act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—53

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shelby
Corker	Kirk	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Daines	Moran	Wicker
Enzi	Murkowski	

NAYS—47

Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Peters
Blumenthal	Heller	Reed
Booker	Hirono	Reid
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	McCaskill	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

The PRESIDING OFFICER (Mr. TOOMEY). On this vote, the yeas are 53, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Indiana.

MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Indiana.

THE PRESIDENT'S BUDGET

Mr. COATS. Mr. President, I wish to make some remarks about the President's budget, which was presented to us on Monday of this week as his annual proposal to Congress.

Given our country's enormous fiscal challenges and the results of the 2014 midterm election, I think there was hope among many of us that the release of this budget would be an opportunity for the President to work with us.

There was a lot of talk about working with Congress, working together. The message from the November 2014 election was that the American people want Congress to get some things done. And by the way, what about the continuing deficit? Are we going to get back to this draconian knife held over our throats, where the budget continues to put us in a position where debt and deficit continue to be the plague which is going to have enormous, negative consequences on the future of this country?

Given these enormous challenges, there was really hope the President with his last 2 years, would see as part of his legacy an opportunity to work together to put us on a sound fiscal path. But much like the coach of the Seahawks on the 1-yard line, the President chose to make the wrong call.

In this case, in my opinion—and I think the opinion of many—the right call would have been a plan that actually puts us on a path for a balanced budget, addresses a skyrocketing mandatory spending burden and reforms our outdated Tax Code. These are, hopefully, ideas that both Republicans and Democrats could agree on. They would be in our national interest to move forward on. The time is now—with a Democratic President and a Republican Congress—to work together to achieve what Ronald Reagan and Tip O'Neill agreed to and what Bill Clinton and Newt Gingrich agreed to on welfare reform and on a number of other major initiatives that had been undertaken in Congress with support from both parties. They could be addressed.

But instead of pursuing a path of consensus on these issues, the President comes forward with $2.1 trillion in additional tax increases over the next 10 years. Is there any end to the obsession the President has for raising taxes on the American people?

All the debate at the end of the last cycle—the previous cycle before the last cycle—was over the fiscal cliff. Let's raise taxes on the richest people in America and the high earners, and that will address the problem of taxes. But we never could get to the spending issue.

So if you like government to just keep increasing: Send your tax dollars

to Washington, and we will spend it. That seems to be what the President had to say. Rather than looking at the dire consequences of not addressing these long-term problems, the President proposes to spend nearly $4 trillion in fiscal year 2016, a 7-percent increase from fiscal year 2015 and about $1 trillion more than what was spent in 2008. The President wants to eliminate the very budget caps that his administration proposed and he signed into law in 2011.

Well, it may be one thing to adjust those budget caps, particularly as it impacts our national defense and national security, but if that was done in conjunction with a larger proposal to address this out-of-control mandatory spending, wasteful spending, and unnecessary spending that is taking place here in Washington, that would be one thing to consider.

But this simply is just more of the same, going in the same direction, proposing unbalanced budgets each year, and adding more and more to our deficit and to our debt.

The President likes to talk about his veto pen and, with the release of this budget, we can only conclude that pen only contains red ink. The President has taken a pass on the golden opportunity to move forward and work together. Instead, his budget takes us in the same direction we have been going in the past 6 years without any proposal to address it in any kind of serious way. I think it is imperative that we do that.

Just last week, the Congressional Budget Office released its latest economic report and the findings were, once again, very sobering. This nonpartisan report warned that under current law our ''large and growing federal debt would have serious negative consequences, including increasing federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a fiscal crisis.''

The CBO projects that the gross Federal debt is expected to raise another $10 trillion over the next decade. The report also says that we will spend down almost $800 billion of the Social Security Trust Fund over the next 10 years.

Ten years from now, it is projected that spending on mandatory programs and interest on the debt will consume almost 94 percent of all Federal revenues, leaving far fewer funds for other important national priorities, such as strengthening our infrastructure, national defense, medical research, education, and any number of issues that could be dealt with on a national basis that would affect the future of this country. But it will not be able to be done because we have not taken these steps. Time is running out to make the tough fiscal choices now so future generations will not be saddled with an even higher burden of debt.

I regret the President has yet to come forward with the serious intent of working with us to deal with one of our country's most challenging and most pressing problems with creative solutions. We will only be able to accomplish the results we need if we work together, as the President has said. But it takes his engagement if we are going to succeed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. First, Mr. President, I commend my good friend, the Senator from Indiana, for his good work on laying out, with the Senator from Oregon, one approach on reforming the Tax Code and his willingness to look at this issue of our national debt.

Let me echo, at $18 trillion—he cited some statistics—interest rates go up 1 percent. That is more than $120 billion a year off the top. That is more than we spend each year on the issues I am going to speak to—the Department of Homeland Security.

The only issue I would raise with my friend is that we do need that grand bargain. But no one who has looked at this problem hasn't said: You are not going to solve it without revenues being part of the mix. You have to do entitlement reform. But even with the so-called revenues from the fiscal cliff, let me just point out that we brought the country to the brink of unforeseen financial areas.

To raise $600 billion, well, in the past few years we have had unprecedented one-time revenues from the Federal Reserve north of $400 billion, $200 billion-plus that CBO counts as revenue from paybacks of Fannie and Freddie. We do not have the revenue streams. If we can get back to revenue streams from the late 1990s, revenue as a percent of our GDP, when the economy was booming and jobs were being created and there was bipartisan collaboration, I think that, combined with entitlement reform—to make sure Social Security and Medicare are truly sustainable for the next 50 years—there is a path there and I thank the Senator for his work.

Mr. COATS. If I could ask the Senator from Virginia to yield for a response without yielding the floor, and I will yield right back to him.

I wish to say that the perception of the public is that this is a partisan issue. It is not. The Democratic Senator from Virginia has taken a lead in this effort and committed an extraordinary amount of effort—only to come up short.

I have been privileged to work with him and a number of Members from the other side of the aisle together with Republicans, and we see the need to work together on this. We have lacked one thing. We have lacked support from the executive branch. Until we have that, I don't believe we will be able to take serious steps forward in addressing this problem.

But that is not something that can be defined as one party versus another.

Most of us on both sides of this aisle have recognized the disastrous potential consequences of our not taking action. I appreciate the tremendous work the Senator from Virginia has done in leading this effort, and I know we both regret that we haven't achieved success.

I thank the Senator, and I yield back.

Mr. WARNER. I thank the Senator for his comments. We might agree or disagree on the role the President has played, but that still doesn't beg the fact that we need to continue our efforts in this body and in the body down the hall.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. WARNER. Mr. President, the subject of our debate today is that it is wholly inappropriate that at this moment in time some in Congress are deciding that they are going to hold hostage Homeland Security funding unless they get 100 percent of what they want.

I think immigration reform is a terribly important issue. I was proud to join in one of the broadest, bipartisan votes in the past few years to pass bipartisan immigration reform. I was disappointed when our friends in the House didn't take up that legislation and pass it.

Subsequent to that failure to act on the part of the House, the President has acted—and I believe there are even folks here watching these proceedings now who are beneficiaries of those Executive actions, some of the DREAMers.

Now if this body wants to redebate immigration, that is a fair topic, a fair subject. And I, for one, would welcome that full-throated debate again. But it should not—it should not—be tied to a critical part of national homeland security funding.

The remarkable thing is this is actually an area where both parties came to agreement on the size of the budget and the program prioritization. There was an agreement. But instead, extraneous items were added that now some are saying if we don't get these items we are willing to roll the dice or potentially shut down the most essential parts of our government at a time of enormous international and potentially domestic challenge.

All of us, obviously, can come and speak about the unspeakable tragedies we saw reported coming out of the Middle East. We see as well challenges that ISIL presents potentially—not just in that region but to the homeland and in terms of trying to encourage homegrown terrorists. The notion there would be Members of this body or any body who would say it is okay to cut off funding to DHS at this moment in time is remarkable.

The American people—as someone who just went through a refreshing reminder of what they are looking for through my last election process—do

not want us to legislate in this way. They want us to get things done. They want us to actually find common ground. And on homeland security we have made the hard choices on where the dollars ought to come from and where they ought to be prioritized.

But if the loudest voices get their way and hold this funding hostage, not only would it make our country more vulnerable to terrorist threats but a DHS shutdown would jeopardize our national security by disrupting other important programs, such as grants to train local law enforcement and to protect our communities. And as many as 240,000 people responsible for frontline security—more than 80 percent of DHS employees—will still have to show up to work—they just won't get paid for it. Many of them in the Commonwealth of Virginia.

This is a threat to the homeland, it is a threat to our law enforcement, it is a threat in terms of our ability to respond to crises with FEMA, and there is threat even without those potential tragedies of the normal course of an American citizen as they pass through airports and other venues. Ultimately, for an agency that has been under some strain, these 240,000 people who are working hard to protect our homeland have to provide for their families.

This is not the way this body should operate. I want to commend the majority for trying to say we will bring back an open process. But the notion that we will have a repeat of what we saw when we self-inflicted damage upon this whole economy when we shut down the government a few years ago because of an unwillingness of a few to compromise—if that is repeated now around homeland security, it would be a dreadful mistake.

TRIBUTE TO FEDERAL EMPLOYEE ANTHONY REGALBUTO

Mr. WARNER. Mr. President, I come to the floor to continue a tradition that was begun by my esteemed former colleague, the former Senator from Delaware, Ted Kaufman. Senator Kaufman would come to this floor from time to time to celebrate members of the Federal workforce who exemplify excellence in public service. In that tradition I want to honor a great Federal employee: CAPT Anthony Regalbuto.

Captain Regalbuto is a constituent of mine from Burke, VA. He currently serves as the Chief of the U.S. Coast Guard's Office of International and Domestic Port Security. But, in fact, Captain Regalbuto has spent his entire adult life in service to the Coast Guard, with 31 years on active duty and more than 12 years as a civilian—a total of 43 years of service. In this role he has been responsible for addressing the security weaknesses facing our Nation's ports. He has also assisted other countries with improving the safety of their own ports.

More than 90 percent of the imported goods of the United States go through our ports. The security risks facing the ports are many, and workers such as Captain Regalbuto help ensure they remain safe and secure from threats. For our Nation's ports to remain safe, we must ensure our foreign shipping partners follow established international port security requirements. So part of Captain Regalbuto's job is to make sure foreign countries that want to conduct business using U.S. ports adhere to these requirements.

Captain Regalbuto has developed a solution—a model code that countries could use as a guide to strengthen their own laws to improve the security of their ports. He also oversaw the creation of the Maritime Security Risk Analysis Model. It helps the Coast Guard analyze and address major port security weaknesses by measuring a variety of factors. This risk analysis model has helped the Coast Guard evaluate more than 30,000 potential targets and 100,000 attack scenarios across the country.

Furthermore, this data has helped to efficiently allocate more than $2.7 billion in grants where they can best help improve port security and get the best bang for the taxpayer dollars.

CAPT Anthony Regalbuto is just one of many Federal employees. He also happens to be a Federal employee who would potentially be affected by Department of Homeland Security funding, which is the current issue on the floor of the Senate.

One of the challenges, even as we move past this particular debate, is to make sure in these tight budget times—going back to the comments of the Senator from Indiana—that we husband our resources. We are going to have to do more with less. One of the things that is terribly important—as someone who has spent more time in business than I have in politics—if you want your workforce to do more, you find ways both psychically, monetarily, and through appropriate review to reward them.

Too often Members come to this floor and sometimes tend to demonize our Federal workforce. Too often over the past few years the Federal workforce is the first to receive the cuts in funding. If we are going to make sure our country remains strong, we want to make sure folks such as Captain Regalbuto keep our ports and keep our homeland safe. We need to recognize their service and, by all means, make sure we don't put in particular the DHS through another ill-fated, politically driven government shutdown.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

(The remarks of Mr. HATCH pertaining to the introduction of S. J. Res. 6 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, the House of Representatives has voted to fully fund homeland security, as the President has requested. It sent a bill to the Senate that fully funds all the lawful policies and programs in homeland security. The bill will not deny a penny of funding. In fact, it says, spend the money, but on enforcing the laws of the United States. Don't spend money undermining the laws of the United States. Don't spend money in violation of the laws of the United States. Don't spend money in violation of the established policies of Congress, which rejected the President's ideas that he is now executing. And don't spend money in violation of the will of the American people who overwhelmingly oppose the President's unlawful Executive amnesty.

That is what we are talking about today, and my colleagues continue to suggest that somehow Republicans are not funding the Homeland Security Department. Nothing could be further from the truth.

Our colleagues have now voted to block going to the bill. If they don't like some of the provisions that came over from the House, well, let's get on the bill and let's have some relevant amendments and let's vote on it. That is what Congress is about. That is the way we are supposed to do business here.

But our colleagues have gotten spoiled. They think they can block anything and turn around and blame the Republicans for it and that somehow everybody is going to agree with them.

Look, the American people get this. The President is not entitled to spend money to implement a system of immigration that Congress, representing the American people, rejected. If our Democratic colleagues are unhappy, then, as I said, they can offer amendments.

I feel it would be a stunning event if the Senate removes language from a bill that simply restores the separation of powers and prevents the President from overreaching in violating the Constitution. But if they want to bring up amendments that would allow the President to do this activity, let's do it, let's bring it up, and let's vote on it. Perhaps they might win it. But I think it is untenable constitutionally and it is untenable legally, because it is contrary to the law and the will of the American people.

My good friend Senator SCHUMER is one of our able Members of this body. He spoke earlier today and he said: The

right wing of the Republican Party is risking a DHS—Department of Homeland Security—shutdown to get their way on immigration. They are saying: Take our hard right stance on immigration, or we won't fund national security.

That is not so, Senator SCHUMER. Give me a break. Come on. You are blocking the bill. The House has voted to fund homeland security. It is on the floor. We need to pass it, and we will give you an opportunity to offer your amendments if you are not happy with it. It is absolutely not so that they are doing that.

So how is it being reported? Republicans frequently complain they don't get fair reporting in the press, but let's look at this:

U.S. News and World Report, today: ''Senate Democrats Block Bill Undoing Immigration Actions.'' That is the headline, ''Undoing Immigration Actions.'' Those are President Obama's unlawful actions. So they are defending his actions, not defending homeland security.

How about this one, USA Today: ''Democrats again block efforts to derail immigration order.'' The effort would derail the President's unlawful Executive amnesty—but it funds homeland security, as the article makes clear.

Fox News: ''Senate Dems nix debate on Homeland Security bill, blocking it, in protest over immigration.''

Who is blocking the bill?

Politico: ''Democrats filibuster Department of Homeland Security bill.''

That is exactly what is happening. The bill has passed the House. It is on the floor. We are trying to bring it up. We are trying to have debate. We are trying to have amendments. And they are blocking the bill—according to Politico, no rightwing publication.

The Washington Post: ''Senate Democrats block DHS spending bill targeting Obama's immigration actions.''

The Atlantic. This is a good one. For those of us who have been around here a long time, and I think for reporters who cover it, this is really humorous, to have our Democratic colleagues, having complained for years about what Republicans do. This is the headline in the Atlantic: ''The New Democratic Obstructionists.''

Here is the headline in the New York Times: ''Senate Democrats Block Republicans' Homeland Security Bill.''

So I would say, colleagues, the American people know better. The media knows better. They know who is blocking this bill. They know that the Congress of the United States—that the House of Representatives and the Senate is not required to fund any program it doesn't like.

It is absolutely not required, and it has a duty not to fund Presidential expenditures that are illegal. The Department of Homeland Security is provided funds to enforce the laws of the United States. The President right now is taking money that was sent to Homeland Security to enforce laws and he is redirecting it and moving it over to a building just across the river in Crystal City, hiring 1,000 persons to process applications of people illegally in the country and to provide them the earned-income tax credit, which is a direct check from the United States of America, provide them a Social Security number, the right to participate in Social Security, legal status in the country, the right to work in the country, and participation in Medicare, when the law of the United States says if someone is here unlawfully, they cannot work. So that is what this is all about.

I just want to push back. I urge my colleagues—at least seven of my Democratic colleagues have said they oppose President Obama's actions. When do they have a clearer chance to confront that action and demonstrate with conviction that they meant what they said than on this vote?

It allows the bill to come forward. It allows us to have a vote. It allows anybody in the Senate to offer amendments that would be relevant to the bill. I feel strongly about that.

I see the Senator from New York. I think she was in line to speak before I was, and I was able to grab a few minutes. So I would just say this. Colleagues, please review your position on this. Let's move to this bill. Let's fund Homeland Security. Let's discuss and have amendments and vote on the President's Executive order, and the one who wins the votes, so be it. That is the way the Congress of the United States works.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to urge my colleagues to do the right thing and pass a bill that would fully fund the Department of Homeland Security, without the politically driven riders that are the focus of this debate.

Protecting our country from terrorist attacks should be our top priority in Congress and we should not be playing games with Homeland Security funding. That is the least our constituents expect of us. I know that for many of my colleagues the question of immigration is a very contentious one and an important one worthy of debate. We should have that debate without risking the safety of our families by once again putting an immigration bill on the floor of the Senate.

But this funding bill for such a vitally important part of our national security is simply not the place for an ideological debate. If we fail to pass and fund the Department of Homeland Security, the consequences for our safety could potentially be devastating. Take for example the Urban Areas Security Initiative. This is the program that helps our cities pay for things such as surveillance equipment, secure communications systems, training for law enforcement personnel, all in order to increase our security and prevent terrorism. These grants ensure that all of the places terrorists have targeted and will continue to target are able to effectively prevent those violent acts from happening.

New York City is my home State. It is the No. 1 terror target in the Nation. It relies on the urban security program to keep its millions of residents and tourists safe. It also relies on our Homeland Security network to stop the plans of would-be terrorists.

Since 9/11, New York City has thwarted at least 16 terrorist attacks, and it has done so because of the constant support the Department of Homeland Security provides. If we cannot pass this bill, the Urban Areas Security Initiative and the extensive network of security systems in New York City would lose their funding, and every visitor to an urban area in this country, including right here in Washington, DC, would be less safe.

If we cannot pass this bill, not only would our security suffer, but the inspectors at our ports would not be paid, our security personnel would not be paid, and our Border Patrol agents would not be paid. If we don't pass this bill, then we have failed at our most solemn responsibility, to keep the American people safe.

I urge all my colleagues to please put politics aside, vote to pass a bill free of divisive policy riders and fully fund the Department of Homeland Security.

Thank you, Mr. President.

I yield the rest of my time.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHATZ. Mr. President, I rise today to urge my colleagues to pass a clean Homeland Security funding bill for fiscal year 2015. This is an issue of national security, and we cannot allow politics to divert attention from our responsibility as Senators.

The majority in the House sent the Senate a bill with five poison pills that they know will prevent the passage of this legislation. Yesterday and again today, my Senate colleagues and I sent a clear message that these politically divisive immigration provisions have no place in this bill.

I urge my colleagues to dispense with any further delays and allow for an up-or-down vote on the bill as originally drafted.

The Department of Homeland Security funding bill—created in the wake of 9/11, as Senator DURBIN reminded us earlier—is not the place to litigate immigration policy; rather, those issues are appropriately addressed in a comprehensive immigration bill, and I hope

the House will draft and vote on that type of legislation soon.

The recent executions of the Japanese and Jordanian hostages by the terrorist group ISIL and the attacks in Paris, Ottawa, and Australia serve as reminders of the very real threat we face.

Each day we delay in providing adequate, reliable resources to the Department of Homeland Security, we undermine the Department's efforts to defend the home front. That is why I am calling on my colleagues to take up and pass a clean bill.

My colleagues on the Appropriations Committee Senator SHAHEEN and Vice Chairwoman MIKULSKI have introduced a clean DHS funding bill that reflects the bipartisan agreement reached between the House and Senate appropriators. This bill funds a wide range of programs that keep Americans safe and secure.

For example, the clean version of this bill funds a host of counterterrorism, intelligence, and security functions; investments in cyber security defense technologies and personnel, investments to detect and protect against biological threats, research and development of nuclear detection technologies, TSA and Coast Guard operations to keep our skies and our waters safe. The clean version also funds $6 billion in disaster funds to help States, localities, businesses, and individuals rebuild after a natural disaster, staffing nearly 24,000 Customs and Border Protection officers who ensure legitimate travel of individuals who seek to enter the country, and staffing 20,000 Border Patrol agents who protect the 6,000 miles of our land border and 2,000 miles of coastal waters.

Department of Homeland Security Secretary Johnson has been clear that while the Department operates under the current CR, it cannot fund key homeland security initiatives.

A short-term CR would prevent the Department from awarding new disaster preparedness grants that support our local emergency responders. It would delay the hiring of more investigators for cases related to human trafficking and smuggling. It would also prevent the Secret Service from training for the next Presidential election, and the list goes on.

We cannot expect DHS to do long-term strategic planning with short-term funding measures. The Department needs reliable funding to operate efficiently and effectively.

The House majority is unfortunately playing politics with our homeland security because the President has taken an action that every President since the 1950s has taken: He has provided commonsense direction to our immigration enforcement efforts.

The President's Executive actions on immigration are fundamentally aimed at keeping families together, making our communities safer, and using our resources efficiently. It is hard to understand how someone could oppose that.

The President's actions will ensure that our immigration enforcement efforts are used to secure the border, prevent threats to national security, and protect public safety. These should be our top priorities, and I support those efforts, but if Members of the House take issue with them, they should draft and adopt immigration reform, just as the Senate did on a bipartisan basis 18 months ago.

Our path forward is simple: Pass a clean funding bill. If my colleagues want to fix our broken immigration system, then let's take up a bill, but let's not use this critical funding bill to play partisan politics.

The dedicated men and women of the Department of Homeland Security deserve better. The American people deserve better. Let's put aside politics and let's pass a clean Department of Homeland Security funding bill.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. ALEXANDER pertaining to the submission of S. Res. 67 are printed in today's RECORD under "Submitted Resolutions.")

RECOGNIZING THE HENRY CLAY CENTER FOR STATESMANSHIP AND THE KENTUCKY DISTILLERS' ASSOCIATION

Mr. MCCONNELL. Mr. President, last night I had the honor of speaking at a bourbon event hosted by the Henry Clay Center for Statesmanship and the Kentucky Distillers' Association here in Washington, DC. This event was for Kentuckians and by Kentuckians and featured the so-called "Bourbon Barrel of Compromise" that had been delivered from Ashland, the Henry Clay Estate in Lexington, KY. I would ask that my remarks at that event last night be entered into the RECORD.

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

[Feb. 3, 2015]

LEADER MCCONNELL'S REMARKS AT BOURBON EVENT

Thank you, Robert [Clay, co-chairman of the Henry Clay Center for Statesmanship].

It's a pleasure to be here to celebrate the spirit of Kentucky—literally. Tonight we honor two of Kentucky's most important gifts to the nation: the drink that is Bourbon whiskey and the revered statesman Henry Clay. I'm glad to be here to talk about both.

There are a lot of good Henry Clay stories, but let me share one of my favorites—a story that demonstrates Clay's sense of humor and quick wit.

On one occasion, a long-winded colleague of Clay's, Alexander Smyth of Virginia, was giving a speech. He turned to Clay in mid-speech and said disdainfully, "You, sir, speak for the present generation; but I speak for posterity."

Without batting an eye, Clay retorted, "Yes, and you seem resolved to speak until the arrival of your audience."

Taking that wisdom to heart, I will be brief.

I want to thank the Henry Clay Center for Statesmanship and the Kentucky Distillers' Association for hosting this grand event—not only tonight's affair, but shipping a barrel of Bourbon whiskey from Henry Clay's estate in Ashland to Washington, DC, just as the Great Compromiser reportedly often did some two centuries ago.

The history of Bourbon whiskey and the legend of Henry Clay have long been intertwined. It is said that whenever Clay went to Washington, he carried a barrel with him, to "lubricate the wheels of government."

Clay is also credited with writing the first historical recipe for the mint julep and introducing it to the public in this very hotel.

He recorded in his diary his own method for making the cocktail. Clay called for "mellow bourbon, aged in oaken barrels" and also instructed that "the mint leaves, fresh and tender, should be pressed against a coin-silver goblet with the back of a silver spoon."

The historical record also shows that Clay used Bourbon as an aid to legislating. One observer from that era recalls witnessing Clay and fellow Senate great John Calhoun sipping whiskey in the Old Senate Chamber.

Together they would drain their glasses behind the vice president's chair—and Clay, with good humor, would say to Calhoun, "Well, Mr. Senator, I will admit that you have had the better of me today; but I'll be your match tomorrow."

Legend also holds that Clay's oratorical skills were often enhanced by his consumption of Kentucky's favorite beverage. Some have said that it is the lime in the water used to make Kentucky Bourbon that lends both Bourbon whiskey and Clay's oratory their special flare.

Whatever it may be that gives Bourbon whiskey its unique taste, Kentucky is proud to be the birthplace of Bourbon.

The drink itself is named for Bourbon County, where the product first emerged. Kentucky produces 95 percent of the world's Bourbon supply, and Kentucky's iconic Bourbon brands ship more than 30 million gallons of the spirit to 126 countries, making Bourbon the largest export category among all United States distilled spirits.

Bourbon also gives much back to Kentucky. It is a vital part of the state's tourism and economy. Many a visitor to the Commonwealth has traced the famous Kentucky Bourbon Trail. And the industry is responsible for nearly 10,000 jobs in our state.

And both Bourbon and Clay have one thing in common: They excel at bringing people together in a spirit of compromise.

I'd like to think that this Kentucky spirit of compromise lives on in the Senate today. With the new Senate of the 114th Congress, it's great to see some real debate on the floor of the Senate once again.

It's been great to see both sides able to offer amendments once more.

I know many of the Democratic Senators are glad to be able to give more of a voice to their constituents too. I believe they welcome our vision of a Senate where we're doing some real legislating.

A more open Senate presents more opportunities for legislators with serious ideas to make a mark on the legislative process. It can give members of both parties a real stake in the outcome. And it helps lead, I hope, to greater bipartisan accomplishments down the road.

Just because we have a Republican Congress and a Democrat in the White House

doesn't mean we can't deliver for the American people. On the contrary—divided government has frequently been a time to get big things done. That's something Henry Clay would have well understood and appreciated.

Because principled compromise across party lines was very familiar to Henry Clay.

Three times in the early years of the American Republic, the split between North and South threatened to tear the country apart. And three times before the Civil War finally began, Henry Clay kept the nation together, through compromise and negotiation.

Were it not for his leadership, America as we know it may not exist today.

The Henry Clay Center for Statesmanship rightly keeps his spirit of compromise alive today through its education programs for high school and college students. The Center teaches Kentucky's future leaders about Henry Clay and the art of meaningful dialogue and discourse.

It makes me proud as a Kentuckian to see Henry Clay's legacy live on, whether it is through the Clay Center, through the U.S. Senate, or through all of us here today.

It makes me proud as a Kentuckian to see the imprint the Bluegrass State has made on the history of this country. Not only Clay, but famous Kentuckians like Abraham Lincoln. John Sherman Cooper. Alben Barkley. And the recently departed Wendell Ford.

And it makes me proud as a Kentuckian to see how many other Kentucky traditions have made a lasting imprint on our country. Not least of which is the Run for the Roses on the first Saturday of every May.

So thank you for allowing me to be here tonight. And thank you for taking the spirit of Kentucky with you wherever you go.

Good night.

LESSONS FROM THE EBOLA EPIDEMIC

Mr. LEAHY. Mr. President, not long ago Liberia, Sierra Leone, and Guinea, the World Health Organization, WHO, and the United Nations, and the United States, Great Britain, France, and other countries were frantically trying to bring the Ebola crisis in West Africa under control.

Thousands of people died due to a disastrous failure by WHO's Africa regional representative, serious miscalculations by local officials and global health experts, and a myriad of other problems ranging from weak local health systems that were quickly overwhelmed to a lack of accurate information and cultural practices that helped spread the disease rather than contain it.

But in the past few weeks there has been some good news about progress in stopping Ebola. According to WHO, Liberia, Sierra Leone, and Guinea recorded their lowest weekly numbers of new cases in months. The United Nations special envoy on Ebola stated that the epidemic appears to be slowing down, and the Government of Liberia has set a target of zero new Ebola cases by the end of February.

It is heartening to see that the hard work by Liberia, Sierra Leone, Guinea, and the international community are bringing results. But we are not out of the woods yet and there are important lessons to be learned from the mistakes and lost opportunities in the early response to this disease outbreak.

Ebola pushed governments, international organizations, and the private sector and health care responders into unknown territory, forcing everyone to think and act in new ways. Unfortunately, with the exception of the nongovernmental organization Doctors Without Borders, we were all too slow to recognize this. The initial response missed key opportunities to prevent the crisis from becoming an epidemic, and as a result thousands of people died who might have avoided infection. The symptoms of the initial victims were not recognized as Ebola, signs that the epidemic was spreading rather than receding, as some believed, were misinterpreted, and governments and international organizations did not effectively communicate or coordinate with local communities impacted by the virus, nor were the necessary resources to combat the disease available in-country early enough.

As work was done to overcome these missteps and challenges, the epidemic spread further across borders, as did rumors, and fear increased, people in the affected areas became increasingly distrustful of those who were trying to help, and already scarce health care workers became harder to recruit.

The consequences of not containing the disease in the early stages have been catastrophic. As of January 28, WHO estimates that 8,795 people have died from the Ebola virus, and according to UNICEF's preliminary estimates, as of December 29 at least 3,700 children in Guinea, Liberia, and Sierra Leone have lost one or both parents to the disease. The children of those countries have not attended school since mid-2014. While Guinea reopened their schools in mid-January, attendance has remained low. Liberia is preparing to reopen schools in mid-February, and Sierra Leone hopes to reopen its schools by the end of March.

Unemployment and business closures have increased, cross-border trade has plummeted, and there are concerns that food shortages and malnutrition will increase because food stock that would normally be kept for next year is already being eaten.

According to the World Bank's December estimates, the growth in GDP in 2014 for Liberia and Sierra Leone fell by over 60 percent in each country and Guinea's GDP growth in 2014 is down by 89 percent.

Much of our investments in the rebuilding of Liberia and Sierra Leone since the civil wars there have been obliterated by Ebola. These countries are back at square one.

The world's initial response to the Ebola crisis illustrates how unprepared we are for future global health crises which may be far more devastating and fast spreading than Ebola, if that is possible to imagine.

How can we avoid repeating our mistakes? Are we going to provide our own government agencies such as the Centers for Disease Control and Prevention and the U.S. Agency for International Development and international organizations such as WHO the resources they need? Can we count on them to take the steps to ensure that the right people are in the right places with the authority to make the necessary decisions in a timely manner?

Too often it seems that we have to relearn the same lessons each time for different situations and countries. There are already reports, including a January 19 article in the Washington Post that describes newly built Ebola response centers, paid for by the United States Government, that stand empty or have closed because the number of new Ebola cases has dropped sharply. It is far better to be prepared than unprepared, but we need to reassess the situation and be sure that we are adjusting our response appropriately.

The fiscal year 2015 Consolidated Appropriations Act includes $2.5 billion for the Department of State and USAID response to the Ebola crisis. As ranking member of the appropriations subcommittee that funds those agencies, I hope they will ensure that we use these funds to avoid past mistakes, by improving flexibility to respond to the crisis as it changes, relying less on international nongovernmental organizations and foreign contractors, and increasing support for building local public health capacity and a sustainable and resilient private sector, increasing awareness and sensitivity to cultural norms of those impacted by the crisis, and improving communication and coordination among local communities, local and national governments, and the international community. These are not new ideas but they emerge time and again.

Finally, we need to be far better prepared for protecting American citizens from contagious diseases that can spread like wildfire from a single health care worker or other infected individual who returns from an affected country. Fortunately, only one death from Ebola occurred in the U.S., but it could have been far worse.

Now is the time to reassess how we should respond domestically and internationally to regional epidemics and prepare accordingly. We cannot afford to waste time and resources making the same mistakes and relearning old lessons.

A RETURN TO DEMOCRACY IN SRI LANKA

Mr. LEAHY. Mr. President, for hundreds of millions of people around the globe, including in countries whose governments are allies of the United States, democracy and human rights are aspirations that seem beyond reach. According to a recent report by Freedom House, the state of freedom in the world declined in almost every region over the past year. But while we

should be deeply concerned by this discouraging trend, we should also recognize where progress is being made.

On January 8, the people of Sri Lanka stunned a repressive government that had been rapidly centralizing power and dismantling democratic institutions. President Mahinda Rajapaksa, who sensed his increasing unpopularity, called a snap election 2 years early hoping to take advantage of his fragmented opposition. However, to his surprise and the surprise of many observers, a broad coalition of Sri Lankans voted to oust his administration and to chart a new course. Rather than balk at forfeiting the chance for an unprecedented third term, President Rajapaksa, under pressure from the international community, stepped down within hours of the election results being published.

This was welcome news. After suffering decades of on-and-off conflict that is estimated to have cost as many as 100,000 lives, only to have the violence replaced by increasing repression and political and ethnic polarization, the peaceful transfer of power has helped breathe life into the hopes of Sri Lankans for reconciliation and a better future. For that hope to become reality, newly elected President Maithripala Sirisena will need to gain the trust of all Sri Lankans, regardless of their ethnicity or political views. In too many countries democracy has been treated as an election rather than a way of governing, but for it to succeed all citizens must have the ability to participate meaningfully. As President Sirisena stated in his inaugural address, what Sri Lanka needs ''is not a King, but a real human being''.

Of course, democracy alone will not heal Sri Lankan society. No one knows this better than those who lost family, friends, and loved ones in the war with the LTTE, or Tamil Tigers. In the final months of that war, many thousands of civilians died, mostly as a result of shelling by the Sri Lankan military of civilians who had been uprooted by the fighting. The United Nations, the United States, other governments and human rights organizations have long called for thorough, independent investigations and punishment of those responsible for war crimes and crimes against humanity.

While President Sirisena has pledged to launch a domestic inquiry into alleged war crimes, I agree with those who insist that nothing less than an international investigation, as called for by the U.N. Human Rights Council, will likely suffice to overcome the suspicion and distrust concerning this issue. It would be far better if the government seeks the assistance of the UN High Commissioner for Human Rights in developing a credible plan for investigating violations of human rights by both sides in the conflict, and holding those responsible accountable.

I am encouraged that President Sirisena has pledged to return the country to a parliamentary democracy with independent police and judicial institutions, and inclusive governance. He has also committed to taking steps to address the cases of those detained under the Prevention of Terrorism Act, PTA, many of whom are political prisoners like Jeyakumari Balendran. The reviews should be carried out expeditiously. While the release of 572 prisoners at the time of Pope Francis's visit on January 14 was a positive step, it is the cases of political prisoners detained under the PTA that will demonstrate the Sirisena government's commitment to reconciliation. The sooner innocent victims of the Rajapaksa government's repression are freed, the faster Sri Lanka will be able to recover.

Over the years I have spoken in this Chamber in support of independent investigations of war crimes and justice and reconciliation in Sri Lanka. I have met the relatives of victims of the war. President Sirisena's election offers the chance for all Sri Lankans to finally recover from that tragic period by rebuilding their country in a spirit of tolerance, respect, and common purpose.

FIXING NO CHILD LEFT BEHIND: INNOVATION TO BETTER MEET THE NEEDS OF STUDENTS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Senate Health, Education, Labor and Pensions Committee hearing yesterday be printed in the RECORD.

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

FIXING NO CHILD LEFT BEHIND: INNOVATION TO BETTER MEET THE NEEDS OF STUDENTS

This is the 27th hearing in the last six years about fixing No Child Left Behind or a related elementary and secondary education issue. I hope we are not far from a conclusion—from moving from hearings and discussions to marking up a bill. From the beginning of our work on No Child Left Behind, we concluded it would be better, rather than start from scratch on a new Elementary and Secondary Education Act, to identify the problems in the law and try to fix them. Generally speaking, we agree on the problems, and on several solutions we are not far from reaching consensus. We still have some work to do on accountability. And by accountability, I mean goals, standards, annual tests, disaggregated reporting of test results, and defining success or failure for teachers and schools as well as the consequences of that success or failure. On some of these things, we pretty much agree, like the need for a new goal. On other things, we still have some work to do, like whether or not to keep the 17 annual federal standardized tests.

This morning we are holding a roundtable discussion on ''Fixing No Child Left Behind: Innovation to Better Meet the Needs of Students.'' We aim for this to be different than a hearing. Senator Murray and I will each have a short opening statement and then we will introduce our roundtable of participants. Then we're going to jump right into the conversation, posing two questions to help guide the discussion.

First, what is your state, district, or school doing to implement innovative approaches to improve academic outcomes for students, particularly low-income and at-risk students? Second, how can we improve the federal law to encourage more states, districts, and schools to innovate?

And when I say law, I should also draw attention to the regulations that have followed these laws. For example, every state has to submit a plan to the federal government to receive its share of the $14.5 billion Title I program distributed to states for low-income children. That's about $1,300 for every child who lives at or below the federal poverty line. Those Title I applications are reviewed by the Department of Education, as well as by outside experts, before you can spend a dime of that money. In addition, 42 states, the District of Columbia and Puerto Rico are operating under waivers from the out-of-date and unworkable regulations in No Child Left Behind. To receive those waivers, states have to submit waiver applications. In Tennessee, that waiver application was 91 pages long with more than 170 pages of attachments. Since 2012, the state has had to submit eight different updates or amendments to the plan.

In addition to all this, the U.S. Department of Education spends another $9–10 billion or so on about 90 different programs that are either authorized or funded under No Child Left Behind, with separate application and program requirements. These programs include Promise Neighborhoods and Investing in Innovation.

So are we spending this money in a way that makes it easier or harder for you to innovate and achieve better academic outcomes?

My own view is that the government ought to be an enabler and encourager, rather than a mandater, of innovation. It can do this well. For example, last year Congress overwhelmingly supported reauthorizing the Child Care and Development Block Grant program that gives grants to states that allow parents to receive a voucher for the child care of their choice so they can attend school or go to work.

Seven decades ago the G.I. Bill enabled World War II veterans to attend a college of their choice, helping them become the greatest generation. Today, half our college students have federal grants or loans that follow them to the colleges of their choice, enabling them to buy the surest ticket to a better life and job. About 98 percent of the federal dollars that go to higher education follow the student to the school they attend. In K–12, the only money that follows students to the school they attend is the school lunch program.

Now, I'll turn to Ranking Member Murray for her opening statement and then we'll get the conversation going.

SCHOOL CHOICE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Brookings Institution earlier today be printed in the RECORD.

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

SCHOOL CHOICE

I am delighted to be here, but I should warn you: Based on my track record, I'm probably not your most reliable observer on school choice.

If I take you back to September 1992, I gave a speech at Ashland University in Ohio, and I predicted that by the year 2000 ''school choice will not be an issue.''

I suggested that an Ashland student writing a thesis in 2000 ought to make the subject parental choice of schools, because by then, I said, ''It will be a matter of history.

''Your colleagues will wonder along with you as you examine this strange era when we granted government monopolies control of the most valuable and important enterprises in town, and so many people fought furiously to keep doors to many of the best schools closed to poor children.

''They will ask, how could this have ever happened in America, at a time when the ideas of freedom, choice and opportunity were sweeping the rest of the world?''

My prediction might not have been right, but not because we didn't try.

In 1984, I gave a speech at the University of the South outlining the ''deep ruts'' into which American K–12 education had fallen. One of those was the lack of school choice for parents.

In 1985, the National Governors Association (NGA) embarked on a project called ''Time for Results.'' We divided into seven task forces, each chaired by a governor, to ask seven of the toughest questions you could ask about American education. One of those questions was, ''Why not let parents choose the schools their children attend?'' The task force working on that question was chaired by the Democratic governor of Colorado, Richard Lamm, who said then, ''You know, it is interesting that America is a land of choices. We have 100 breakfast cereals to choose from, 200 different makes of cars. But in this one educational area . . . we have not done a lot in choice.''

Then in 1992, President Bush proposed his ''GI Bill for Children,'' which was a plan to allow states and cities to give $1,000 annual scholarships in new federal dollars to each child of a middle- and low-income family in a participating state or locality.

Families could spend the scholarships at any lawfully operated school—public, private or religious.

And up to half of the scholarship could be spent on other academic programs, like a Saturday math tutoring program or a summer accelerated language course.

That year, the Carnegie Foundation had reported that 28 percent of our nation's parents would like to send their child to a different school.

Today, that number is even higher—it is, in fact, more than twice as high. A recent 2013 Luntz Global study found that 64 percent of parents said that ''if given the financial opportunity,'' they would send one or all of their children to a different school.

The last 23 years have seen some positive changes in the ability of parents to choose their children's schools.

Today all 50 states and Washington, D.C. offer to some students alternatives to the school they would normally be assigned based on their residence.

Approximately 15 percent of school-age children attend a school other than their school of residence through open-enrollment programs.

Policies in 42 states allow some, or all, parents to send their children to public schools outside their districts.

Of those 42 states—15 states require districts to participate, 23 allow them to participate, and three require it specifically for low-income students and students in failing schools.

In 31 states, parents are allowed to choose among schools within their district.

Of those 31 states—16 states require districts to participate, 10 allow them to participate, and 6 require it for low-income students or students in failing schools 6 states.

More than 2.5 million—or nearly five percent of all public school children—are enrolled in more than 6,000 public charter schools in 42 states and D.C. Typically parents choose to enroll their children in these schools.

In addition, today more than 300,000 children are served by 41 private school choice programs across 19 states, D.C., and Douglas County, Colorado. These programs often give students who meet certain criteria—usually based on income, special needs, or academic performance—an opportunity for a voucher, tax credit program, or education savings account to allow them to attend private schools.

Also, the option for homeschooling is available in all states and parents of about three percent of school-age children choose to homeschool.

Allowing students to choose among schools is not a new idea for the federal government.

Allowing federal dollars to follow students has been a successful strategy in American education for 70 years.

In 1944, the G.I. Bill allowed veterans to choose among colleges, public or private.

Today, about $136 billion in federal grants and loans continue to follow students to the college or university of their choice.

Just last year, Congress reauthorized the $2.4 billion Child Care and Development Block Grant program, or CCDBG, which, when combined with other federal and state funding, helps approximately 900,000 families pay for child care of their choice while they work or attend school, mostly through vouchers.

These are among the most successful and popular federal programs—why is it so hard to apply the same sorts of choices to elementary and secondary schools?

What can the federal government do now to expand the opportunity parents have to choose the most appropriate school for their children?

The first is Scholarships for Kids. This is a bill I introduced that would use $24 billion of the federal dollars we spend each year on K–12 education and allow states to create $2,100 scholarships to follow 11 million low-income children to any public or private school of their parents' choice.

Also, the discussion draft I've just released to fix No Child Left Behind gives states the option of using $14.5 billion in Title I money to follow 11 million low income children to the public school they attend.

Most people agree that Title I money, which is supposed to help low-income kids, gets diverted to different schools because of a formula that targets money to districts based on how much states spend per student. That is largely influenced by teacher salaries.

The simplest way to solve that problem is to let that money follow the child to the school they attend. You could do that to just public schools, which has been the tradition with Title I money, or to private schools, which is what I would prefer.

The second is the CHOICE Act. This is a proposal by Senator Tim Scott to allow about $11 billion the federal government now spends for children with disabilities to follow those six million children to the schools their parents believe provide the best services.

I think it's important to note that these bills do not require states to do anything—instead they give them the option to have money follow the child.

The third is the DC Opportunity Scholarship Program. Senator Scott's CHOICE Act would also expand the D.C. Opportunity Scholarship Program that began in 2004 and has provided about 6,000 low-income students in Washington, D.C. with the opportunity to receive a scholarship to attend a private school of their parents' choice. Today, far more parents in the city have applied for the scholarships than have received them.

The fourth is expanding charter schools. In my final year as education secretary under President George H. W. Bush, I wrote every school superintendent in America asking them to try this new idea from Minnesota called ''start-from-scratch schools.'' At the time there were only twelve of them. They were the first charter schools. Today there are more than 6,000.

Charter schools have had strong bipartisan support—including from President Clinton and Secretary Duncan.

We've got in our discussion draft provisions that would streamline and update the existing Charter Schools Program to:

Provide grants to State entities to start new charter schools and to replicate or expand high-quality charter schools.

Provide grants to entities to enhance credit methods to finance charter school facilities.

Provide grants to charter management organizations, like KIPP or Rocketship in my home state of Tennessee, to replicate or expand high-quality charter schools.

Our goal is to grow the federal investment in expanding and replicating high-quality charter schools with a demonstrated record of success, and hold charter schools accountable for their performance.

Other senators also have some good proposals. Senators Paul and Lee both have bills to allow federal dollars from Title I of the Elementary and Secondary Education Act to follow low-income children to the public or private school of their parents' choice. Senator Rubio has a bill that creates a new federal tax credit for individual and corporate donations to organizations that provide low-income students with private school scholarships.

As for the future, I think I've learned my lesson—I'm not about to make a prediction.

It looks like it will be a while before school choice will be a matter of history.

But the progress so many have made is impressive—there is plenty of opportunity to do more.

As Ross Perot told me in 1984, ''Changing the public schools of Texas was the hardest, meanest, bloodiest thing I've ever tried to do.''

Since I'm not going to make a prediction then I'll end with a question—the same one I asked in 1992: If we trust parents to choose child care for their children, and we trust them to help their children choose a college to attend—and both those systems have been so successful—why do we not also trust them to choose the best elementary or high school for their children?

HONORING OUR ARMED FORCES

NAVY SPECIAL WARFARE OPERATOR FIRST CLASS WILLIAM MARSTON

Ms. AYOTTE. Mr. President, I wish to honor the life of William ''Blake'' Marston, a Navy SEAL from New Hampshire who was tragically killed in the line of duty.

Blake Marston was an extraordinary man who served our Nation with honor, courage, and commitment. His decision to become a Navy SEAL and take risks in training and combat missions alike speaks to his love of country and his dedication to serving his fellow Americans. His ultimate sacrifice in the line of duty leaves all New Hampshire citizens in Blake's debt.

Blake grew up in Bedford, NH, where he excelled as a student athlete and was known by his coaches for being a hard worker and dedicated team member. He loved baseball and was an alpine ski racer. It is clear that Blake

was special from an early age. From his involvement in the church youth group, to his mentorship of young athletes, Blake was devoted to helping others.

At Stonehill College, Blake majored in criminal justice and studio arts, and it was during his senior year that he decided that he wanted to become a Navy SEAL—a member of the most elite special forces unit. Blake's athleticism, leadership, and determination provided him with the physical and mental toughness he needed to endure one of the most grueling training experiences in the world in order to become a SEAL. And he succeeded.

Blake's service to our Nation included two tours of duty in Afghanistan. He never let up on his desire to improve and be the best SEAL he could be. Just as he put in the time in his backyard with his dad honing his baseball skills, he also worked tirelessly at being the best that he could be as a defender of our country.

Blake died training to conduct the kinds of missions that keep Americans safe. We owe our freedom and security to Blake and the men and women like him in our armed services.

During the Celebration of Life service held in Blake's honor, his family, friends, and classmates described a young man who was kind, compassionate, thoughtful, and funny—a gentle giant, yet also a highly trained, elite warrior. In describing his devotion to his fellow SEALs, Blake once remarked to his father, ''You know, Dad, I can't possibly imagine being in any other profession where I have such respect and love for my teammates.''

Blake will be laid to rest in Arlington National Cemetery, a hero surrounded by his brothers in arms.

My thoughts and prayers are with Blake's parents Nancy and Bill, and sister Emily, who have lost a loving son and brother. May God bless Blake and his family.

ADDITIONAL STATEMENTS

REMEMBERING MASTER SERGEANT JAMES WILLIAM HOLT

• Mr. BOOZMAN. Mr. President, this Saturday, February 7, 2015, members of the Hempstead County community will gather for a memorial service for MSG James William Holt of Hope, AR, who was killed in action in Vietnam in 1968.

The service will take place on the 47th anniversary of Master Sergeant Holt's heroic actions and will coincide with the return of his remains for proper burial.

In the early morning hours of February 7, 1968, the North Vietnamese Army launched a massive, coordinated tank and infantry assault on the Special Forces Camp at Lang Vei that created numerous casualties among the troops defending the base.

As a Special Forces medic, Master Sergeant Holt raced around the compound, while under heavy fire, to administer aid to the wounded and move them to safety. His valiant actions during the assault did not end there.

While not a weapons specialist, Master Sergeant Holt nonetheless was a professional Special Operations soldier who knew how to fire every weapon in that camp accurately and effectively. He was also a decisive leader who took charge of a silent 106 mm recoilless rifle and brought it to life, destroying three enemy tanks before running out of ammunition.

Master Sergeant Holt then supplied himself with light anti-tank weapons and charged into the face of the enemy, single-handedly attacking the tank formation, and allowing time for his brothers-in-arms to fight their way to safety. When two enemy tanks broke through the perimeter, Master Sergeant Holt delivered deadly fire on them, scoring a direct hit on one of the armored vehicles.

The Battle of Lang Vei was a short, but costly battle that could have even worse for American forces if it were not for Master Sergeant Holt's heroics. For his acts of bravery, Master Sergeant Holt was posthumously awarded the Silver Star for gallantry in action and the Purple Heart.

I was at the ceremony in 2013 when Master Sergeant Holt was posthumously inducted into the Arkansas Military Veterans Hall of Fame and I wish I could be onhand when the community honors him this weekend. These tributes will help ensure Master Sergeant Holt's remarkable story of bravery and selfless sacrifice forever lives on.•

TRIBUTE TO SERGEANT JUSTIN MAHANA

• Mr. HELLER. Mr. President, I wish to recognize Sgt Justin Mahana for his courageous act to help others. After driving from Las Vegas to Lake Havasu, AZ, to help a coworker whose car had broken down, Sergeant Mahana stopped at a gas station to check that his own car was ready for the trip back to Nevada. While there, Sergeant Mahana witnessed a car crash into a median, leading him to investigate the accident and pull the driver out of the car as it lit into flames. It gives me great pleasure to recognize his bravery and his commitment to others both in this moment and throughout his life.

Sergeant Mahana, a 17-year veteran, joined the U.S. Air Force because he wanted to make a difference in the lives of others. His job entails the maintenance and upkeep of military vehicles that are used by pararescuemen when conducting combat search and rescue missions, as well as humanitarian relief operations. Both his commitment to the Air Force, as well as his daily actions, prove his regard for others.

I extend my deepest gratitude to Sergeant Mahana for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery earn him a place among the outstanding men and women who have valiantly defended our Nation.

His commitment to helping those around him, as well as serving the country, demonstrates his unwavering selfless character. His actions represent only the greatest of Nevada's values, including a sense of community and an obligation to help others.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

During his tenure, Sergeant Mahana has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Air Force. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today, I ask my colleagues to join me in recognizing Sgt. Justin Mahana for all of his accomplishments and wish him well in all of his future endeavors.•

REMEMBERING DAVID LEE THOMAS, SR.

• Mr. SESSIONS. Mr. President, I rise today to pay tribute to David Lee Thomas, Sr. of Mobile, AL, who passed away on January 22, 2015. He and I were friends for many years. I first got to know him when I was a young Assistant U.S. attorney in Mobile and he was already a proven and respected Federal law officer. He had been hired as the first African-American investigator in the southeast region, with the office of inspector general, U.S. Department of Agriculture. He was investigating fraud by stores and businesses that were buying food stamps for cash or carrying on other unlawful activities. One of the highlights of his career with the OIG was receiving a letter from President Ronald Reagan for solving a fraud case which saved the U.S. Government $10 million. During that time, we worked a number of cases together. Several went to trial, and he taught me a great deal about law, trials, and how fraud and abuse occur.

David retired from the OIG in 1990, but that retirement lasted all of 6 months. He began working at the Mobile Drug Coalition, and from there he began the second most rewarding career when he became the assistant director of the Mobile County Community Corrections Center. In that role, he established the Court Police Department and helped develop the Mobile County Drug Court Program, which was the first of its kind in Alabama.

David loved his community and was involved in many organizations to make Mobile a better place to live. He

was also very active in his church. He was a great law enforcement officer, citizen, friend, and devoted father and grandfather. This Nation has many excellent Federal employees and officials. David was one of the best. His record speaks for itself. I extend my sympathy to his friends and family.●

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.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13396 ON FEBRUARY 7, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO CÔTE D'IVOIRE—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency, unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Côte d'Ivoire is to continue in effect beyond February 7, 2015.

The Government of Côte d'Ivoire and its people continue to make significant progress in promotion of democratic, social, and economic development. The United States also supports the advancement of impartial justice in Côte d'Ivoire as well as the Government of Côte d'Ivoire's efforts to prepare for a peaceful, fair, and transparent presidential election in 2015, which will be an important milestone in Côte d'Ivoire's progress. We urge all sides to work for the benefit of the country as a whole by rejecting violence and participating in the electoral process.

While the Government of Côte d'Ivoire and its people continue to make progress toward peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, *February 4, 2015.*

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 596. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

MEASURES REFERRED

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

H.R. 159. An act to stop exploitation through trafficking; to the Committee on the Judiciary.

H.R. 181. An act to provide justice for the victims of trafficking; to the Committee on the Judiciary.

H.R. 285. An act to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts; to the Committee on the Judiciary.

H.R. 515. An act to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 596. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

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–505. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Use By Over-Snow Vehicles (Travel Management Rule)'' (RIN0596–AD17) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–506. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Colorado; Relaxation of the Handling Regulation for Area No. 3'' (Docket No. AMS–FV–14–0092; FV14–948–1 IR) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–507. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 2014–2015 Marketing Year'' (Docket No. AMS–FV–13–0087; FV14–985–1B IR) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–508. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate'' (Docket No. AMS–FV–14–0054; FV14–906–3 FIR) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–509. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Poly(oxy-1,2-ethanediyl), a-(3-carboxy-1-oxosulfopropyl)-w-hydroxy-, (C10-C16) - alkyl ethers, disodium salts; Exemption from the Requirement of a Tolerance'' (FRL No. 9920–44) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–510. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Agency's proposed fiscal year 2016 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC–511. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commuted Traveltime; Correction'' (Docket No. APHIS–2004–0108) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–512. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Two Hybrids of Unshu Orange From the Republic of Korea Into the Continental United States'' ((RIN0579–AD87) (Docket No. APHIS–2013–0085)) received in the Office of the President of the Senate on January 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–513. A communication from the Chair of the Military Compensation and Retirement Modernization Commission, transmitting, pursuant to law, reports entitled ''Report of the Military Compensation and Retirement Modernization Commission: Legislative Proposals,'' ''Report of the Military

Compensation and Retirement Modernization Commission: Interim Report,'' and Report of the Military Compensation and Retirement Modernization Commission: Final Report''; to the Committee on Armed Services.

EC–514. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–515. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–516. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–517. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2014–0002)) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–518. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2014–0002)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–519. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–520. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 of July 22, 2004, relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC–521. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–522. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2014–0002)) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–523. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''U.S.-India Bilateral Understanding: Additional Revisions to the U.S. Export and Re-export Controls Under the Export Administration Regulations'' (RIN0694–AF72) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–524. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis Class Free States Certified Brucellosis-Free Herds; Revisions to Testing and Certification Requirements'' ((RIN0579–AD22) (Docket No. APHIS–2009–0083)) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–525. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments: Transfer of Office Functions'' (RIN1992–AA47) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Energy and Natural Resources.

EC–526. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Automatic Ice Makers'' ((RIN1904–AC39) (Docket No. EERE–2010–BT–STD–0037)) received in the Office of the President of the Senate on January 30, 2015; to the Committee on Energy and Natural Resources.

EC–527. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for General Service Fluorescent Lamps and Incandescent Reflector Lamps'' ((RIN1904–AC39) (Docket No. EERE–2011–BT–STD–0006)) received in the Office of the President of the Senate on January 30, 2015; to the Committee on Energy and Natural Resources.

EC–528. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9919–68)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Environment and Public Works.

EC–529. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources Wastewater Limit Withdrawal'' ((RIN2060–AS45) (FRL No. 9921–80–OAR)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Environment and Public Works.

EC–530. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Idaho and Oregon: Negative Declarations'' (FRL No. 9922–34–Region 10) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Environment and Public Works.

EC–531. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Revisions to Emissions Inventory Requirements, and General Provisions'' (FRL No. 9922–25–Region 6) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Environment and Public Works.

EC–532. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report entitled ''North Atlantic Coast Comprehensive Study: Resilient Adaptation to Increasing Risk''; to the Committee on Environment and Public Works.

EC–533. 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; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0626)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–534. 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; ATR–GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0530)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–535. 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–2014–0526)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–536. 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–2014–0582)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–537. 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 Helicopters (Previously Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2014–1058)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–538. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (20); Amdt. No. 3619'' (RIN2120–AA65) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–539. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (75); Amdt. No. 3621'' (RIN2120–AA65) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–540. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (19); Amdt. No. 3620'' (RIN2120–AA65) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–541. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (108); Amdt. No. 3622'' (RIN2120–AA65) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–542. 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; Withdrawal'' (RIN2120–AK62) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–543. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Management Systems for Domestic, Flag, and Supplemental Operations Certificate Holders'' (RIN2120–AJ86) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–544. A communication from the Secretary of Labor, transmitting, pursuant to law, the Pension Benefit Guaranty Corporation's Office of Inspector General's Semi-annual Report to Congress and the Pension Benefit Guaranty Corporation Management's Response for the period from April 1, 2014, through September 30, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–545. A communication from the Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''U.S. Department of Homeland Security Annual Performance Report for Fiscal Years 2014–2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–546. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–590, ''Education Licensure Commission Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–547. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–591, ''Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–548. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–589, ''Early Learning Quality Improvement Network Temporary Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–549. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Annual Performance Plan for the Office of Government Ethics for fiscal year 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–550. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–80; Small Entity Compliance Guide'' (FAC 2005–80) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–551. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–80) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–552. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Ending Trafficking in Persons'' ((RIN9000–AM55) (FAC 2005–80)) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–553. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Management and Oversight of the Acquisition of Services'' ((RIN9000–AM84) (FAC 2005–80)) received in the Office of the President of the Senate on February 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–554. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems: Redefinition of the Fort Wayne-Marion, IN, and Detroit, MI, Appropriated Fund Federal Wage System Wage Areas'' (RIN3206–AN06) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–555. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–592, ''District Government Certificate of Good Standing Filing Requirement Amendment Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–556. A communication from the Chairman of the Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Buy American Act Report for fiscal year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–557. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–501, ''Paint Stewardship Act of 2014''; to the Committee on Homeland Security and Governmental Affairs.

EC–558. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a report relative to mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel; to the Committee on Homeland Security and Governmental Affairs.

EC–559. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Management, Department of Homeland Security, received in the Office of the President of the Senate on January 28, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–560. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's annual report concerning its compliance with the Sunshine Act for calendar year 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–561. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–80; Introduction'' (FAC 2005–80) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–562. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (33); Amdt. No. 3624'' (RIN2120–AA65) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–563. A communication from the Chair of the Aerospace Safety Advisory Panel, National Aeronautics and Space Administration, transmitting, pursuant to law, the Panel's annual report for 2014; to the Committee on Commerce, Science, and Transportation.

EC–564. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Annual Report of the Maritime Administration (MARAD) for fiscal year 2013; to the Committee on Commerce, Science, and Transportation.

EC–565. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Port of New York'' ((RIN1625–AA01) (Docket No. USCG–2013–0018)) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–566. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; List of Authorized Fisheries and Gear'' (RIN0648–BD67) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–567. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Telemarketing Sales Rule Fees'' (RIN3084–AA98) received in the Office of the President of the Senate on January 28, 2015; to the Committee on Commerce, Science, and Transportation.

EC–568. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''National Highway-Rail Crossing Inventory Reporting Requirements'' (RIN2130–AC26) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–569. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Office of the Medicare Ombudsman 2013 Report to Congress''; to the Committee on Finance.

EC–570. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''List of Automatic Changes'' (Rev. Proc. 2015–14) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–571. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 5000A National Average Premium for a Bronze Level of Coverage (2015)'' (Rev. Proc. 2015–15) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–572. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Procedures to Change a Method of Accounting for Federal Income Tax Purposes'' (Rev. Proc. 2015–13) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–573. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Biodiesel and Alternative Fuels; Claims for 2014; Excise Tax'' (Notice 2015–3) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–574. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application for Recognition as a 501(c) (29) Organization'' ((RIN1545–BK64) (TD 9709)) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–575. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates - February 2015'' (Rev. Rul. 2015–3) received in the Office of the President of the Senate on February 2, 2015; to the Committee on Finance.

EC–576. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0096); to the Committee on Foreign Relations.

EC–577. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0097); to the Committee on Foreign Relations.

EC–578. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0098); to the Committee on Foreign Relations.

EC–579. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Management, Department of Homeland Security, received in the Office of the President of the Senate on January 28, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–580. A communication from the Assistant Secretary of the Interior (Indian Affairs), transmitting, pursuant to law, a report entitled ''Fiscal Year 2013 Report to Congress Pursuant to 25 U.S.C. 450j–1(c) on the Funding Requirements for Contract Support Costs''; to the Committee on Indian Affairs.

EC–581. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Temporary Placement of Three Synthetic Cannabinoids into Schedule I'' (Docket No. DEA–402) received in the Office of the President of the Senate on January 30, 2015; to the Committee on the Judiciary.

EC–582. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States'' for the September 2014 session; to the Committee on the Judiciary.

EC–583. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Corporation's fiscal year 2016 Congressional Budget Justification; to the Committee on Health, Education, Labor, and Pensions.

EC–584. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Budget Justification for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–585. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–113); to the Committee on Foreign Relations.

EC–586. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–128); to the Committee on Foreign Relations.

EC–587. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–123); to the Committee on Foreign Relations.

EC–588. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–080); to the Committee on Foreign Relations.

EC–589. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0004 - 2015–0010); to the Committee on Foreign Relations.

EC–590. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–130); to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 227. A bill to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement.

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. LEE (for himself, Mr. LEAHY, Mr. CORNYN, Mr. MORAN, Mr. GARDNER, Mrs. SHAHEEN, Mr. MERKLEY, and Mr. BLUMENTHAL):

S. 356. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. CORNYN):

S. 357. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. REID, Mrs. MURRAY, Mr. BROWN, Mr. BENNET, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MARKEY, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. DURBIN, Mr. COONS, Mr. SANDERS, Ms. STABENOW, Mrs. BOXER, Ms. WARREN, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. MENENDEZ, Mr. TESTER, Mr. CARDIN, Ms. HIRONO, Mr. FRANKEN, and Mr. SCHATZ):

S. 358. A bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. CASSIDY (for himself and Mr. RUBIO):

S. 359. A bill to amend title I of the Patient Protection and Affordable Care Act to impose restrictions on the risk corridor program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 360. A bill to authorize an additional district judgeship for the district of Idaho; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mr. MCCAIN):

S. 361. A bill to direct the Secretary of the Interior to sell certain Federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming, previously identified as suitable for disposal, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUNT (for himself, Mr. GRASSLEY, Mr. ROBERTS, Mr. CORNYN, Mr. COATS, Mr. SCOTT, and Mr. RISCH):

S. 362. A bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY (for himself, Ms. MIKULSKI, Mr. CASEY, Mr. WHITEHOUSE, and Mr. BOOZMAN):

S. 363. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT (for himself and Mr. SCHUMER):

S. 364. A bill to amend the Internal Revenue Code of 1986 to extend tax incentives to certain live theatrical performances, and for other purposes; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. LEE):

S. 365. A bill to improve rangeland conditions and restore grazing levels within the Grand Staircase-Escalante National Monument, Utah; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself, Mr. COCHRAN, Mr. LEAHY, Mrs. MCCASKILL, Mr. UDALL, Mrs. BOXER, Mr. DURBIN, Mr. KING, Ms. HEITKAMP, Ms. WARREN, Mr. DONNELLY, Mr. BROWN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. MENENDEZ, Ms. HIRONO, Mr. HEINRICH, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MURPHY, Mr. CARDIN, Mr. PETERS, Mr. MERKLEY, Mr. KAINE, Ms. AYOTTE, Ms. COLLINS, Mr. GARDNER, Mr. GRASSLEY, Mr. SCOTT, Mr. WICKER, and Mr. DAINES):

S. 366. A bill to require Senate candidates to file designations, statements, and reports in electronic form; to the Committee on Rules and Administration.

By Mr. TESTER (for himself, Mr. UDALL, Mrs. GILLIBRAND, and Mrs. BOXER):

S. 367. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. MANCHIN):

S. 368. A bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. BLUNT):

S. 369. A bill to enhance pre- and post-adoptive support services; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Ms. AYOTTE, Mrs. GILLIBRAND, Mrs. BOXER, Ms. HEITKAMP, Ms. BALDWIN, Mr. BROWN, Ms. MIKULSKI, Ms. STABENOW, Mrs. CAPITO, Mrs. SHAHEEN, Mr. CASEY, Ms. HIRONO, Mrs. MCCASKILL, Ms. WARREN, and Ms. CANTWELL):

S. 370. A bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself, Mrs. BOXER, Mr. SULLIVAN, and Ms. CANTWELL):

S. 371. A bill to remove a limitation on a prohibition relating to permits for discharges incidental to normal operation of vessels; to the Committee on Environment and Public Works.

By Mrs. CAPITO (for herself, Mr. CRAPO, Ms. HEITKAMP, Mr. MANCHIN, Mr. MERKLEY, and Mr. TOOMEY):

S. 372. A bill to ensure access to certain information for financial services industry regulators, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. THUNE, and Mr. NELSON):

S. 373. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 374. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to extend the requirement of the Secretary to furnish hospital care and medical services through non-Department of Veterans Affairs entities to veterans residing in certain locations; to the Committee on Veterans' Affairs.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. BALDWIN, Mr. COCHRAN, Mr. BLUMENTHAL, Mr. KIRK, Mr. CARPER, Ms. MURKOWSKI, Mr. CASEY, Mr. PORTMAN, Ms. CANTWELL, Mr. COONS, Mr. HEINRICH, Ms. HIRONO, Mr. KING, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. SANDERS, Mr. SCHUMER, Mr. WYDEN, and Ms. KLOBUCHAR):

S. 375. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. BLUNT, Mr. DURBIN, Mr. BOOZMAN, and Mr. LEAHY):

S. 376. A bill to amend the Internal Revenue Code of 1986 to exclude payments received under the Work Colleges Program from gross income, including payments made from institutional funds; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. ROBERTS, Mr. LEAHY, and Ms. COLLINS):

S. 377. A bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. BLUNT, Mr. CRUZ, Mr. HATCH, Mr. PAUL, Mr. CORNYN, Mr. RUBIO, Mr. INHOFE, Mrs. FISCHER, Mr. FLAKE, Mr. LEE, Mrs. CAPITO, and Mr. GARDNER):

S. 378. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. CORNYN, Mr. LEE, Mr. MCCAIN, Mr. ENZI, Mr. SCOTT, Mr. JOHNSON, Mr. INHOFE, Mr. BLUNT, Mr. MORAN, Mr. ISAKSON, Mr. GARDNER, Mr. HOEVEN, Mr. BARRASSO, Mr. CRAPO, Mr. WICKER, Mr. VITTER, Mr. HELLER, Mr. ALEXANDER, Mr. TOOMEY, Mr. BOOZMAN, Ms. AYOTTE, Mr. THUNE, Mr. KIRK, Mr. ROBERTS, Mr. PORTMAN, Mr. CRUZ, Mr. GRAHAM, Mr. CASSIDY, Mr. RUBIO, Ms. MURKOWSKI, Mrs. FISCHER, Mr. FLAKE, Mr. RISCH, Mr. PERDUE, Mr. COCHRAN, Mr. LANKFORD, Mr. BURR, Mrs. CAPITO, Mr. SULLIVAN, Mr. DAINES, Mr. ROUNDS, Mr. MCCONNELL, Mr. GRASSLEY, Mr. COATS, Mrs. ERNST, Mr. TILLIS, Mr. COTTON, Ms. COLLINS, Mr. SHELBY, Mr. CORKER, Mr. PAUL, Mr. SESSIONS, and Mr. SASSE):

S.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. WHITEHOUSE):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies, and other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mrs. SHAHEEN, Mr. COONS, Mr. ISAKSON, Mr. BOOZMAN, and Mr. DURBIN):

S. Res. 65. A resolution supporting efforts to bring an end to violence perpetrated by Boko Haram, and urging the Government of Nigeria to conduct transparent, peaceful, and credible elections; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL:

S. Res. 66. A resolution expressing support for the designation of February 12, 2015, as ''Darwin Day'' and recognizing the importance of science in the betterment of humanity; to the Committee on Commerce, Science, and Transportation.

By Mr. ALEXANDER (for himself and Mr. LEE):

S. Res. 67. A resolution amending rule XXII of the Standing Rules of the Senate to revise the number of affirmative votes required to end debate on nominations; to the Committee on Rules and Administration.

By Mr. JOHNSON (for himself and Mrs. SHAHEEN):

S. Res. 68. A resolution expressing the sense of the Senate regarding the January 24, 2015, attacks carried out by Russian-backed rebels on the civilian population in Mariupol, Ukraine, and the provision of lethal and non-lethal military assistance to Ukraine; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 149

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 165

At the request of Ms. AYOTTE, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 165, a bill to extend and enhance prohibitions and limitations with respect to the transfer or release of individuals detained at United

States Naval Station, Guantanamo Bay, Cuba, and for other purposes.

S. 168

At the request of Mr. ROBERTS, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 168, a bill to codify and modify regulatory requirements of Federal agencies.

S. 182

At the request of Mr. ROBERTS, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 182, a bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal education mandates, and for other purposes.

S. 209

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 209, a bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

S. 257

At the request of Mr. MORAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 269

At the request of Mr. KIRK, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 269, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. 271

At the request of Mr. REID, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 289

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 289, a bill to prioritize funding for an expanded and sustained national investment in biomedical research.

S. 291

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 291, a bill to amend the Immigration and Nationality Act to provide for extensions of detention of certain aliens ordered removed, and for other purposes.

S. 301

At the request of Mrs. FISCHER, the names of the Senator from Missouri (Mr. BLUNT), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 301, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 316

At the request of Mr. KIRK, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 316, a bill to amend the charter school program under the Elementary and Secondary Education Act of 1965.

S. 334

At the request of Mr. PORTMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 334, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 338

At the request of Mr. BURR, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 338, a bill to permanently reauthorize the Land and Water Conservation Fund.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. TILLIS) 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.

S. RES. 63

At the request of Mr. KING, his name was added as a cosponsor of S. Res. 63, a resolution congratulating the New England Patriots on their victory in Super Bowl XLIX.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEE (for himself, Mr. LEAHY, Mr. CORNYN, Mr. MORAN, Mr. GARDNER, Mrs. SHAHEEN, Mr. MERKLEY, and Mr. BLUMENTHAL):

S. 356. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

Mr. LEE. Mr. President, the Electronic Communications Privacy Act was first enacted in 1986. I would ask my colleagues, what were you doing in 1986? Mr. President, 1986 was a long time ago. In 1986 I was in the ninth grade. This was an age when not everyone had a personal computer. My family didn't have a computer. Most of the people I knew who had a computer had something like the Commodore VIC–20, which was a very small computer with very little processing power compared to what we have today. But this law, the Electronic Communications Privacy Act—or ECPA, as it is sometimes known—was and still is an important law with an increasingly important objective; that is, to ensure that government agencies respect the Fourth Amendment in accessing an individual's electronic communications.

In the nearly three decades since ECPA became law, technology has advanced rapidly, dramatically, far beyond the capacity of this particular law, ECPA, to keep up. The prevalence of email and the low cost of electronic data storage have made what were once robust protections vastly insufficient to ensure that citizens' rights are protected with respect to their electronic communications, such as email.

There is no reason we should still be operating under a law written in the analog age when we are living in a digital world. This is a little bit like operating with a DOS-based operating system in the age of much more sophisticated software systems that help us interact relatively seamlessly with our computers. That is why Senator LEAHY and I have come together to craft this truly bipartisan piece of legislation which would modernize ECPA and bring constitutional protections against worthless searches and seizures into harmony with the technological realities of the 21st century.

The Lee-Leahy ECPA Amendments Act of 2015 would prohibit electronic communications or remote computing service providers—such as Gmail or Facebook or Twitter, for example—from voluntarily disclosing the contents of customer emails or other communications. It eliminates the ambiguous and outdated 180-day rule that some government agencies believe grants them warrantless access to the content of older emails. That is any emails older than the very young age of 180 days old. Instead, all requests for the content of electronic communications would require a search warrant—a search warrant required by the Fourth Amendment, a search warrant based on probable cause—and law enforcement agencies would be required to notify within 10 days any persons whose email accounts were searched, subject to some logical and narrow exceptions, of course.

This legislation is also carefully crafted so that it would not impede the ability of law enforcement agencies to conduct legitimate investigative activities consistent with the Fourth Amendment.

I am pleased to say that our bill enjoys very broad support from the technology industry, from privacy advocates, constitutional scholars, and policy groups on both ends of the ideological spectrum in America.

The Lee-Leahy ECPA Amendments Act of 2015 is truly bipartisan in nature. The Senate bill, in addition to Senators LEAHY and myself as the principal sponsors, also has six additional cosponsors. We have Republican Senators CORNYN, MORAN, and GARDNER and Democratic Senators SHAHEEN, MERKLEY, and BLUMENTHAL. I hope and expect that we will have a lot of additional Senators of both political parties who will join us in this effort. The House version of this bill has 228 additional cosponsors—a very critical majority.

By working together as a Democrat from Vermont and a Republican from Utah, we hope all Senators will join with us to pass this meaningful, bipartisan legislation that would benefit all Americans. Congress should pass ECPA reform this year, and President Obama should sign these important privacy reforms into law.

I will end this discussion as I began. What were you doing in 1986? As it relates to your interaction with the digital world with computers, I would imagine that even though your life might be in many respects similar to what it was in 1986, it is very different in the way you interact with computers, with technology, with the online world, which basically no one was even aware of in 1986. Since 1986 the world has changed. We need to change the world to keep up with the times. We need to change the law to hold in place those protections that have been in our Constitution since 1791 to make sure the privacy rights of the American people are respected.

I encourage each of my colleagues to support this bill

Mr. LEAHY. Mr. President, I want to talk about privacy because privacy is not a partisan issue. It never has been, and never should be. Remember, 30 years ago I was in the minority. The Republicans were in the majority and controlled the Senate. It was then that I worked with my colleagues and led the effort to write the Electronic Communications Privacy Act, ECPA.

It required a lot of education because back then, electronic mail was an emerging technology. The World Wide Web was unimaginable. Electronic data storage was astronomically expensive. No one could have envisioned the way mobile technologies would transform our lives. Yet fortunately many of us in Congress had the foresight to anticipate that these new electronic communications would also need privacy protections.

That was 30 years ago. Look at what has changed since then. Now three decades later, that law is out of date. So today the Senator from Utah, Mr. LEE, and I are reintroducing the Electronic Communications Privacy Act Amendments Act of 2015. We want to bring this law into the 21st century. Our legislation is very straightforward. It ensures that the private information that we Americans electronically store in the cloud gets the same protections as the private information we Americans physically store at home. As it did in 1986, I hope the Senate will come together on a bipartisan basis to support these commonsense protections.

All of us have an expectation that the things we store in our house are private. If law enforcement wants access to them, they have to get the proper search warrants. Today, there seems to be an idea that if they are stored electronically, these rules should not apply.

I believe they should.

The bill Senator LEE and I introduced today protects Americans' digital privacy—in their emails and all the other files and photographs they store in the cloud. It promotes cloud computing and other new technologies by building consumer trust. And it also provides law enforcement agencies with the tools they need to ensure public safety.

I would remind my colleagues that several years ago the U.S. Circuit Court of Appeals for the Sixth Circuit found that email was fully protected by the Fourth Amendment. It said that ''the Fourth Amendment must keep pace with the inexorable march of technological progress, or its guarantees will wither and perish.'' This bill takes up that challenge.

Obviously we have technologies today that nobody would have dreamed of just a couple of generations ago. But we have a Constitution that has protected this country for well over 200 years, and we hope it will protect it for hundreds of years into the future. We need to make sure our laws keep up with the protections we Americans expect from our Constitution.

First and most importantly, the bill enshrines in statute the fundamental Fourth Amendment warrant requirement for email, texts, and other electronic data. It requires that the government have a criminal search warrant based on possible cause to obtain the stored content of Americans' email and other electronic communications from third-party providers. This ensures that email communications have the same protections as phone calls and private documents stored in your home.

However, the bill's warrant requirement contains an important exception to address emergency circumstances. It explicitly states that it does not affect current authorities under the Wiretap Act or the Foreign Intelligence Surveillance Act. And it ensures that law enforcement can continue to investigate corporate wrong-doing by using grand jury subpoenas to obtain emails directly from corporate entities when held on their internal systems.

The second major component of the bill requires law enforcement agencies to promptly notify individuals when the government has obtained their emails through their service providers, but permits a delay of that notice to protect the integrity of ongoing investigations—no different from what we do in other law enforcement matters. The bill would also require service providers to notify the government three days before they inform a customer that the provider disclosed their information to the government.

This is not a Republican or Democratic issue, nor is it liberal or conservative. In fact, Senator LEE and I would note that we have a broad coalition of more than 50 privacy, civil liberties, civil rights, and technology industry groups and leaders from across the political spectrum who have endorsed this reform effort. Support spans from the Heritage Foundation and Americans for Tax Reform, to the Center for Democracy and Technology and the ACLU.

Mr. President, I ask unanimous consent to have printed in the RECORD the January 22, 2015, coalition letter in support of the bill.

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

JANUARY 22, 2015.

Hon. CHARLES GRASSLEY,
Chairman,
Senate Judiciary Committee.
Hon. PATRICK J. LEAHY,
Ranking Member,
Senate Judiciary Committee.

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER LEAHY: We, the undersigned companies and organizations, are writing to urge speedy consideration of Sen. Leahy's and Sen. Lee's ECPA Amendments Act that we expect will be introduced in the coming weeks. The bill would update the Electronic Communications Privacy Act (ECPA) to provide stronger protection to sensitive personal and proprietary communications stored in ''the cloud.'' The legislation was considered and adopted by a voice vote in the Committee in the 113th Congress.

ECPA, which sets standards for government access to private communications, is critically important to businesses, government investigators and ordinary citizens. Though the law was forward-looking when enacted in 1986, technology has advanced dramatically and ECPA has been outpaced. Courts have issued inconsistent interpretations of the law, creating uncertainty for service providers, for law enforcement agencies, and for the hundreds of millions of Americans who use the Internet in their personal and professional lives. Moreover, the Sixth Circuit Court of Appeals in US v. Warshak has held that a provision of ECPA allowing the government to obtain a person's email without a warrant is unconstitutional.

The ECPA Amendments Act would update ECPA in one key respect, making it clear that, except in emergencies or under other existing exceptions, the government must obtain a warrant in order to compel a service provider to disclose the content of emails, texts or other private material stored by the service provider on behalf of its users.

This standard would provide greater privacy protections and create a more level playing field for technology. It would cure the constitutional defect identified by the Sixth Circuit It would allow law enforcement officials to obtain electronic communications in all appropriate cases while protecting

Americans' constitutional rights. Notably, the Department of Justice and FBI already follow the warrant-for-content rule. It would provide certainty for American businesses developing innovative new services and competing in a global marketplace. It would implement a core principle supported by Digital Due Process, www.digitaldueprocess.org, a broad coalition of companies, privacy groups, think tanks, academics and other groups.–

This legislation has seemingly been held up by only one issue—an effort to allow civil regulators to demand, without a warrant, the content of customer documents and communications directly from third party service providers. This should not be permitted. Such warrantless access would expand government power; government regulators currently cannot compel service providers to disclose their customers' communications. It would prejudice the innovative services that all stakeholders support, and would create one procedure for data stored locally and a different one for data stored in the cloud.

Because of all its benefits, there is an extraordinary consensus around ECPA reform—one unmatched by any other technology and privacy issue. Successful passage of ECPA reform sends a powerful message—Congress can act swiftly on crucial, widely supported, bipartisan legislation. Failure to enact reform sends an equally powerful message—that privacy protections are lacking in law enforcement access to user information and that constitutional values are imperiled in a digital world.

For all these reasons, we strongly urge all members of the Senate Judiciary Committee to support the ECPA Amendments Act.

Sincerely,

ACT—The App Association, Adobe, Amazon, American Association of Law Libraries, American Booksellers for Free Expression, American Civil Liberties Union, American Library Association, Americans for Tax Reform and Digital Liberty, AOL, Apple, Association of Research Libraries, Automattic, Autonet Mobile, Brennan Center for Justice, BSA |, The Software Alliance, Center for Financial Privacy and Human Rights, Center for Democracy & Technology, Center for National Security Studies, Cisco, Competitive Enterprise Institute, Computer & Communications Industry Association, Consumer Action, Council for Citizens Against Government Waste, Data Foundry, Deluxe Corporation, Demand Progress, Direct Marketing Association, Discovery Institute, Distributed Computing Industry Association (DCIA).

Dropbox, eBay, Electronic Frontier Foundation, Engine, Evernote, Facebook, First Amendment Coalition, Foursquare, FreedomWorks, Future of Privacy Forum, Gen Opp, Golden Frog, Google, Hewlett-Packard, Information Technology Industry Council (ITI), Internet Association, Internet Infrastructure Coalition (I2Coalition), Intuit, Less Government, Liberty Coalition, LinkedIn, NetChoice, New America's Open Technology Institute, Newspaper Association of America, Oracle, Personal, R Street, ServInt, SIIA: Software & Information Industry Association, Snapchat, Sonic, Taxpayers Protection Alliance, TechFreedom, TechNet, The Constitution Project, The Federation of Genealogical Societies, Tumblr, Twitter, U.S. Chamber of Commerce, Venture Politics, Yahoo.

Mr. LEAHY. I am also pleased that Senators SHAHEEN, MORAN, CORNYN, MERKLEY, GARDNER, and BLUMENTHAL have joined this effort with Senator LEE and I. I commend them because we do have an opportunity this year to make progress on bipartisan, commonsense legislation to protect the privacy of Americans' email and update our laws to keep pace with technology. And I also congratulate our House partners, Representatives YODER and POLIS, who are introducing this legislation today in the House of Representatives with 228 cosponsors from both parties.

In the last Congress, the Senate Judiciary Committee unanimously supported this bill, Republicans and Democrats alike. We have continued the hard work of building a broad bipartisan coalition in support of this bill. Now is the time to act swiftly to bring our privacy protections into the digital age.

I will continue to work with Senator LEE, Senator CORNYN, Senator MORAN, Senator SHAHEEN, Senator MERKLEY, Senator GARDNER, and Senator BLUMENTHAL on this issue because while I am proud to have them as cosponsors, I am also proud that we are doing the right thing

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By Mrs. FEINSTEIN (for herself, Ms. AYOTTE, Mrs. GILLIBRAND, Mrs. BOXER, Ms. HEITKAMP, Ms. BALDWIN, Mr. BROWN, Ms. MIKULSKI, Ms. STABENOW, Mrs. CAPITO, Mrs. SHAHEEN, Mr. CASEY, Ms. HIRONO, Mrs. MCCASKILL, Ms. WARREN, and Ms. CANTWELL):

S. 370. A bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, even though we have made great strides in the treatment and diagnosis of breast cancer, this disease continues to be the second leading cause of death for women in the United States.

When women receive their mammography report and it comes out normal, they usually move on with their day thinking everything is just fine. This may be the case, but for women with dense breast tissue this ''normal'' report doesn't capture the whole picture. This is because cancer may still be present and missed on their mammogram because it is obscured by dense breast tissue.

It is vital for women to be told this simple, yet potentially life-saving, information about their own health so they can discuss with their doctor if additional screening makes sense for them. That could be the difference between catching breast cancer early and surviving, or waiting until its too late because you were never told your full medical information.

Even though there is a risk for cancer being missed, when women receive their mammogram report there is currently no federal requirement to include notice that they have dense breast tissue. This is the case even though the radiologist makes that determination upon reading the mammogram

This bill is a simple solution. It requires that women be informed on the mammogram report, that they already receive, if they have dense breast tissue, and that they may want to talk with their doctor if they have questions and if they might benefit from additional screening. Withholding this kind of medical information from women just doesn't make any sense.

This bill doesn't change any state laws. It sets a minimum Federal standard, so any state that wants to have additional reporting requirements may do so. The bill also requires the Department of Health and Human Services to focus on research and improved screening for patients with dense breast tissue. Early detection is the key to beating cancer. Every patient deserves access to their own information, especially when it may be what saves their life.

I want to thank Senator AYOTTE for working with me on this bill. I urge my colleagues to join us, and Senators GILLIBRAND, BOXER, HEITKAMP, BALDWIN, BROWN, MIKULSKI, STABENOW, CAPITO, SHAHEEN, CASEY, HIRONO, MCCASKILL, and WARREN in cosponsoring the Breast Density and Mammography Reporting Act. This bill is supported by organizations including the American Cancer Society Cancer Action Network, Are You Dense Advocacy, Breast Cancer Fund, and Susan G. Komen.

I look forward to working with my colleagues on this important issue.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. BALDWIN, Mr. COCHRAN, Mr. BLUMENTHAL, Mr. KIRK, Mr. CARPER, Ms. MURKOWSKI, Mr. CASEY, Mr. PORTMAN, Ms. CANTWELL, Mr. COONS, Mr. HEINRICH, Ms. HIRONO, Mr. KING, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. SANDERS, Mr. SCHUMER, Mr. WYDEN, and Ms. KLOBUCHAR):

S. 375. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers; to the Committee on Finance.

Mr. CARDIN. Mr. President, I am pleased to rise today with my friend and colleague, the senior Senator from Maine, Senator COLLINS, to re-introduce the Small Brewer Reinvestment & Expanding Workforce Act of 2015, otherwise known as the Small BREW Act. Our esteemed former colleague, Senator Kerry, now Secretary of State, introduced this bill in the 112th Congress. I was honored to take up the mantel in the 113th Congress.

The Small BREW Act of 2015 would reduce the excise tax on America's craft brewers. Under current Federal law, brewers producing 2 million or fewer barrels annually pay $7 per barrel on the first 60,000 barrels they brew, and $18 per barrel on every barrel thereafter, one barrel = 31 gallons. The Small BREW Act would create a new excise tax rate structure that helps

start-up and small breweries and reflects the evolution of the craft brewing industry. The rate for the smallest packaging breweries and brewpubs would be $3.50 per barrel on the first 60,000 barrels. For production between 60,001 and 2 million barrels, the rate would be $16.00 per barrel. Thereafter, the rate would be $18.00 per barrel. Breweries with an annual production of 6 million barrels or less would qualify for these recalibrated tax rates.

The small brewer threshold and tax rate were established in 1976 and have never been updated. Since then, the largest multinational producer of beer has increased its annual production from 45 million barrels to 97 million barrels domestically and 325 million barrels globally. To put the matter in perspective, the biggest domestic craft brewer produces 2.7 million barrels of beer annually. Raising the ceiling that defines small breweries from 2 million barrels to 6 million barrels more accurately reflects the intent of the original differentiation between large and small brewers in the U.S. Because of differences in economies of scale, small brewers have higher costs for raw materials, production, packaging, and market entry compared to larger, well-established multi-national competitors. Adjusting the excise tax rate would provide small brewers with an additional $67 million each year they could use to start or expand their businesses on a local, regional, or national scale.

This past November, the Joint Committee on Taxation, JCT, estimated the bill would cost $253 million through 2019 and $641 million over 10 years. A March 2013 study on the costs and benefits of the Small BREW Act bill which then-Harvard University economist John Friedman prepared on behalf of the Brewers Association, BA, indicates that the bill would directly reduce the excise tax revenue the Federal Government collects by $67.0 million the first year after enactment. But Professor Friedman notes that such a loss would be offset in large part by $49.1 million in new payroll and income taxes collected on increased economic activity. Professor Friedman believes that demand for craft beer will continue to increase and the Federal Government would collect an additional $1.1 million in excise taxes from the increased sales. The net revenue loss, therefore, would be $16.9 million the first year after enactment. The total net revenue loss over 5 years would be $95.9 million. The bill would lead to the creation of 5,230 new jobs in the first 12–18 months after passage and the cost of each new job in foregone revenue would be just $3,300.

While some people may think this is a bill about beer, it is really about jobs. Blue collar jobs and white collar jobs. Small brewers are small business owners in communities in each and every State across the country. Roughly 75 percent of Americans now live within 10 miles of a brewery. Nationally, small and independent brewers employ over 110,000 full- and part-time employees, generate more than $3 billion in wages and benefits, and pay more than $2.3 billion in business, personal and consumption taxes, according to the BA. As the craft beer industry grows so, too, does the demand for American-grown barley and hops and American-made brewing, bottling, canning, and other equipment. That demand creates more good jobs.

Maryland is home to 43 craft brewers, up from 34 in 2013, with 24 more in the planning stages. The existing breweries and brew-pubs employ roughly 600 people who were directly involved in producing craft beer in the State last year, and another 700 to 1,400 part-time workers including brew-pub restaurant staff and associated employees. In 2012, the Brewers Association determined that the economic impact of the craft brewing industry on the State was $455 million and that the industry created a total of 5,422 ''full-time equivalent'', FTE, jobs in Maryland, including indirect and induced jobs, paying over $185 million in wages. Based on 2013 production figures, the Small BREW Act would provide Maryland's small brewers with roughly $570,000 to reinvest in their growing businesses and hire more workers.

Small brewers have been anchors of local communities and America's economy since the start of our history. Indeed, there is a Mayflower document published in 1622 that explains why the Pilgrims landed at Plymouth Rock which states, ''For we could not now take time for further search or consideration: our victuals being much spent, especially our beer.'' Presidents from George Washington to Barack Obama have been homebrewers. Going back much further, the oldest extant recipe is for beer. And many people would argue that our thirst for beer is what drove man from being a hunter-gatherer to a crop cultivator since the earliest domesticated cereal grains were various types of barley better suited for beer production than making bread. Saint Arnulf of Metz, also known as St. Arnold, who lived from roughly 582 to 640 AD, is known as the ''Patron Saint of Brewers'' because he recognized that beer, which is boiled first, contains alcohol and is slightly acidic, was much safer to consume than water. French chemist and microbiologist Louis Pasteur, 1822–1895, who discovered yeast and propounded the germ theory that is the basis of so much of modern medicine, worked for breweries for much of his career. The pH scale, the standard measurement of acidity, was developed by the head of Carlsberg Laboratory's Chemical Department in 1909. Dr Soren Sorensen, 1868–1939, developed the pH scale during his pioneering research into proteins, amino acids and enzymes—the basis of today's protein chemistry. So it is fair to say that civilization and beer go hand-in-hand.

In addition to making high-quality beers, craft brewers such as Maryland's Flying Dog, Union Craft, Ruddy Duck, Baying Hound, Heavy Seas, and The Brewers Art create jobs and reinvest their profits back into their local economies. The Federal Government needs to be investing in industries that invest in America and create real jobs here at home. With more than 3,200 small and independent breweries and brew-pubs currently operating in the United States—and many more being planned—now is the time to take meaningful action to help them and our economy grow. An article in today's New York Times entitled ''Betting on the Growth of Microbreweries'' quotes BA economist Dr. Bart Watson as saying, ''Brewery after brewery is looking for ways to grow because when you talk to these companies, the biggest constraint is capacity. They're selling beer as fast as they can make it.'' Let us help them grow.

I am proud to announce that Senators BALDWIN, BLUMENTHAL, CANTWELL, CARPER, CASEY, COCHRAN, COONS, HEINRICH, HIRONO, KING, KIRK, KLOBUCHAR, LEAHY, MARKEY, MENENDEZ, MERKLEY, MIKULSKI, MURKOWSKI, MURPHY, PORTMAN, SANDERS, SCHUMER, and WYDEN have all signed on as original co-sponsors of the Small BREW Act, and I encourage the rest of my Senate colleagues to consider joining us in this worthwhile legislative endeavor.

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. 375

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 ''Small Brewer Reinvestment and Expanding Workforce Act'' or as the ''Small BREW Act''.

SEC. 2. REDUCED RATE OF EXCISE TAX ON BEER PRODUCED DOMESTICALLY BY CERTAIN QUALIFYING PRODUCERS.

(a) IN GENERAL.—Paragraph (2) of section 5051(a) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and

(2) by striking subparagraph (A) and inserting the following new subparagraphs:

''(A) IN GENERAL.—In the case of a brewer who produces not more than 6,000,000 barrels of beer during the calendar year, the per barrel rate of tax imposed by this section shall be—

''(i) $3.50 on the first 60,000 qualified barrels of production, and

''(ii) $16 on the first 1,940,000 qualified barrels of production to which clause (i) does not apply.

''(B) QUALIFIED BARRELS OF PRODUCTION.—For purposes of this paragraph, the term 'qualified barrels of production' means, with respect to any brewer for any calendar year, the number of barrels of beer which are removed in such year for consumption or sale and which have been brewed or produced by such brewer at qualified breweries in the United States.''.

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 5051(a)(2) of such Code, as redesignated by this section, is amended—

(A) by striking ''2,000,000 barrel quantity'' and inserting ''6,000,000 barrel quantity'', and

(B) by striking ''60,000 barrel quantity'' and inserting ''60,000 and 1,940,000 barrel quantities''.

(2) Subparagraph (D) of such section, as so redesignated, is amended by striking ''2,000,000 barrels'' and inserting ''6,000,000 barrels''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to beer removed during calendar years beginning after the date of the enactment of this Act.

By Mr. GRASSLEY (for himself, Mr. BLUNT, Mr. CRUZ, Mr. HATCH, Mr. PAUL, Mr. CORNYN, Mr. RUBIO, Mr. INHOFE, Mrs. FISCHER, Mr. FLAKE, Mr. LEE, Mrs. CAPITO, and Mr. GARDNER):

S. 378. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today to introduce an important piece of regulatory reform legislation.

A study released this past fall by the National Association of Manufacturers estimates that U.S. Federal Government regulations imposed over $2 trillion in compliance costs on American businesses in 2012. This is an amount equal to 12 percent of our Nation's GDP.

The study also demonstrated—and this should come as no surprise—that the cost of complying with all those regulations falls disproportionately on small businesses. Small manufacturing firms, in particular, grapple with regulatory compliance costs that are more than three times those felt by the average company in the United States.

It is no wonder why many American businesses are shuttering or moving their entire operation overseas. And how many folks dreamed of starting a small business but ultimately decided against taking the risk because of the overwhelming burden and uncertainty of our regulatory state?

We have to do better.

Small businesses are fed up with excessive Federal regulation, and they are making sure we know about it. A November 2014 survey conducted by the National Federation of Independent Business asked small business owners across the country to rank the ten most pressing problems they face. Overwhelmingly, the top two answers from small business owners were taxes and complying with government red tape. I am happy to say that this Congress intends to confront these issues head-on.

The Federal Government needs to do everything possible to promote an environment that will allow private sector employers to create jobs. To accomplish that, common sense would tell us that the government needs to remove barriers to job creation rather than put up new ones.

Unfortunately, the Obama administration has proven time and again that it would rather push forward with its interest-driven regulatory agenda than ease the heavy burden upon our economy and our entrepreneurs.

To make matters worse, this administration is pursuing new regulations through litigation tactics that take an end-run around the laws enacted by Congress to ensure transparency and accountability in the regulatory process. This strategy has come to be known as sue-and-settle, and regulators have been using it to speed up rulemaking and to keep the public, industries, and even the States away from the table when regulatory decisions are negotiated behind closed doors.

Sue-and-settle cases typically follow a similar pattern. First, an interest group files a lawsuit against a Federal agency, claiming that the agency has failed to take a certain regulatory action by a statutory deadline. Through the complaint, the interest group seeks to compel the agency to take action by a new, often-rushed deadline. The plaintiff-interest group frequently will be one that shares a common regulatory and policy agenda with the agency that it sues, such as when an environmental group sues the Environmental Protection Agency, EPA.

Next, the agency and interest group enter into friendly negotiations to produce either a settlement agreement or consent decree behind closed doors that commits the agency to satisfying the interest group's demands. The agreement is then entered by a court, binding executive discretion to undertake a regulatory action. And noticeably absent from these negotiations are the very parties who will likely be most impacted by the new regulation.

Sue-and-settle tactics by advocacy groups and complicit government agencies have severe consequences on transparency, public accountability, and ultimately on the quality of the resulting public policy.

Such tactics undermine congressional intent by shutting out affected parties, such as industries and even the States that are charged with implementing new regulations.

The Administrative Procedure Act, APA, which has been characterized as the citizens' ''regulatory bill of rights,'' was enacted to ensure transparency and public accountability in our Federal rulemaking process. A central aspect of the APA is the notice-and-comment process, which requires agencies to notify the public of proposed regulations and to respond to comments submitted by interested parties.

Rulemaking driven by sue-and-settle tactics, however, frequently results in reprioritized agency agendas and truncated deadlines for regulatory action. This renders the notice-and-comment requirements of the APA a mere formality, depriving regulated entities, the States and the public of sufficient time to have any meaningful input on the final rules. The resulting regulatory action is driven not by the public interest, but by special interest priorities, and often comes as a complete surprise to those most affected by it.

Sue-and-settle litigation also helps agencies avoid accountability. Instead of having to answer to the public for controversial regulations and policy decisions, agency officials are able to simply point to a court order entering the agreement and maintain that they were required to take action under its terms.

Further, the abuse of consent decrees as a method for taking regulatory action can have lasting negative impact on the ability of future administrations to adapt the Federal regulatory scheme to changing circumstances. Not only does this raise serious concerns about bad public policy; it also puts into question the constitutional impact of one administration's actions binding the hands of its successors.

Sue-and-settle, and the consequences that come with such tactics, is not a new phenomenon. Evidence of sue-and-settle tactics and closed-door rulemaking can be found in nearly every administration over the previous few decades.

But there has been an alarming increase in sue-and-settle tactics under the Obama administration. A study by the U.S. Chamber of Commerce shows that just during President Obama's first term, 60 Clean Air Act lawsuits against the EPA were resolved through consent decrees or settlement agreements, an increase from 28 during President George W. Bush's second term.

Since 2009, sue-and-settle cases against the EPA have imposed at least $13 billion in annual regulatory costs.

In November 2010, environmental advocacy groups filed a complaint against the EPA under the Clean Water Act to compel the agency to revise wastewater regulations. Interestingly, the same day that the complaint was filed, the plaintiff-advocacy groups filed a proposed consent decree already signed by the EPA and requiring prompt regulatory action. As is characteristic of sue-and-settle cases, potentially affected parties were kept out of the lawsuit and negotiations. Such a scenario should raise serious concerns over how truly adversarial these lawsuits really are.

In another case, environmental advocacy groups filed suit against the EPA to compel the agency to issue new air quality standards for pollutants from coal and oil-fired power plants. The plaintiff-advocacy groups alleged that the EPA had violated its statutory duty to issue new standards.

An industry group intervened in the case to represent utility companies but was ultimately left out of subsequent negotiations between the plaintiffs and the EPA, which resulted in a consent decree. The industry group challenged the consent decree on numerous grounds, including the rulemaking timeframe established under the decree

which was arguably too short to allow the public to participate fully in the rulemaking process.

Nevertheless, the court approved and entered the consent decree, with the judge concluding that ''[s]hould haste make waste, the resulting regulations will be subject to successful challenge. . . If EPA needs more time to get it right, it can seek more time.''

The resulting rule, despite its opaque promulgation, was estimated by the EPA to cost $9.6 billion annually by 2015. And according to estimates by the American Coalition for Clean Coal Electricity, the rule promulgated under the consent decree would contribute to a loss of 1.44 million jobs in the U.S. between 2013 and 2020.

The EPA could have done things right the first time by crafting a sensible, workable rule that protects the environment without causing unnecessary job losses or higher electricity prices for hard-working American families. But as a result of backroom, sue-and-settle tactics, we were left with a controversial regulation that fails to properly take into account the impact on affected parties and that remains the subject of litigation to this day.

The EPA, it seems, has turned a blind eye to the calls for more transparency and public accountability in our Federal rulemaking process. In February 2014, EPA's General Counsel issued a statement declaring:

> The sue and settle rhetoric, strategically mislabeled by its proponents, is an often-repeated but a wholly invented accusation that gets no more true with frequent retelling.

I think many would take issue with that assessment. In fact, the Environmental Council of the States, or ECOS—a national non-profit, non-partisan association made up of State and territorial environmental agency leaders—adopted a resolution entitled ''The Need for Reform and State Participation in EPA's Consent Decrees which Settle Citizen Suits,'' stating, among other things:

> [S]tate environmental agencies are not always notified of citizen suits that allege U.S. EPA's failure to perform its nondiscretionary duties, are often not parties to these citizen suits, and are usually not provided with an opportunity to participate in the negotiation of agreements to settle citizen suits[.]

ECOS further resolved that:

> [G]reater transparency of citizen suit settlement agreements is needed for the public to understand the impact of these agreements on the administration of environmental programs[.]

I agree.

Clearly, the EPA has no intention of acknowledging the use or consequences of sue-and-settle tactics. And unfortunately, I think this sentiment is shared by other executive branch agencies today.

That is why today I am introducing the Sunshine for Regulatory Decrees and Settlements Act of 2015. Senators BLUNT, HATCH, CRUZ, PAUL, CORNYN, RUBIO, INHOFE, FISCHER, FLAKE, LEE, CAPITO and GARDNER are cosponsors of this important bill, and I thank them for their support.

In the House, Representative DOUG COLLINS of Georgia is introducing a companion bill.

By enacting reasonable, pro-accountability measures, the Sunshine bill aims to address many of the problems I have outlined so far.

This bill provides for greater transparency by shedding light on sue-and-settle tactics. It requires agencies to publish sue-and-settle complaints and notices of intent-to-sue in a readily accessible manner.

The bill requires agencies to publish proposed consent decrees and settlement agreements at least 60 days before they can be filed with a court. This provides a valuable opportunity for affected parties to weigh-in, which will increase public accountability in the rulemaking process. It will also prevent those scenarios where lawsuits are filed on the same day as previously negotiated agreements, a practice that effectively blocks any meaningful participation by affected parties.

The bill also makes it easier for affected parties such as States and business owners to take part in both the lawsuit and settlement negotiations to ensure that their interests are properly represented. It requires the Attorney General or, if appropriate, the head of the defendant-agency, to certify to the court that he or she has personally approved certain proposed consent decrees or settlement agreements that, for example, convert a discretionary authority of an agency into a non-discretionary duty to act. It requires that courts consider whether the terms of a proposed agreement are contrary to the public interest.

The bill promotes greater transparency by requiring agencies to publicly post and report to Congress information on sue-and-settle complaints, consent decrees and settlement agreements.

Finally, the bill resolves key constitutional concerns by making it easier for succeeding administrations to modify the effect of a prior administration's consent decrees. It does so by providing for de novo review of motions to modify existing consent decrees due to changed circumstances.

The Sunshine for Regulatory Decrees and Settlements Act will shed light on the problem. It will help rein in backroom rulemaking, encourage the appropriate use of consent decrees and settlements, and reinforce the procedures laid out decades ago to ensure a transparent and accountable regulatory process.

I urge my colleagues to work with me and support this important legislation.

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. 378

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 ''Sunshine for Regulatory Decrees and Settlements Act of 2015''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''agency'' and ''agency action'' have the meanings given those terms under section 551 of title 5, United States Code;

(2) the term ''covered civil action'' means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action;

(3) the term ''covered consent decree'' means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government;

(4) the term ''covered consent decree or settlement agreement'' means a covered consent decree and a covered settlement agreement; and

(5) the term ''covered settlement agreement'' means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

SEC. 3. CONSENT DECREE AND SETTLEMENT REFORM.

(a) PLEADINGS AND PRELIMINARY MATTERS.—

(1) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a readily accessible manner, including by making the notice of intent to sue and the complaint available online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(2) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with paragraph (1) and subparagraphs (A) and (B) of paragraph (2) of subsection (d) or subsection (d)(3)(A), whichever is later.

(b) INTERVENTION.—

(1) REBUTTABLE PRESUMPTION.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a person who alleges that the agency action in dispute would affect the person, the court shall presume, subject to rebuttal, that the interests of the person would not be represented adequately by the existing parties to the action.

(2) STATE, LOCAL, AND TRIBAL GOVERNMENTS.—In considering a motion to intervene in a covered civil action or a civil action in which a covered consent decree or settlement agreement has been proposed that is filed by a State, local, or tribal government, the court shall take due account of whether the movant—

(A) administers jointly with an agency that is a defendant in the action the statutory provisions that give rise to the regulatory action to which the action relates; or

(B) administers an authority under State, local, or tribal law that would be preempted by the regulatory action to which the action relates.

(c) SETTLEMENT NEGOTIATIONS.—Efforts to settle a covered civil action or otherwise reach an agreement on a covered consent decree or settlement agreement shall—

(1) be conducted pursuant to the mediation or alternative dispute resolution program of the court or by a district judge other than the presiding judge, magistrate judge, or special master, as determined appropriate by the presiding judge; and

(2) include any party that intervenes in the action.

(d) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online—

(A) the proposed covered consent decree or settlement agreement; and

(B) a statement providing—

(i) the statutory basis for the covered consent decree or settlement agreement; and

(ii) a description of the terms of the covered consent decree or settlement agreement, including whether it provides for the award of attorneys' fees or costs and, if so, the basis for including the award.

(2) PUBLIC COMMENT.—

(A) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in paragraph (1) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(B) RESPONSE TO COMMENTS.—An agency shall respond to any comment received under subparagraph (A).

(C) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall—

(i) inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms;

(ii) submit to the court a summary of the comments received under subparagraph (A) and the response of the agency to the comments;

(iii) submit to the court a certified index of the administrative record of the notice and comment proceeding; and

(iv) make the administrative record described in clause (iii) fully accessible to the court.

(D) INCLUSION IN RECORD.—The court shall include in the court record for a civil action the certified index of the administrative record submitted by an agency under subparagraph (C)(iii) and any documents listed in the index which any party or amicus curiae appearing before the court in the action submits to the court.

(3) PUBLIC HEARINGS PERMITTED.—

(A) IN GENERAL.—After providing notice in the Federal Register and online, an agency may hold a public hearing regarding whether to enter into a proposed covered consent decree or settlement agreement.

(B) RECORD.—If an agency holds a public hearing under subparagraph (A)—

(i) the agency shall—

(I) submit to the court a summary of the proceedings;

(II) submit to the court a certified index of the hearing record; and

(III) provide access to the hearing record to the court; and

(ii) the full hearing record shall be included in the court record.

(4) MANDATORY DEADLINES.—If a proposed covered consent decree or settlement agreement requires an agency action by a date certain, the agency shall, when moving for entry of the covered consent decree or settlement agreement or dismissal based on the covered consent decree or settlement agreement, inform the court of—

(A) any required regulatory action the agency has not taken that the covered consent decree or settlement agreement does not address;

(B) how the covered consent decree or settlement agreement, if approved, would affect the discharge of the duties described in subparagraph (A); and

(C) why the effects of the covered consent decree or settlement agreement on the manner in which the agency discharges its duties is in the public interest.

(e) SUBMISSION BY THE GOVERNMENT.—

(1) IN GENERAL.—For any proposed covered consent decree or settlement agreement that contains a term described in paragraph (2), the Attorney General or, if the matter is being litigated independently by an agency, the head of the agency shall submit to the court a certification that the Attorney General or head of the agency approves the proposed covered consent decree or settlement agreement. The Attorney General or head of the agency shall personally sign any certification submitted under this paragraph.

(2) TERMS.—A term described in this paragraph is—

(A) in the case of a covered consent decree, a term that—

(i) converts into a nondiscretionary duty a discretionary authority of an agency to propose, promulgate, revise, or amend regulations;

(ii) commits an agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question;

(iii) commits an agency to seek a particular appropriation or budget authorization;

(iv) divests an agency of discretion committed to the agency by statute or the Constitution of the United States, without regard to whether the discretion was granted to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties; or

(v) otherwise affords relief that the court could not enter under its own authority upon a final judgment in the civil action; or

(B) in the case of a covered settlement agreement, a term—

(i) that provides a remedy for a failure by the agency to comply with the terms of the covered settlement agreement other than the revival of the civil action resolved by the covered settlement agreement; and

(ii) that—

(I) interferes with the authority of an agency to revise, amend, or issue rules under the procedures set forth in chapter 5 of title 5, United States Code, or any other statute or Executive order prescribing rulemaking procedures for a rulemaking that is the subject of the covered settlement agreement;

(II) commits the agency to expend funds that have not been appropriated and that have not been budgeted for the regulatory action in question; or

(III) for such a covered settlement agreement that commits the agency to exercise in a particular way discretion which was committed to the agency by statute or the Constitution of the United States to respond to changing circumstances, to make policy or managerial choices, or to protect the rights of third parties.

(f) REVIEW BY COURT.—

(1) AMICUS.—A court considering a proposed covered consent decree or settlement agreement shall presume, subject to rebuttal, that it is proper to allow amicus participation relating to the covered consent decree or settlement agreement by any person who filed public comments or participated in a public hearing on the covered consent decree or settlement agreement under paragraph (2) or (3) of subsection (d).

(2) REVIEW OF DEADLINES.—

(A) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(B) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(g) ANNUAL REPORTS.—Each agency shall submit to Congress an annual report that, for the year covered by the report, includes—

(1) the number, identity, and content of covered civil actions brought against and covered consent decree or settlement agreements entered against or into by the agency; and

(2) a description of the statutory basis for—

(A) each covered consent decree or settlement agreement entered against or into by the agency; and

(B) any award of attorneys fees or costs in a civil action resolved by a covered consent decree or settlement agreement entered against or into by the agency.

SEC. 4. MOTIONS TO MODIFY CONSENT DECREES.

If an agency moves a court to modify a covered consent decree or settlement agreement and the basis of the motion is that the terms of the covered consent decree or settlement agreement are no longer fully in the public interest due to the obligations of the agency to fulfill other duties or due to changed facts and circumstances, the court shall review the motion and the covered consent decree or settlement agreement de novo.

SEC. 5. EFFECTIVE DATE.

This Act shall apply to—

(1) any covered civil action filed on or after the date of enactment of this Act; and

(2) any covered consent decree or settlement agreement proposed to a court on or after the date of enactment of this Act.

By Mr. HATCH (for himself, Mr. CORNYN, Mr. LEE, Mr. MCCAIN,

Mr. ENZI, Mr. SCOTT, Mr. JOHNSON, Mr. INHOFE, Mr. BLUNT, Mr. MORAN, Mr. ISAKSON, Mr. GARDNER, Mr. HOEVEN, Mr. BARRASSO, Mr. CRAPO, Mr. WICKER, Mr. VITTER, Mr. HELLER, Mr. ALEXANDER, Mr. TOOMEY, Mr. BOOZMAN, Ms. AYOTTE, Mr. THUNE, Mr. KIRK, Mr. ROBERTS, Mr. PORTMAN, Mr. CRUZ, Mr. GRAHAM, Mr. CASSIDY, Mr. RUBIO, Ms. MURKOWSKI, Mrs. FISCHER, Mr. FLAKE, Mr. RISCH, Mr. PERDUE, Mr. COCHRAN, Mr. LANKFORD, Mr. BURR, Mrs. CAPITO, Mr. SULLIVAN, Mr. DAINES, Mr. ROUNDS, Mr. MCCONNELL, Mr. GRASSLEY, Mr. COATS, Mrs. ERNST, Mr. TILLIS, Mr. COTTON, Ms. COLLINS, Mr. SHELBY, Mr. CORKER, Mr. PAUL, Mr. SESSIONS, and Mr. SASSE):

S.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, today I am introducing a resolution proposing a constitutional amendment to require that Congress and the President handle the American people's money more responsibly and balance the Nation's debt and budget. Like the last two Congresses, the entire Republican Conference has cosponsored this proposal.

I know the Constitution sets a high threshold for Congress to propose an amendment, but it is critical we do so for three reasons:

First, piling up more debt year after year is imposing greater and greater harm to our economy and to our society. Last week, Congressional Budget Office Director Douglas Elmendorf testified before the House Budget Committee, noting that the national debt is expected to swell by another $7.6 trillion—trillion with a T—over the next 10 years. He said:

> Such large and growing national debt would have serious negative consequences, including increasing Federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a fiscal crisis.

He is the Director of the Federal budget office and he said that on January 21, 2015. Just think about that. And he is a Democrat. He has been a very good budget director, as far as I am concerned, and I have enjoyed looking at his analyses over the years.

Our Nation is on an unsustainable path and we simply cannot wait any longer to make responsible decisions for our future.

Second, Washington will not keep our fiscal house in order unless required to do so by the Constitution. Congress has pretended that good intentions alone would keep our checkbook balanced. Congress has tried putting limits in place by legislation or other rules. Congress has stuck its head in the sand or at other times cried that the sky would fall if we really did get our fiscal act together. Over many decades we have demonstrated that nothing short of a constitutional requirement will work.

Third, the American people have the right to set rules for how Washington handles their money. The Constitution is a rulebook for government and it belongs to the American people. Proposing an amendment does not add it to the Constitution but only sends it to the States for debate and consideration. And while it takes two-thirds of Congress to propose an amendment to the Constitution, it takes three-fourths of the States to ratify it. That high level of national consensus may or may not exist, but the American people deserve the opportunity to find out.

On June 7, 1979, nearly 36 years ago, I stood on this floor when I introduced Senate Joint Resolution 86, my first balanced budget amendment. In today's dollars the budget deficit that year was $95 billion and the national debt was $2.6 trillion, which was about 30 percent of our gross domestic product. I said then that only in Washington could this situation be described as anything less than obscene.

The more things change, the more they stay the same. I concede a few things have changed since 1979. For example, the deficit for the current fiscal year is six times higher than it was in 1979, and the national debt is seven times as large. To put that number in perspective, the national debt is now larger than our entire economy.

The situation is not only getting worse, it is getting worse faster than ever. More than 40 percent of the national debt accumulated since our founding has piled up under President Obama, and he has 2 more years in office. While those things have changed, and changed for the worse, the choice before us remains the same.

Some of my colleagues might disagree with the CBO Director and think that piling up trillions and trillions of dollars in debt is no big deal; that these are just numbers in the air with no impact on the real world. Perhaps they think our large and growing national debt won't have any negative consequences, won't impede economic growth, won't restrain policymakers' flexibility to respond to challenges, and won't heighten the risk of the fiscal crisis. Some of my colleagues might believe we have no obligation to handle the American people's money responsibly or perhaps they believe this money belongs to government and not the American people at all.

Some of my colleagues might insist, despite decades of demonstrated failure, that Congress can somehow get its fiscal act together on its own. One definition of insanity is doing the same thing over and over and expecting different results.

Some of my colleagues might say the American people should not be able to set fiscal rules for the government they elect. Perhaps they think the Federal Government should control the Constitution, not the other way around.

I say to my colleagues who think those things: I can understand why you would oppose sending this balanced budget amendment to the States for consideration.

But now a word to my other colleagues: If you think this growing mountain of debt is dangerous and must be stopped, if you believe we have exhausted every other means of stopping it, and if you say the American people have the right to decide how their government should operate, then I invite you to support this joint resolution, S.J. Res. 6.

The Senate has on four separate occasions voted on a balanced budget amendment since I introduced that proposal in 1979. You can see it on this chart. We actually passed one in 1982 when the national debt was $2.5 trillion. But the House, controlled by Democrats at the time, did not take it up.

The Senate voted on another balanced budget amendment in 1994 when the national debt was $6.9 trillion. It fell a few votes short.

Three years later, when the national debt was $7.9 trillion, we came within a single vote of passage in 1997.

And in 2011, the fourth from the left there on the chart, we voted on the last balanced budget amendment I introduced. At that time, the national debt had grown to $15.1 trillion, and it is almost $3 trillion higher today.

CBO tells us not only that the national debt will swell by an additional $7.6 trillion in the next 10 years, but that interest on that debt will be a larger and larger portion of the budget. The low interest rates we see today, after all, will not last forever.

CBO warns that, on our current path, interest costs alone will quadruple from $200 billion today to nearly $800 billion in 10 years. In only 6 years, if we do not change course, spending on interest will surpass either defense or nondefense spending. Every dollar spent to service debt cannot be spent protecting our country or helping our citizens. This is the fiscal equivalent of fiddling while Rome burns. The debt keeps growing, the danger keeps building, while Congress keeps pretending and stalling.

What if we had sent a balanced budget amendment to the States in the 1970s, 1980s, or even 1990s? How different would the budget process be today?

When I spoke here in June 1979, I offered two additional reasons for adopting a balanced budget amendment.

First, I said a fixed spending ceiling ''requires that Congress think in order of budget priorities.''

Second, I said:

> In my mind, a balanced budget or spending limitation amendment offers the potential to impose new limits upon the National Government, replacing those that have largely been eroded over the years.

That is why the American people have never been able to use their Constitution to set fiscal rules for Washington—because doing so would set limits the national government does not want. But our liberty depends on setting and enforcing such limits.

I will repeat what I said here in 1979:

This is certainly not a trivial objective. Rather, it goes to the heart of what our system of government is going to be in the future.

That is the choice before us, and before the American people.

I have to say that if we look at the current budget, it is a fraud the President has submitted. It is pathetic. And even with that current budget, saying they are going to save us money, we are about a half trillion dollars in debt—in further debt, I might add. It is piling up in irreducible ways. It is something we have to do something about. We can no longer sit around and pretend that, somehow, Congress is going to take care of it, when Congress doesn't have the will to take care of it. A balanced budget amendment is an important part of changing that.

I will speak later on the actual amendment and what it says and what it means and how it will work. I believe it is an appropriate way of bringing this country under control and getting us to live within our means. It will take time even if we start today. But we are not starting today.

This administration cannot get anywhere near what it wants in this budget without a huge tax increase. We have had tax increase after tax increase after tax increase, and it never makes a dip in the Federal debt. We have to wake up around here and start doing some things right, or this country—the greatest country in the world—will not be able to remain so. But it has to.

If we look at the rest of the world—we are in terrible shape throughout the rest of the world. There is no other country in this world that can lead like ours can—except for evil. There are countries that can really lead, but they would lead for evil. We have got to stop that. And the only way we can is to have a nation that lives within its means, does what is right, and balances its budget. It is going to take years, if we pass this amendment, to balance the budget. If the amendment gets passed and then is supported by three-quarters of the States—38 States—this amendment will do the job.

Whatever we do, it is going to be tough. But that is better than a profligacy that is continuing to go along under all kinds of phony arguments that, when we look back on them, are really phony. They act as though they are really trying to do something about this, while spending us into bankruptcy, and more and more causing us to not be able to live within our means.

We have got to change this, and I am convinced the only way we will is with a balanced budget amendment to the Constitution. It is the only way we can find enough people in this country who respect the Constitution to cause the result that we live—or at least start living—within our means.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 65—SUPPORTING EFFORTS TO BRING AN END TO VIOLENCE PERPETRATED BY BOKO HARAM, AND URGING THE GOVERNMENT OF NIGERIA TO CONDUCT TRANSPARENT, PEACEFUL, AND CREDIBLE ELECTIONS

Mr. MENENDEZ (for himself, Mrs. SHAHEEN, Mr. COONS, Mr. ISAKSON, Mr. BOOZMAN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 65

Whereas Nigeria is the most populous nation in Africa, with the largest economy;

Whereas the Governments of the United States and Nigeria have had a strong bilateral relationship, and Nigeria has been a valued partner of the United States since its transition to civilian rule;

Whereas the Government of Nigeria is currently confronted with threats to internal security by terrorists, insurgents, and communal violence that have caused considerable population displacement, and at the same time must administer transparent and peaceful elections with a credible outcome;

Whereas the government and those who aspire to hold office in Nigeria must demonstrate the political will to address both of these challenges in a responsible way, including by ensuring full enfranchisement, with particular emphasis on developing a means for enfranchisement for the hundreds of thousands displaced by violence;

Whereas the members of Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries;

Whereas the Department of State named several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization (FTO) in November 2013;

Whereas, in May 2014, the United Nations Security Council added Boko Haram to its al Qaeda sanctions list, and on January 19, 2015, the United Nations Security Council issued a presidential statement condemning the recent escalation of attacks in northeastern Nigeria and surrounding countries and expressing concern that the situation was undermining peace and security in West and Central Africa;

Whereas the over 200 school girls abducted by Boko Haram on April 14, 2014, from the Government Girls Secondary School in the northeastern state of Borno, whose kidnapping sparked domestic and international outrage spawning the Twitter campaign #BringBackOurGirls, are still missing;

Whereas the militant group is an increasing menace to the countries along Nigeria's northeastern border, prompting the African Union, the Lake Chad Basin Commission, the European Union, and the United Nations Security Council to recognize that there must be a regional response;

Whereas the United States Government has stepped forward to offer assistance through intelligence sharing, bilateral and international sanctioning of Boko Haram leaders, counterterrorism assistance through the Global Security Contingency Fund program for countries in the region to counter the militant group, and humanitarian services to populations affected by and vulnerable to Boko Haram violence;

Whereas Boko Haram emerged partially as a response to underdevelopment in northeastern Nigeria, and inequality, elite impunity, and alleged human rights abuses by security forces may be fueling anti-government sentiment;

Whereas it is clear that a military approach alone will not eliminate the threat of Boko Haram, and gross human rights abuses and atrocities by security forces causes insecurity and mistrust among the civilian population;

Whereas it is imperative that the Government of Nigeria implement a comprehensive, civilian security focused plan that prioritizes protecting civilians and also addresses legitimate political and economic grievances of citizens in northern Nigeria;

Whereas Nigeria is scheduled to hold national elections in February 2015, and the elections appear to be the most closely contested in Nigeria since the return to civilian rule;

Whereas election-related violence has occurred in Nigeria in successive elections, including in 2011, when nearly 800 people died in clashes following the presidential election;

Whereas President Goodluck Ebele Azikiwe Jonathan, General Muhammadu Buhari, and other presidential candidates pledged to reverse this trend by signing the ''Abuja Accord'' on January 14, 2015, in which they committed themselves and their campaigns to refraining from public statements that incite violence, to running issue-based campaigns that do not seek to divide citizens along religious or ethnic lines, and to supporting the impartial conduct of the electoral commission and the security services;

Whereas Secretary of State John Kerry visited Nigeria on January 25, 2015, to emphasize the importance of ensuring the upcoming elections are peaceful, nonviolent, and credible;

Whereas tensions in the country remain high, and either electoral fraud or violence could undermine the credibility of the upcoming election;

Whereas the people of Nigeria aspire for a fair, competently executed, and secure electoral process, as well as an outcome that can be accepted peacefully by all citizens; and

Whereas it is in the best interest of the United States to maintain close ties with a politically stable, democratic and economically sound Nigeria: Now, therefore, be it

Resolved, That the Senate—

(1) condemns Boko Haram for its violent attacks, particularly the indiscriminate targeting of civilians, especially women and girls, and the use of children as fighters and suicide bombers;

(2) stands with—

(A) the people of Nigeria in their right to live free from fear or intimidation by state or nonstate actors, regardless of their ethnic, religious, or regional affiliation;

(B) the people of Cameroon, Chad, and Niger who are increasingly at risk of becoming victims of Boko Haram's violence; and

(C) the international community in its efforts to defeat Boko Haram;

(3) supports the Abuja Accord, and calls on candidates, party officials, and adherents of all political movements to comply with the code of conduct spelled out therein, by refraining from any rhetoric or action that seeks to demonize or delegitimize opponents, sow division among Nigerians, or otherwise inflame tensions;

(4) condemns any and all abuses of civilians by security forces of the Government of Nigeria;

(5) urges the Government of Nigeria—

(A) to conduct timely, credible, transparent, and peaceful elections;

(B) to refrain from using security services for political purposes in connection with the elections;

(C) to prioritize the safety and security of Nigerians vulnerable to Boko Haram attacks;

(D) to implement a comprehensive, civilian security focused response to defeat Boko Haram that addresses political and economic grievances of citizens in the north;

(E) to improve the capacity and conduct of Nigeria's security forces, including respect for human rights, and take steps to hold accountable through a transparent process those members of the security forces responsible for abuses;

(F) to recognize that security forces are intended to protect the safety and security of all citizens equally; and

(G) to cooperate with regional and international partners to defeat Boko Haram;

(6) urges all Nigerians to engage in the electoral process, to insist on full enfranchisement, and to reject inflammatory or divisive rhetoric or actions; and

(7) reaffirms that the people of the United States will continue to stand with the people of Nigeria in support of peace and democracy.

Mr. MENENDEZ. Mr. President, I am here today to speak to the troubling situation in Nigeria, one of our strongest allies in Africa since its transition from military dictatorship to civilian rule over a decade ago.

Nigeria is currently facing two grave threats to its stability. First, the country is preparing to vote next month in the most closely contested presidential election in recent history, but there is a very real danger of prolonged violence across Nigeria and mass casualties if the election results are not deemed credible.

Second, in the last 2 months, Boko Haram, infamous for kidnapping over 200 schoolgirls in Chibok in 2014, has stepped up its murderous scorched-earth campaign, killing thousands of innocent civilians, gaining control over an increasing amount of territory in the northeastern portion of the country, and threatening to disrupt elections.

It is in the face of these dual challenges, that I, along with Senators ISAKSON, SHAHEEN, BOOZMAN and COONS, have submitted a resolution which calls on Nigerian leaders to step-up to the plate and show real leadership in prioritizing the safety and security of Nigerians in the elections and doing everything possible to combat Boko Haram.

For over 5 years, Boko Haram has shocked the conscience of the world and terrorized Nigerian citizens of all religions and ethnic groups. It has targeted schools, mosques, churches, markets, villages and agricultural centers with a wave of kidnappings, killings and suicide bombs. Boko Haram terrorists have abducted hundreds, including the Chibok girls, who to this day remain missing; and has killed thousands—by some accounts over 6,000 last year alone and, since 2009, more than a million have been displaced.

In January, Boko Haram staged a 4 day assault on the northeastern town of Baga, abducting civilians, and forcing thousands to flee. Eyewitnesses claim as many as 2000 dead, though the government disputes this number. Satellite photographs show disturbing images of towns burned and razed. What began as a localized insurgency that targeted the military and government has grown into a sub-regional menace. Boko Haram has metastasized, effectively denying the government control over a significant swathe of territory in the three most affected states of northeast Nigeria, and undertaking bold incursions into neighboring countries. The Nigerian government's response has been ineffective at best. At worst, the actions of the security forces, who have been accused of alarming excesses, may have exacerbated the problem. These are things the Nigerian government must acknowledge and address if they want to end the reign of Boko Haram in communities most affected by the terrorist group.

The international community, the African Union, European Union, the Lake Chad Basin Commission, and United Nations Security Council—have all recognized that there must be a regional response to Boko Haram. On January 26, AU Commission Chairwoman Dlamini Zuma said that Boko Haram is a threat to the whole continent. Just days ago, the AU Peace and Security Council approved a 7500 strong regional force to combat the group. Recent U.S. efforts to provide assistance have been unilaterally rebuffed. Clearly, the international community is concerned and engaged. What is not so clear is the commitment of the Nigerian government to a thoughtful strategy of engagement.

During my meeting with President Jonathan at last year's African Leaders' Summit, I urged him to implement a comprehensive approach to address the Boko Haram insurgency—one that addresses both the security threat as well as the legitimate grievances of local communities. At the end of the day, Nigerian officials must come to terms with the fact that a military solution alone will not solve the problem. To date, the government does not appear to have formulated a comprehensive strategy, and as a result, the insurgency continues to gain momentum.

Against this backdrop of government inaction and Boko Haram's unspeakable terrorism raging in the north, presidential elections are scheduled for February 14. For the first time since Nigeria transitioned from military rule to democracy in 1999, a unified opposition party will challenge the ruling People's Democratic Party, PDP. This election will test the strength of an electoral process that has been marred by violence. In 2011, more than 800 people were killed in clashes that followed what international observers deemed to be the most free, fair, and best-administered elections to date.

Despite the history of electoral violence, the Nigerian Government has yet to implement reforms recommended by the Independent National Electoral Commission, INEC. INEC itself has taken a number of steps to improve the legitimacy of the voting process, including conducting widespread voter registration programs and introducing biometric voter identification cards. INEC is engaged in a valiant effort to distribute permanent voter cards in time for next month's elections, and we should continue to support such efforts until the job is done to protect the legitimacy and integrity of the elections.

National Security Advisor Sambo Dasuki has said the voter card distribution is too slow, and recently suggested that the elections be postponed. I think this suggestion has understandably raised suspicion and skepticism as to his motives and those of the PDP given that the race between President Jonathan and his challenger, Muhammadu Buhari, is by all accounts close to a dead heat. It is true, however, that increasing violence in three northern states threatens to disenfranchise a significant number of voters. And it is unclear how those who have been internally displaced will be given the opportunity to vote. In my view, there must be an effort to develop a consensus about how these twin challenges should be addressed or Nigerians may well dispute the results.

The two leading presidential candidates have made a public commitment to non-violence during the elections. They should be commended for their verbal assurances, and they should be held responsible if they renege. As Secretary Kerry said in Lagos at the end of last month, ''the international community is paying very close attention to this election.''

Nigeria has the largest economy and is the most populous country in Africa. So goes, Nigeria, so goes West Africa. We cannot, from a strategic standpoint, afford for it to fail. That is why the international community must continue to urge Nigerian political leaders to listen to all voices, regardless of ethnic, religious, or regional affiliation, and to safeguard the right of the Nigerian people to shape their own destiny.

SENATE RESOLUTION 66—EXPRESSING SUPPORT FOR THE DESIGNATION OF FEBRUARY 12, 2015, AS ''DARWIN DAY'' AND RECOGNIZING THE IMPORTANCE OF SCIENCE IN THE BETTERMENT OF HUMANITY

Mr. BLUMENTHAL submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 66

Whereas Charles Darwin developed the theory of evolution by the mechanism of natural selection, which, together with the monumental amount of scientific evidence Charles Darwin compiled to support the theory, provides humanity with a logical and intellectually compelling explanation for the diversity of life on Earth;

Whereas the validity of the theory of evolution by natural selection developed by Charles Darwin is further strongly supported by the modern understanding of the science of genetics;

Whereas it has been the human curiosity and ingenuity exemplified by Charles Darwin that has promoted new scientific discoveries that have helped humanity solve many problems and improve living conditions;

Whereas the advancement of science must be protected from those unconcerned with the adverse impacts of global warming and climate change;

Whereas the teaching of creationism in some public schools compromises the scientific and academic integrity of the education systems of the United States;

Whereas Charles Darwin is a worthy symbol of scientific advancement on which to focus and around which to build a global celebration of science and humanity intended to promote a common bond among all the people of the Earth; and

Whereas February 12, 2015, is the anniversary of the birth of Charles Darwin in 1809 and would be an appropriate date to designate as ''Darwin Day'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of ''Darwin Day''; and

(2) recognizes Charles Darwin as a worthy symbol on which to celebrate the achievements of reason, science, and the advancement of human knowledge.

SENATE RESOLUTION 67—AMENDING RULE XXII OF THE STANDING RULES OF THE SENATE TO REVISE THE NUMBER OF AFFIRMATIVE VOTES REQUIRED TO END DEBATE ON NOMINATIONS

Mr. ALEXANDER (for himself and Mr. LEE) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 67

Resolved,

SECTION 1. CLOTURE RULE.

The second undesignated subparagraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended by striking ''And if that question'' and all that follows through ''disposed of.'' and inserting the following: ''If the question is decided in the affirmative in the case of a nomination on the Executive Calendar by a majority of the Senators duly chosen and sworn; in the case of a measure or motion to amend the Senate rules by two-thirds of the Senators present and voting; and in the case of any other measure, motion, or matter, by three-fifths of the Senators duly chosen and sworn, then the foregoing measure, motion or matter pending before the Senate, or the unfinished business, upon which the question was decided in the affirmative shall be the unfinished business to the exclusion of all other business until disposed of.''.

Mr. ALEXANDER. Mr. President, I am especially pleased to see that the Senator from Utah is presiding this afternoon because I come to the floor today to offer a resolution which is his inspiration, really, and on which I am pleased to be working with him.

Simply put, this is a resolution to establish a majority vote on Presidential nominations. This would establish by rule the Senate tradition of approving Presidential nominations by a simple majority vote. The rules change we propose would establish by rule this tradition of approving Presidential nominations of Cabinet Members and judges by a simple majority vote, which existed from the time Thomas Jefferson wrote the rules in 1789 until 2003, when Democrats began filibustering Federal Circuit Court of Appeals nominees.

Most importantly, it would change the rules in the right way, through a two-thirds vote, which is what the existing rules of the Senate provide. Unfortunately, on November 21, 2013, Democrats broke the Senate rules without even attempting to get the 67 votes required to change the rules, which caused former Senator Carl Levin, a Democrat from Michigan, to say at the time, quoting former Senator Arthur Vandenberg of Michigan, that ''if a majority of the Senate can change its rules at any time, there are no rules.'' We are the Nation's rulemaking body. If we cannot follow our own rules, how can we expect the American people to show respect for and follow the rules we help to create?

The proposal Senator LEE and I have made will be considered by the Senate Committee on Rules and Administration, according to the Senator from Missouri, Senator BLUNT, the chairman of the Rules Committee. It would ultimately require a two-thirds vote of the Senate to change the Senate rules. This all has to do with the so-called nuclear option.

If I might say an additional word about the so-called nuclear option, I came to the Senate in 2003, which was when our Democratic friends decided they would use cloture, which requires 60 votes to cut off debate, as a way of denying a Presidential nomination on a Federal circuit judge. It had never in the history of the Senate been used before in that way. Cloture had been used twice, I believe, based on my research, to deny a sub-Cabinet member a position in the 1990s, but that was the first time it had ever been used on any such position with the exception of Abe Fortas.

It is important, given all the misinformation that has been spread about the nuclear option, to know what the facts are. The tradition has always been in the Senate that Presidential nominations deserved an up-or-down, 51-majority vote. That has basically been the tradition. Even with the most controversial nominations, such as that of Clarence Thomas, the Supreme Court Justice—I believe the vote was 52 to 48—there never was a suggestion that someone might use cloture to require it to be 60 votes. Cloture didn't apply to nominations until 1949, so it was never used between the time Jefferson wrote the rules at the beginning of the Senate and 1949.

It was first used in 1968, but not really. President Johnson was trying to save face for Abe Fortas, his friend who was a Supreme Court Justice. He had nominated him for Chief Justice. A problem came out, and President Johnson engineered a 45-to-43 cloture vote, which Fortas ''won.''

That is really the only exception in the whole history of the Senate until 2003, when the Senate said it is going to take 60 votes to confirm a Presidential nomination for a judge rather than the traditional 51.

I have talked to several of my colleagues on the other side about this issue. They are fairly straightforward about why they did it. They thought President George W. Bush's nominees were ''too conservative.''

I knew some of those judges—Judge Pickering of Mississippi, for example. He put his children into a public school in Mississippi in the 1960s, and he was being accused of being a segregationist when he was actually leading the charge in his State of Mississippi to desegregate the public schools.

William Pryor of Alabama was a law clerk for Judge John Minor Wisdom. I know the distinguished Senator from Utah, who was a Supreme Court law clerk, knows of Judge Wisdom. He was regarded by everyone as one of the finest Federal circuit judges in the country. He had the greatest respect for William Pryor. He would have been shocked to hear what was said about him at the time.

It was a shocking thing to me to arrive in the Senate in 2003 and find my friends on the other side of the aisle for the first time in Senate history saying it would take 60 votes to confirm President Bush's judges. I strongly objected to that. I even suggested that if a few Senators on this side and a few Senators on that side would work together, we could break the stalemate. A Gang of 14 was created. It did break the stalemate, but as a result, five judges nominated by George W. Bush were not confirmed because the other side decided they didn't like their philosophical views. So instead of a 51-vote margin, they required 60, and so they weren't confirmed.

This is the tally in the history of the Senate. The number of Supreme Court nominees in the history of our country who have ever had their nomination denied by filibuster, by a cloture vote, is zero, with the exception of the Fortas nomination, if you want to

count that. Not a single one. Supreme Court nominations are among the most controversial nominations ever before the Senate.

The number of Cabinet members who have ever had their nominations denied by a filibuster, by requiring 60 votes in the history of the Senate—zero. Not one. Not an Obama nominee. Not a Clinton nominee. Not a Bush nominee. Zero. Not one.

Let's go to district judges. There has been a lot of talk about district judges and how difficult it was for President Obama to have district judges confirmed. There is no truth to that whatsoever. I was in the Senate; I know that. I will give an example. There was an effort to deny a seat to a judge from the State of Rhode Island by 60 votes, a judge whom I didn't support, but I and a group of other Republicans made sure we did not use cloture to deny a seat to a President's district judge nominee for the first time in history, and so we did not.

So the number of Federal district judges in the history of the United States who have ever had their nomination denied by a filibuster, by the 60-vote cloture rule, is zero.

So Supreme Court Justices, except for Fortas, Cabinet members, district judges—zero. Filibusters have not been widely used in the history of this Senate to deny a President his nomination. However, there are other problems that nominations have.

I was nominated once. I came to be nominated to be the Secretary of the Department of Education. A Senator from Ohio, Senator Metzenbaum, put a so-called secret hold on my nomination and held me up for 3 months, but then when I came to the floor, I was confirmed. We have abolished those kinds of secret holds. We have made changes in the rules to make it easier for the President's nominees to be confirmed.

There have been seven sub-Cabinet members, including John Bolton—three Republicans and four Democrats—who have had their nominations rejected because of a cloture vote, all since 1994. So no Cabinet members, no Supreme Court Justices, no district judges, seven sub-Cabinet members.

What is the score on circuit judges? This is what brought up the fuss in 2003 when the Democrats filibustered 10 nominations because they were too conservative. As I mentioned earlier, five were confirmed and five were rejected as part of the compromise. Since that time, Republicans have rejected two Democrats. So the score is the Democrats have rejected five Federal Circuit judges and Republicans rejected two. Republicans actually rejected three others, but that led to the events of November 21, 2013, when the Democrats broke the rules to change the rules.

It would be as if in a Super Bowl or in a playoff game, let's say, Seattle gained 9 yards and they needed 10, so they changed the rules because they were the home team and said that is a first down. No one would have any respect for the game if they did that, and no one will have any respect for the Senate if we keep doing that, which is the point Senator LEE and I would like to make because the tradition of the Senate has always been to give to a President the prerogative of allowing his nominations to be confirmed by 51 votes or a simple majority of Senators duly chosen and sworn. We propose to change the rule to reflect the tradition of the Senate.

Some say: Well, why don't you do to them what they did to you?

I don't think that is a very good way to live your life. I mean, if the Democrats did the wrong thing, if they brought the Senate to its knees, if they made the Senate into a place that doesn't follow its own rules, then we should do that to them? No. I think what we should do is replace bad behavior with good behavior, and good behavior means we adopt changes to the rules in the way the rules require, which is, in effect, 67 votes or two-thirds of the Senators present and voting.

So we will be offering our resolution, as we do today. We will be offering it in the Senate Rules Committee. We hope the Senate Rules Committee will approve it and report it to the floor. We hope Senator MCCONNELL will find time on the floor to bring it up. We hope that 67 of our colleagues will agree with it. We will show the country that we know how to follow our own rules and that we know how to take the tradition of the Senate, which has been there since Thomas Jefferson wrote the rules, with very few exceptions, to make sure that Presidential nominees are entitled to an up-or-down vote by a majority of the Senate. That has been the rule, that has been the tradition, and that should be the rule, and the rules should be changed in the way that rules are supposed to be changed.

There is one other issue I wish to mention without going into any length about it. What happened in the Senate on November 21, 2013, was the lowest point in the Senate that I have seen. The majority decided that because it didn't have the votes to put three judges—liberal judges—on the DC Court of Appeals, it would break the rules to change the rules, and it just put them there anyway. It pretended that the reason it did that was because President Obama couldn't get his nominees confirmed.

Well, on every Senator's desk is an Executive Calendar. Everyone who can be confirmed has been reported by a committee to the floor and is listed on the Executive Calendar. There is only one way to get on this calendar—there was only one way on November 21, 2013, and that was for a Democratic majority in a committee to report a nominee to the floor of the Senate. That was the only way you could get there. Republicans couldn't do it; only the Democrats could. So on November 21, 2013 the calendar was filled only with people the Democratic majority had approved of.

There was only one way for anyone to get off the Executive Calendar and onto the floor of the Senate to be confirmed, and that was for the Democratic leader, the majority leader, to move to do that. We can't object to that. We have to vote on it. There is no motion to proceed with a nomination; he can bring it up anytime he wants to.

The charge was made that there was a big backlog of people on this calendar. Well, here are the facts, and anyone who doubts it can look at the Executive Calendar for November 21, 2013, and they will see what the backlog was. There were 78 regular order nominations on November 21, 2013. Fifty-four of those nominees had been on the calendar less than 3 weeks. Sixteen had been on the calendar between 3 and 9 weeks. Eight had been on the calendar for more than 9 weeks.

There was an informal agreement between the floor staffs that 40 of the uncontroversial nominees on this calendar—40 of the 78—could be confirmed before the Senate left at the end of the week.

Let me use a specific example—district judges. We hear a lot about district judges. We had changed the rules at the request of the majority leader to make it easier to confirm district judges. We basically said that there could only be 2 hours of debate on a district judge and the majority could give back 1 of those hours.

On the date the Democrats said there was a big backlog, there were 13 district judges on the calendar. Those were the only ones who could have been brought up by the majority leader. One had been waiting for more than 9 weeks. Four had been waiting for between 3 and 9 weeks. Eight had been waiting for less than 3 weeks. But the important point is that we could have confirmed them all over the weekend. All the majority leader had to do was to move the nomination of each of the 13, wait an intervening day, and then if they did that on Thursday, the intervening day would be Friday, and then we would come back on Monday and we would have 1 hour of debate for each of those nominations. So there was no excuse. There was no backlog.

The Washington Post and the Congressional Research Service said that President Obama's nominees were moving through the Senate at about the same speed that President Clinton and President George W. Bush's nominees had been at that time in their terms. That is what the Congressional Research Service and the Washington Post said.

The calendar speaks the truth about the absence of a backlog. And I was involved three times in working to change the rules to make it easier to do Presidential nominations. It was nothing more than a power grab. So our friends should just admit that and admit that it was the wrong thing to

do for the Senate. A lot of Senators weren't here then.

The resolution Senator LEE and I have proposed gives the Senate a chance to abandon bad behavior and begin to adopt good behavior, to take a tradition of the Senate that has been followed almost without exception since 1789 and make it the order of the day and to do it the way the Senate rules say it should be done—with 67 votes.

In closing, let me simply say that I appreciate the fact that I am able to work on this with Senator LEE. This legislation developed really from a conversation and a suggestion he made to me on the floor of this Senate. I thought about it, and I said: I think you may be right about that. We worked together, and because of his background in the law and his experience in the Supreme Court, his leadership on this issue has been invaluable.

I thank the Senator for his suggestions, I thank him for his leadership, and I look forward to working with him when it comes before the Senate Rules Committee. I hope we can persuade our fellow Senators in a bipartisan way that a good way to begin this year would be to begin to change the rules the right way and to reject the bad behavior and bad habits of the last session of Congress.

I yield the floor.

Mr. LEE. Mr. President, I wish to speak briefly in support of this resolution. First of all, I wish to thank my distinguished colleague, the senior Senator from Tennessee, for his leadership in introducing this legislation. The Senator from Tennessee has shown great leadership on this issue. With his mastery of the Senate rules, his familiarity with the procedures of the Senate, the Senate's history, and his love for the Senate as an institution, the sponsor of this measure understands and appreciates the importance of maintaining order in the Senate. It is to this issue I would like to speak briefly.

When the Senate made this change in November of 2013, what happened was all of a sudden we had a split—a split that occurred between on the one hand the wording of the rule itself that governs cloture, on the other hand the precedent by which the Senate purports to be governed. So separate and apart from what the history tells us—from how often the Senate either has or hasn't used cloture on the Executive Calendar—there is this separate distinction that has now arisen.

The cloture rule says it takes three-fifths—a vote of three-fifths of the Senators—to bring end to debate on a particular matter. The rule itself makes no distinction between the Executive Calendar and the legislative calendar. It makes no distinction between ordinary legislative business where we are legislating and making law on the one hand and on the other we are meeting to decide whether to confirm a Presidential nominee. The rule doesn't distinguish, but the precedent now does.

When our colleagues on other side of the aisle voted in November 2013, appealing the ruling of the Chair, they reversed the precedent. They acted contrary to the language of the rule itself. This creates a certain amount of uncertainty, and that uncertainty I think needs to be resolved. We don't want to operate in an environment in which we have the rule saying one thing and the Senate precedent saying another thing.

So it was out of a certain amount of practical necessity that we looked to this as an alternative. In order to bring Senate practice back into harmony with the rules of the Senate, the best way we could come up with to do that would be to change the language of the rule.

Of course to change the language of the rule it takes 67 votes. While we are not certain what is going to happen, this is perhaps the only thing we could think of that could possibly get 67 votes—67 Senators saying yes, we can do that.

So it is very important that we have rules that are clear—rules that will apply regardless of who is in the White House, regardless of which party happens to control the majority of the seats in this body. If, after all, we are making the rules that would govern the country, if, after all, we are being asked to confirm Presidential nominees to high positions, we need to be following our own rules.

We have to remember also that one of the things we have prided ourselves on, one of the things that has distinguished the Senate from other legislative bodies—we call ourselves the world's greatest deliberative legislative body—is because from the very beginning this has been the kind of place where in theory we will continue to debate things as long as basically any one Member wants to continue to debate. Cloture is an exception to that. Cloture allows for three-fifths of the Senators present to decide it is time to bring the debate to an end, even if a minority of Senators want to continue. But it requires a supermajority.

There are many reasons to do this, but one of the reasons I think is important to point out is because it protects the right of each Senator to continue to offer improvements, to point out flaws and offer potential improvements to legislation—the amendment process. The amendment process is itself of course different in the context of legislation than it is in the context of a Presidential nominee.

I am personally not aware of any means by which one can amend a nominee. I am not aware of any process by which one can confirm a Presidential nominee's right hand but not his left.

I support this change. I think this change is important for this body and for the continuity of the Senate rules and I am grateful to the senior Senator from Tennessee for his efforts in this regard, which I wholeheartedly support.

SENATE RESOLUTION 68—EXPRESSING THE SENSE OF THE SENATE REGARDING THE JANUARY 24, 2015, ATTACKS CARRIED OUT BY RUSSIAN-BACKED REBELS ON THE CIVILIAN POPULATION IN MARIUPOL, UKRAINE, AND THE PROVISION OF LETHAL AND NON-LETHAL MILITARY ASSISTANCE TO UKRAINE

Mr. JOHNSON (for himself and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 68

Whereas Russian-backed rebels continue to expand their campaign in Ukraine, which has already claimed more than 5,000 lives and generated an estimated 1,500,000 refugees and internally displaced persons;

Whereas, on January 23, 2015, Russian rebels pulled out of peace talks with Western leaders;

Whereas, on January 24, 2015, the Ukrainian port city of Mariupol received rocket fire from territory in the Donetsk region controlled by rebels;

Whereas, on January 24, 2015, Alexander Zakharchenko, leader of the Russian-backed rebel Donetsk People's Republic, publicly announced that his troops had launched an offensive against Mariupol;

Whereas Mariupol is strategically located on the Sea of Azov and is a sea link between Russian-occupied Crimea and Russia, and could be used to form part of a land bridge between Crimea and Russia;

Whereas the indiscriminate attack on Mariupol killed 30 people, including 2 children, and wounded 102 in markets, homes, and schools;

Whereas any group that fires rockets knowingly into a civilian population is committing war crimes and is in violation of international humanitarian law;

Whereas, even after the Russian Federation and the Russian-backed rebels signed a ceasefire agreement called the Minsk Protocol in September 2014, NATO's Supreme Allied Commander, General Philip Breedlove, reported in November 2014 the movement of ''Russian troops, Russian artillery, Russian air defense systems, and Russian combat troops'' into Ukraine;

Whereas, on January 24, 2015, NATO Secretary General Jens Stoltenberg stated, ''For several months we have seen the presence of Russian forces in eastern Ukraine, as well as a substantial increase in Russian heavy equipment such as tanks, artillery, and advanced air defense systems. Russian troops in eastern Ukraine are supporting offensive operations with command and control systems, air defense systems with advanced surface-to-air missiles, unmanned aerial systems, advanced multiple rocket launcher systems, and electronic warfare systems.'';

Whereas, on January 25, 2015, after Russian-backed rebels attacked Mariupol, European Council President Donald Tusk wrote, ''Once again appeasement encourages the aggressor to greater acts of violence; time to step up our policy based on cold facts, not illusions.'';

Whereas, on November 19, 2014, at a Committee on Foreign Relations of the Senate confirmation hearing, Deputy National Security Adviser Anthony Blinken stated that the provision of defensive lethal assistance to the Government of Ukraine ''remains on the table. It's something we're looking at.'';

Whereas the Ukraine Freedom Support Act (Public Law 113-272), which was passed by Congress unanimously and signed into law by the President on December 18, 2014, states

that it is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and its territorial integrity to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and Eastern Europe, the Caucasus, and Central Asia; and

Whereas the Ukraine Freedom Support Act authorizes $350,000,000 in fiscal years 2015–2017 for the President to provide the Government of Ukraine with defense articles, defense services, and military training for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons; crew weapons and ammunition; counter-artillery radars; fire control and guidance equipment; surveillance drones; and secure command and communications equipment: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the attack on Mariupol by Russian-backed rebels;

(2) urges the President to provide lethal and non-lethal military assistance to Ukraine as unanimously supported by Congress in the Ukraine Freedom Support Act of 2014 (Public Law 113-272);

(3) calls on the United States, its European allies, and the international community to continue to apply economic and other forms of pressure on the Russian Federation, especially in the form of sanctions, if the Government of the Russian Federation continues to refuse to cease its aggression in Ukraine;

(4) calls on the Government of the Russian Federation to immediately end its support for the rebels in eastern Ukraine, allow Ukraine to regain control of its internationally-recognized borders, and withdraw its military presence in eastern Ukraine; and

(5) expresses solidarity with the people of Ukraine regarding the humanitarian crisis in their country and the destruction caused by the military, financial, and ideological support of the Government of the Russian Federation for the rebels in eastern Ukraine.

AMENDMENTS SUBMITTED AND PROPOSED

SA 249. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 249. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $132,573,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committees on the Judiciary of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a comprehensive plan for implementation of the biometric entry and exit data system required under section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), including the estimated costs for implementation.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $187,503,000, of which not to exceed $2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $4,493,000 shall remain available until September 30, 2016, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $6,000,000 shall remain available until September 30, 2016, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall include in the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading ''Office of the Under Secretary for Management'' under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and shall submit quarterly updates to such report not later than 45 days after the completion of each quarter.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $52,020,000: *Provided*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of Public Law 107–296 (6 U.S.C. 454).

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $288,122,000; of which $99,028,000 shall be available for salaries and expenses; and of which $189,094,000, to remain available until September 30, 2016, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $255,804,000; of which not to exceed $3,825 shall be for official reception and representation expenses; and of which $102,479,000 shall remain available until September 30, 2016.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $118,617,000; of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

UNITED STATES CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,459,657,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $30,000,000 shall be available until September 30, 2016, solely for the purpose of hiring, training, and equipping United States Customs and Border Protection officers at ports of entry; of which not to exceed $34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2015, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of United States Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for United States Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $808,169,000; of

which $446,075,000 shall remain available until September 30, 2017; and of which not less than $140,970,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $382,466,000, to remain available until September 30, 2017.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, the Air and Marine Operations Center, and other related equipment of the air and marine program, including salaries and expenses, operational training, and mission-related travel, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $750,469,000; of which $299,800,000 shall be available for salaries and expenses; and of which $450,669,000 shall remain available until September 30, 2017: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to United States Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2015 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funding made available under this heading shall be available for customs expenses when necessary to maintain or to temporarily increase operations in Puerto Rico: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under the heading ''Air and Marine Interdiction, Operations, and Maintenance'' in Public Law 112–74.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, $288,821,000, to remain available until September 30, 2019.

UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights and overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,932,756,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $11,475 shall be for official reception and representation expenses; of which not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the child pornography tipline and activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); of which not to exceed $40,000,000, to remain available until September 30, 2017, is for maintenance, construction, and lease hold improvements at owned and leased facilities; and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2015: *Provided further*, That of the total amount provided, not less than $3,431,444,000 is for detention, enforcement, and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the amount provided for Custody Operations in the previous proviso, $45,000,000 shall remain available until September 30, 2019: *Provided further*, That of the total amount provided for the Visa Security Program and international investigations, $43,000,000 shall remain available until September 30, 2016: *Provided further*, That not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been materially violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than ''adequate'' or the equivalent median score in any subsequent performance evaluation system: *Provided further*, That nothing under this heading shall prevent United States Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime: *Provided further*, That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to reprogram and transfer funds within and into this appropriation necessary to ensure the detention of aliens prioritized for removal.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $26,000,000, to remain available until September 30, 2017.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,639,095,000, to remain available until September 30, 2016; of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2015 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $3,574,095,000: *Provided further*, That the fees deposited under this heading in fiscal year 2013 and sequestered pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), that are currently unavailable for obligation, are hereby permanently cancelled: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2015, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That notwithstanding any other provision of law, mobile explosives detection equipment purchased and deployed using funds made available under this heading may be moved and redeployed to meet evolving passenger and baggage screening security priorities at airports: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 45,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs, including projected funding levels for each fiscal year for the next 5 years or until project completion, whichever is earlier;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That not later than April 15, 2015, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a semiannual report updating information on a strategy to increase the number of air passengers eligible for expedited screening, including:

(1) specific benchmarks and performance measures to increase participation in Pre-Check by air carriers, airports, and passengers;

(2) options to facilitate direct application for enrollment in Pre-Check through the Transportation Security Administration's Web site, airports, and other enrollment locations;

(3) use of third parties to pre-screen passengers for expedited screening;

(4) inclusion of populations already vetted by the Transportation Security Administration and other trusted populations as eligible for expedited screening;

(5) resource implications of expedited passenger screening resulting from the use of risk-based security methods; and

(6) the total number and percentage of passengers using Pre-Check lanes who:

(A) have enrolled in Pre-Check since Transportation Security Administration enrollment centers were established;

(B) enrolled using the Transportation Security Administration's Pre-Check application Web site;

(C) were enrolled as frequent flyers of a participating airline;

(D) utilized Pre-Check as a result of their enrollment in a Trusted Traveler program of United States Customs and Border Protection;

(E) were selectively identified to participate in expedited screening through the use of Managed Inclusion in fiscal year 2014; and

(F) are enrolled in all other Pre-Check categories:

Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $123,749,000, to remain available until September 30, 2016.

INTELLIGENCE AND VETTING

For necessary expenses for the development and implementation of intelligence and vetting activities, $219,166,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $917,226,000, to remain available until September 30, 2016: *Provided*, That not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives—

(1) a report providing evidence demonstrating that behavioral indicators can be used to identify passengers who may pose a threat to aviation security and the plans that will be put into place to collect additional performance data; and

(2) a report addressing each of the recommendations outlined in the report entitled ''TSA Needs Additional Information Before Procuring Next-Generation Systems'', published by the Government Accountability Office on March 31, 2014, and describing the steps the Transportation Security Administration is taking to implement acquisition best practices, increase industry engagement, and improve transparency with regard to technology acquisition programs:

Provided further, That of the funds provided under this heading, $25,000,000 shall be withheld from obligation for Headquarters Administration until the submission of the reports required by paragraphs (1) and (2) of the preceding proviso.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,043,318,000, of which $553,000,000 shall be for defense-related activities, of which $213,000,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further*, That to the extent fees are insufficient to pay expenses of recreational vessel documentation under such section 12114, and there is a backlog of recreational vessel applications, then personnel performing nonrecreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform documentation under section 12114: *Provided further*, That of the funds provided under this heading, $85,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a future-years capital investment plan for fiscal years 2016 through 2020, as specified under the heading ''Coast Guard, Acquisition, Construction, and Improvements'' of this Act, is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act: *Provided further*, That, without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, up to $10,000,000 may be reprogrammed to or from Military Pay and Allowances in accordance with subsections (a), (b), and (c) of section 503.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,197,000, to remain available until September 30, 2019.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $114,572,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $1,225,223,000; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which the following amounts shall be available until September 30, 2019 (except as subsequently specified): $6,000,000 for military family housing; $824,347,000 to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; $180,000,000 to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; $59,300,000 for other acquisition programs; $40,580,000 for shore facilities and aids to navigation, including facilities at Department of Defense installations used by the Coast Guard; and $114,996,000, to remain available until September 30, 2015, for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the eighth National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That the Director of the Office of Management and Budget shall not delay the submission of the capital investment plan referred to by the preceding provisos: *Provided further*, That the Director of the Office of Management and Budget shall have no more than a single period of 10 consecutive business days to review the capital investment plan prior to submission: *Provided further*, That the Secretary of Homeland Security shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives one day after the capital investment plan is submitted to the Office of Management and Budget for review and the Director of the Office of Management and Budget shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives when such review is completed: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110–28 shall hereafter apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $17,892,000, to remain available until September 30, 2017, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts, and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,450,626,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the United States Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,615,860,000; of which not to exceed $19,125 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2016; and of which not less than $12,000,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That $18,000,000 for protective travel shall remain available until September 30, 2016: *Provided further*, That $4,500,000 for National Special Security Events shall remain available until September 30, 2016: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report providing evidence that the United States Secret Service has sufficiently reviewed its professional standards of conduct; and has issued new guidance and procedures for the conduct of employees when engaged in overseas operations and protective missions, consistent with the critical missions of, and the unique position of public trust occupied by, the United States Secret Service: *Provided further*, That of the funds provided under this heading, $10,000,000 shall be withheld from obligation for Headquarters, Management and Administration until such report is submitted: *Provided further*, That for purposes of section 503(b) of this Act, $15,000,000 or 10 percent, whichever is less, may be transferred between Protection of Persons and Facilities and Domestic Field Operations.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $49,935,000; of which $5,380,000, to remain available until September 30, 2019, shall be for acquisition, construction, improvement, and maintenance of the James J. Rowley Training Center; and of which $44,555,000, to remain available until September 30, 2017, shall be for Information Integration and Technology Transformation program execution.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, $61,651,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses: *Provided further*, That the President's budget proposal for fiscal year 2016, submitted pursuant to section 1105(a) of title 31, United States Code, shall be detailed by office, and by program, project, and activity level, for the National Protection and Programs Directorate.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $1,188,679,000, of which $225,000,000 shall remain available until September 30, 2016: *Provided*, That if, due to delays in contract actions, the National Protection and Programs Directorate will not fully obligate funds for Federal Network Security or for Network Security Deployment program, project, and activities as provided in the accompanying statement and section 548 of this Act, such funds may be applied to Next Generation Networks program, project, and activities, notwithstanding section 503 of this Act.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Director of the Federal Protective Service shall submit at the time the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code, a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $252,056,000: *Provided*, That of the total amount made available under this heading, $122,150,000 shall remain available until September 30, 2017.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $129,358,000; of which $26,148,000 is for salaries and expenses and $86,891,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $16,319,000 shall remain available until September 30, 2016, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed $2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $934,396,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the National Dam Safety Program Act (33 U.S.C. 467 et seq.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That of the total amount made available under this heading, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further*, That of the total amount made available under this heading, $30,000,000 shall remain available until September 30, 2016, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further*, That of the total amount made available, $3,400,000 shall be for the Office of National Capital Region Coordination: *Provided further*, That of the total amount made available under this heading, not less than $4,000,000 shall remain available until September 30, 2016, for expenses related to modernization of automated systems.

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, $1,500,000,000, which shall be allocated as follows:

(1) $467,000,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than $55,000,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2015, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $600,000,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than $13,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135, 1163, and 1182), of which not less than $10,000,000 shall be for Amtrak security and $3,000,000 shall be for Over-the-Road Bus Security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) $233,000,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $162,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (4), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)) or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That notwithstanding section 509 of this Act, the Administrator of the Federal Emergency Management Agency may use the funds provided in paragraph (5) to acquire real property for the purpose of establishing or appropriately extending the security buffer zones around Federal Emergency Management Agency training facilities.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $680,000,000, to remain available until September 30, 2016, of which $340,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $340,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2015, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2015, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $7,033,464,494, to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget proposal for fiscal year 2016 is submitted pursuant to section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities; and

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99–177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, and shall be published by the Administrator on the Agency's Web site not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event;

(D) in addition, for a disaster declaration related to Hurricane Sandy, the cost of the following categories of spending: public assistance, individual assistance, mitigation, administrative, operations, and any other relevant category (including emergency measures and disaster resources); and

(E) the date on which funds appropriated will be exhausted:

Provided further, That the Administrator shall publish on the Agency's Web site not later than 5 days after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 5 days after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's website the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That of the amount provided under this heading, $6,437,792,622 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012, (Public Law 112–141, 126 Stat. 916), $100,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance Reform Act of 2012 (subtitle A of title II of division F of Public Law 112–141; 126 Stat. 916), and the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1020), $179,294,000, which shall remain available until September 30, 2016, and shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); which is available for salaries and expenses associated with flood mitigation and flood insurance operations; and floodplain management and additional amounts for flood mapping: *Provided*, That of such amount, $23,759,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations and $155,535,000 shall be available for flood plain management and flood mapping: *Provided further*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2015, no funds shall be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) in excess of:

(1) $136,000,000 for operating expenses;

(2) $1,139,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $150,000,000, which shall remain available until expended, for flood mitigation actions and for flood mitigation assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), notwithstanding sections 1366(e) and 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

Provided further, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding section 102(f)(8), section 1366(e), and paragraphs (1) through (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation: *Provided further*, That $5,000,000 is available to carry out section 24 of the Homeowner Flood Insurance Affordability Act of 2014 (42 U.S.C. 4033).

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $25,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $124,435,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That, notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not

to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $230,497,000; of which up to $54,154,000 shall remain available until September 30, 2016, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed $7,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended under this heading in division F of Public Law 113–76, is further amended by striking ''December 31, 2016'' and inserting ''December 31, 2017'': *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $27,841,000, to remain available until September 30, 2019: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $129,993,000: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $973,915,000; of which $538,926,000 shall remain available until September 30, 2017; and of which $434,989,000 shall remain available until September 30, 2019, solely for operation and construction of laboratory facilities: *Provided*, That of the funds provided for the operation and construction of laboratory facilities under this heading, $300,000,000 shall be for construction of the National Bio- and Agro-defense Facility.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, $37,339,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $197,900,000, to remain available until September 30, 2017.

SYSTEMS ACQUISITION

For necessary expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $72,603,000, to remain available until September 30, 2017.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2015 Budget Appendix for the Department of Homeland Security, as modified by the report accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2015: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2015 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Committees on Appropriations of the Senate and House of Representatives shall be notified of any activity added to or removed from the fund: *Provided further*, That the Chief Financial Officer of the Department of Homeland Security shall submit a quarterly execution report with activity level detail, not later than 30 days after the end of each quarter.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2015, as recorded in the financial records at the time of a reprogramming request, but not later than June 30, 2016, from appropriations for salaries and expenses for fiscal year 2015 in this Act shall remain available through September 30, 2016, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of an Act authorizing intelligence activities for fiscal year 2015.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under ''State and Local Programs''.

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 513. Not later than 30 days after the last day of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations of the Department for that month for the fiscal year at the appropriation and program, project, and activity levels, by the source year of the appropriation. Total obligations for staffing shall also be provided by subcategory of on-board and funded full-time equivalent staffing levels, respectively, and the report shall specify the number of, and total obligations for, contract employees for each office of the Department.

SEC. 514. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation Security'', ''Administration'', and ''Transportation Security Support'' for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That semiannual reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 515. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 516. Any funds appropriated to ''Coast Guard, Acquisition, Construction, and Improvements'' for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 517. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 518. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2015, to the Office of Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2015.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2016.

SEC. 519. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 520. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 521. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States

Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 523. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking ''Until September 30, 2014,'' and inserting ''Until September 30, 2015,''; and

(2) in subsection (c)(1), by striking ''September 30, 2014,'' and inserting ''September 30, 2015,''.

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 525. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 526. None of the funds made available in this Act for United States Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 527. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 528. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 529. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 530. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 531. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency; and

(2) the term ''major disaster'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 532. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 533. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 534. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 535. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 536. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall hereafter safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled ''Risk Management Guide for Information Technology Systems'';

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled ''Recommended Security Controls for Federal Information Systems and Organizations''; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the ''Administrator'').

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall hereafter be known as the ''Sponsoring Entity''.

(c) The Administrator shall hereafter require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 537. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 538. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 539. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $10,000,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2015 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 540. For an additional amount for the ''Office of the Under Secretary for Management'', $48,600,000, to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of the Act detailing the allocation of these funds.

SEC. 541. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 542. (a) For an additional amount for financial systems modernization, $34,072,000 to remain available until September 30, 2016.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 543. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of

Representatives 5 days in advance of such transfer.

SEC. 544. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific United States Immigration and Customs Enforcement Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other United States Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and United States Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing United States Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 545. The Commissioner of United States Customs and Border Protection and the Assistant Secretary of Homeland Security for United States Immigration and Customs Enforcement shall, with respect to fiscal years 2015, 2016, 2017, and 2018, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2016 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings ''U.S. Customs and Border Protection, Salaries and Expenses'' under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74); ''U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology'' under such title; and section 568 of such Act.

SEC. 546. The Secretary of Homeland Security shall ensure enforcement of all immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 547. (a) Of the amounts made available by this Act for ''National Protection and Programs Directorate, Infrastructure Protection and Information Security'', $140,525,000 for the Federal Network Security program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies' users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2015, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and the House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2015, and semiannually thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 548. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 549. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 550. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 551. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within United States Immigration and Customs Enforcement.

SEC. 552. (a) Section 559 of division F of Public Law 113–76 is amended as follows:

(1) Subsection (f)(2)(B) is amended by adding at the end: ''Such transfer shall not be required for personal property, including furniture, fixtures, and equipment.''; and

(2) Subsection (e)(3)(b) is amended by inserting after ''payment of overtime'' the following: ''and the salaries, training and benefits of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at ports of entry, including primary and secondary processing of passengers''.

(b) Section 560(g) of division D of Public Law 113–6 is amended by inserting after ''payment of overtime'' the following: ''and the salaries, training and benefits of individuals employed by U.S. Customs and Border Protection to support U.S. Customs and Border Protection officers in performing law enforcement functions at ports of entry, including primary and secondary processing of passengers''.

(c) The Commissioner of United States Customs and Border Protection may modify a reimbursable fee agreement in effect as of the date of enactment of this Act to include costs specified in this section.

SEC. 553. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 554. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 555. With the exception of countries with preclearance facilities in service prior to 2013, none of the funds made available in this Act may be used for new United States Customs and Border Protection air preclearance agreements entering into force after February 1, 2014, unless—

(1) the Secretary of Homeland Security, in consultation with the Secretary of State, has certified to Congress that air preclearance operations at the airport provide a homeland or national security benefit to the United States;

(2) United States passenger air carriers are not precluded from operating at existing preclearance locations; and

(3) a United States passenger air carrier is operating at all airports contemplated for establishment of new air preclearance operations.

SEC. 556. None of the funds made available by this or any other Act may be used by the Administrator of the Transportation Security Administration to implement, administer, or enforce, in abrogation of the responsibility described in section 44903(n)(1) of title 49, United States Code, any requirement that airport operators provide airport-financed staffing to monitor exit points from the sterile area of any airport at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

SEC. 557. In making grants under the heading ''Firefighter Assistance Grants'', the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 558. (a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 559. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary reemployment basis to conduct arbitrations of disputes arising from delivery of assistance under the Federal Emergency Management Agency Public Assistance Program.

SEC. 560. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42) fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

SEC. 561. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on the Department of Homeland Security that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2016 appropriations Act.

SEC. 562. (a) The Secretary of Homeland Security shall submit to the Congress, not later than 180 days after the date of enactment of this Act and annually thereafter, beginning at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report on the purchase and usage of weapons, subdivided by weapon type. The report shall include—

(1) the quantity of weapons in inventory at the end of the preceding calendar year, and the amount of weapons, subdivided by weapon type, included in the budget request for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity and purchase aligns to each component or agency's mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

SEC. 563. None of the funds made available by this Act shall be used for the environmental remediation of the Coast Guard's LORAN support in Wildwood/Lower Township, New Jersey.

SEC. 564. None of the funds made available to the Department of Homeland Security by this or any other Act may be obligated for any structural pay reform that affects more than 100 full-time equivalent employee positions or costs more than $5,000,000 in a single year before the end of the 30-day period beginning on the date on which the Secretary of Homeland Security submits to Congress a notification that includes—

(1) the number of full-time equivalent employee positions affected by such change;

(2) funding required for such change for the current year and through the Future Years Homeland Security Program;

(3) justification for such change; and

(4) an analysis of compensation alternatives to such change that were considered by the Department.

SEC. 565. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Committees on Appropriations of the Senate and the House of Representatives in this Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises homeland or national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days except as otherwise specified in law.

SEC. 566. Section 605 of division E of Public Law 110–161 (6 U.S.C. 1404) is hereby repealed.

SEC. 567. The Administrator of the Federal Emergency Management Agency may transfer up to $95,000,000 in unobligated balances made available for the appropriations account for ''Federal Emergency Management Agency, Disaster Assistance Direct Loan Program'' under section 2(a) of the Community Disaster Loan Act of 2005 (Public Law 109–88; 119 Stat. 2061) or under chapter 5 of title I of division B of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law (110–329; 122 Stat. 3592) to the appropriations account for ''Federal Emergency Management Agency, Disaster Relief Fund''. Amounts transferred to such account under this section shall be available for any authorized purpose of such account.

SEC. 568. Notwithstanding any other provision of law, Gerardo Ismael Hernandez, a Transportation Security Officer employed by the Transportation Security Administration who died as the direct result of an injury sustained in the line of duty on November 1, 2013, at the Los Angeles International Airport, shall be deemed to have been a public safety officer for the purposes of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3711 et seq.).

SEC. 569. The Office of Management and Budget and the Department of Homeland Security shall ensure the congressional budget justifications accompanying the President's budget proposal for the Department of Homeland Security, submitted pursuant to section 1105(a) of title 31, United States Code, include estimates of the number of unaccompanied alien children anticipated to be apprehended in the budget year and the number of agent or officer hours required to process, manage, and care for such children: *Provided*, That such materials shall also include estimates of all other associated costs for each relevant Departmental component, including but not limited to personnel; equipment; supplies; facilities; managerial, technical, and advisory services; medical treatment; and all costs associated with transporting such children from one Departmental component to another or from a Departmental component to another Federal agency.

SEC. 570. Notwithstanding section 404 or 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c and 5187), until September 30, 2015, the President may provide hazard mitigation assistance in accordance with such section 404 in any area in which assistance was provided under such section 420.

SEC. 571. That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to reprogram within and transfer funds into ''U.S. Customs and Border Protection, Salaries and Expenses'' and ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'' as necessary to ensure the care and transportation of unaccompanied alien children.

SEC. 572. Notwithstanding any other provision of law, grants awarded to States along the Southwest Border of the United States under sections 2003 or 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605) using funds provided under the heading ''Federal Emergency Management Agency, State and Local Programs'' in division F of Public Law 113–76 or division D of Public Law 113–6 may be used by recipients or subrecipients for costs, or reimbursement of costs, related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States, provided that such costs were incurred during the award period of performance.

(RESCISSIONS)

SEC. 573. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177):

(1) $5,000,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Border Security, Fencing, Infrastructure, and Technology'';

(2) $8,000,000 from Public Law 113–76 under the heading ''U.S. Customs and Border Protection, Air and Marine Operations'' in division F of such Act;

(3) $10,000,000 from unobligated prior year balances from ''U.S. Customs and Border Protection, Construction and Facilities Management'';

(4) $15,300,000 from ''Transportation Security Administration, Aviation Security'' account 70x0550;

(5) $187,000,000 from Public Law 113–76 under the heading ''Transportation Security Administration, Aviation Security'';

(6) $2,550,000 from Public Law 112–10 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(7) $12,095,000 from Public Law 112–74 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(8) $16,349,000 from Public Law 113–6 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(9) $30,643,000 from Public Law 113–76 under the heading ''Coast Guard, Acquisition, Construction, and Improvements'';

(10) $24,000,000 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund'' account 70x0716; and

(11) $16,627,000 from ''Science and Technology, Research, Development, Acquisition, and Operations'' account 70x0800.

(RESCISSION)

SEC. 574. From the unobligated balances made available in the Department of the

Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, (added by section 638 of Public Law 102–393), $175,000,000 shall be rescinded.

(RESCISSIONS)

SEC. 575. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $1,317,018 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(2) $57,998 from ''Coast Guard, Acquisition, Construction, and Improvements'';

(3) $17,597 from ''Federal Emergency Management Agency, Office of Domestic Preparedness''; and

(4) $82,926 from ''Federal Emergency Management Agency, National Predisaster Mitigation Fund''.

SEC. 576. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Appropriations Act, 2014 (Public Law 113–76) are rescinded:

(1) $463,404 from ''Office of the Secretary and Executive Management'';

(2) $47,023 from ''Office of the Under Secretary for Management'';

(3) $29,852 from ''Office of the Chief Financial Officer'';

(4) $16,346 from ''Office of the Chief Information Officer'';

(5) $816,384 from ''Analysis and Operations'';

(6) $158,931 from ''Office of Inspector General'';

(7) $635,153 from ''U.S. Customs and Border Protection, Salaries and Expenses'';

(8) $65,195 from ''U.S. Customs and Border Protection, Automation Modernization'';

(9) $96,177 from ''U.S. Customs and Border Protection, Air and Marine Operations'';

(10) $2,368,902 from ''U.S. Immigration and Customs Enforcement, Salaries and Expenses'';

(11) $600,000 from ''Transportation Security Administration, Federal Air Marshals'';

(12) $3,096,521 from ''Coast Guard, Operating Expenses'';

(13) $208,654 from ''Coast Guard, Reserve Training'';

(14) $1,722,319 from ''Coast Guard, Acquisition, Construction, and Improvements'';

(15) $1,256,900 from ''United States Secret Service, Salaries and Expenses'';

(16) $107,432 from ''National Protection and Programs Directorate, Management and Administration'';

(17) $679,212 from ''National Protection and Programs Directorate, Infrastructure Protection and Information Security'';

(18) $26,169 from ''Office of Biometric Identity Management'';

(19) $37,201 from ''Office of Health Affairs'';

(20) $818,184 from ''Federal Emergency Management Agency, Salaries and Expenses'';

(21) $447,280 from ''Federal Emergency Management Agency, State and Local Programs'';

(22) $98,841 from ''Federal Emergency Management Agency, United States Fire Administration'';

(23) $448,073 from ''United States Citizenship and Immigration Services'';

(24) $519,503 from ''Federal Law Enforcement Training Center, Salaries and Expenses'';

(25) $500,005 from ''Science and Technology, Management and Administration''; and

(26) $68,910 from ''Domestic Nuclear Detection Office, Management and Administration''.

(RESCISSION)

SEC. 577. Of the unobligated balances made available to ''Federal Emergency Management Agency, Disaster Relief Fund'', $375,000,000 shall be rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 578. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record, on or about January 13, 2015, by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 579. (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the ''Immigration Examinations Fee Account'' established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):

(1) The memorandum from the Secretary of Homeland Security entitled ''Southern Border and Approaches Campaign'' dated November 20, 2014.

(2) The memorandum from the Secretary of Homeland Security entitled ''Policies for the Apprehension, Detention and Removal of Undocumented Immigrants'' dated November 20, 2014.

(3) The memorandum from the Secretary of Homeland Security entitled ''Secure Communities'' dated November 20, 2014.

(4) The memorandum from the Secretary of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents'' dated November 20, 2014.

(5) The memorandum from the Secretary of Homeland Security entitled ''Expansion of the Provisional Waiver Program'' dated November 20, 2014.

(6) The memorandum from the Secretary of Homeland Security entitled ''Policies Supporting U.S. High-Skilled Businesses and Workers'' dated November 20, 2014.

(7) The memorandum from the Secretary of Homeland Security entitled ''Families of U.S. Armed Forces Members and Enlistees'' dated November 20, 2014.

(8) The memorandum from the Secretary of Homeland Security entitled ''Directive to Provide Consistency Regarding Advance Parole'' dated November 20, 2014.

(9) The memorandum from the Secretary of Homeland Security entitled ''Policies to Promote and Increase Access to U.S. Citizenship'' dated November 20, 2014.

(10) The memorandum from the President entitled ''Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century'' dated November 21, 2014.

(11) The memorandum from the President entitled ''Creating Welcoming Communities and Fully Integrating Immigrants and Refugees'' dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

(c) No funds or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year, including any deposits into the ''Immigration Examinations Fee Account'' established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SEC. 580. (a) No funds or fees made available to the Secretary of Homeland Security by this Act or any other Act for any fiscal year may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any policy relating to the apprehension, detention, or removal of aliens that does not treat any alien convicted of any offense involving domestic violence, sexual abuse, child molestation, or child exploitation as within the categories of aliens subject to the Department of Homeland Security's highest civil immigration enforcement priorities.

(b) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(c) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SEC. 581. (a) The Congress finds that—

(1) under the Patient Protection and Affordable Care Act (Public Law 111–148), many individuals and businesses are required to purchase health insurance coverage for themselves and their employees;

(2) individuals who were unlawfully present in the United States who have been granted deferred action under the Deferred Action for Childhood Arrivals Program undertaken by the Executive Branch and who then receive work authorization are exempt from these requirements;

(3) many United States employers hiring United States citizens or individuals legally present in the United States are required to either offer those persons affordable health insurance or pay a penalty of approximately $3,000 per employee per year; and

(4) an employer does not have to provide insurance, or in many instances pay a penalty, if they hire individuals who were not lawfully present but who have been granted deferred action under the Deferred Action for Childhood Arrivals Program and work authorization.

(b) It is the sense of the Congress that—

(1) this disparate treatment has the unacceptable effect of discouraging the hiring of United States citizens and those in a lawful immigration status in the United States; and

(2) the Executive Branch should refrain from pursuing policies, such as granting deferred action under the Deferred Action for Childhood Arrivals Program and work authorization to unlawfully present individuals, that disadvantage the hiring of United States citizens and those in a lawful immigration status in the United States.

SEC. 582. It is the sense of the Congress that the Director of United States Citizenship and Immigration Services (USCIS) should—

(1) stop putting the interests of aliens who are unlawfully present in the United States ahead of the interests of aliens who are following proper immigration laws and procedures by adjudicating petitions and applications for immigration benefits submitted by aliens unlawfully present in the United States. When USCIS adjudicators and resources are used to adjudicate petitions and applications for aliens who are unlawfully present, the time it takes to process petitions and applications submitted by other aliens is significantly increased and a backlog is created. In addition, it is unfair to use the fees paid by other aliens to cover the costs of adjudicating petitions and applications for aliens unlawfully present in the United States; and

(2) use the funds available under existing law to improve services and increase the efficiency of the immigration benefits application process for aliens abroad or who are lawfully present in the United States.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2015''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 4, 2015, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, at 10 a.m. in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Building a More Secure Cyber Future: Examining Private Sector Experience with NIST Framework.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, at 2:30 p.m. in room SR–253 of the Russell Senate Office Building to conduct a subcommittee hearing entitled, ''The Impacts of Vessel Discharge Regulations on Our Shipping and Fishing Industries.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet for a joint hearing with the House Transportation and Infrastructure Committee during the session of the Senate on February 4, 2015 at 10 a.m., in room HVC–210 of the Capitol Visitor Center, to conduct a hearing entitled ''Impacts of the Proposed Waters of the United States Rule on State and Local Governments.''

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 4, 2015, at 10 a.m., in room SD–215 Dirksen Senate Office Building, to conduct a hearing entitled, ''The President's Budget for Fiscal Year 2016.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 4, 2015, at 9:30 a.m., to conduct a hearing entitled ''Ending Modern Slavery: What is the Best way Forward?''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 4, 2015, at 10 a.m., to conduct a hearing entitled ''Deferred Action on Immigration: Implications and Unanswered Questions.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on February 4, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 4, 2015, at 2:00 p.m.

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

SPECIAL COMMITTEE ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on February 4, 2015, in room SD–562 of the Dirksen Senate Office Building at 2:30 p.m., to conduct a hearing entitled ''Broken Trust: Combating Financial Exploitation of Vulnerable Seniors.''

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

The PRESIDING OFFICER (Mr. ALEXANDER). The majority leader.

CONGRATULATING THE NEW ENGLAND PATRIOTS ON THEIR VICTORY IN SUPER BOWL XLIX

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be discharged from consideration of S. Res. 63 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 63) congratulating the New England Patriots on their victory in Super Bowl XLIX.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 63) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 3, 2015, under ''Submitted Resolutions.'')

AUTHORIZING USE OF THE CAPITOL ROTUNDA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 12, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 12) authorizing the use of the rotunda of the United States Capitol for a ceremony to present the Congressional Gold Medal to Jack Nicklaus.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 12) was agreed to.

MEASURE READ THE FIRST TIME—H.R. 596

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 596) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010, and for other purposes.

Mr. MCCONNELL. I now ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, FEBRUARY 5, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. on Thursday, February 5, 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. I further ask that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 240, with the time until 11:30 a.m. equally divided in the usual form, and that the mandatory quorum call with respect to the cloture vote and the motion to proceed to H.R. 240 be waived.

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

PROGRAM

Mr. MCCONNELL. Mr. President, the cloture vote on the motion to proceed will occur at 11:30 a.m. tomorrow morning.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator STABENOW and Senator SESSIONS.

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

The Senator from Alabama.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. SESSIONS. Mr. President, we are in an odd world. Our Democratic colleagues continue to have the gall to suggest and state that the Republicans are blocking funding for homeland security in America when nothing could be further from the truth.

I guess they have gotten away with blaming Republicans for blocking things, so they just keep on saying it. But the House has fully funded all the legal policies and programs within Homeland Security, and they sent the bill over here.

What did they do? They simply said: You can't take money out of homeland security enforcement for immigration and border security, and spend it on activities that violate the law, that undermine immigration law, that in fact are contrary to immigration law—that the President has said he intends to do no matter what Congress does, no matter what the American people want. He says he is going to do it anyway. They simply say we are not going to fund that.

So it comes over to pass. It fully funds the Department of Homeland Security. It doesn't change any of the laws in Homeland Security—and they say this is being obstructed by the Republicans.

But look. What does the media say about it? How is it being reported?

Here is Politico: ''Democrats filibuster Department of Homeland Security bill.'' That was yesterday. And that is exactly what is happening. They are filibustering the bill and saying Republicans are blocking it, when all that the Republicans are saying is: Let's get on the bill. We can't even get on the bill so amendments can be offered because they are filibustering the motion to proceed to the bill, blocking us even getting on the legislation so amendments can be offered.

If they are not happy with anything in the bill—the language the House put in or anything else—they can offer amendments to deal with it and strike it out.

That is what Politico said.

How about the New York Times. They are always favoring Democratic immigration policies. This is their headline: ''Senate Democrats Block Republicans' Homeland Security Bill.'' Isn't that true? That is exactly true.

How about the Atlantic. I think this is almost amusing: ''The New Democratic Obstructionists.'' That is the headline in their publication.

So I would push back at this. Are we through the looking glass? Are we down the rabbit hole into never-never land? Where are we?

My good friend Senator SCHUMER, one of our able advocates here—and I really admire him. But this is what he said earlier today:

The right wing of the Republican party is risking a D.H.S., a Department of Homeland Security, shutdown to get their way on immigration.

This is how Senator SCHUMER framed it:

They're saying take our hard right stance on immigration or we won't fund national security.

He goes on to say:

We think the American people are on our side. We're willing to have that debate.

Well, why don't we have it? Why don't we bring the bill up and let's have the debate if he wants to offer amendments contrary to what the House did?

But remember, the House didn't do anything but say we are going to spend money on all the programs in Homeland Security. It didn't defund any of them. It didn't change any of those rules.

So, is it really true? Do only right-wing Republicans want to end the President's unlawful actions? No, no, no. That is not what the truth is.

Why don't I share with our colleagues here what many of our Democratic Senators have said about the President's unlawful action. Here is what the junior Senator from Indiana said:

It is clear the immigration system in this country is broken, and only Congress has the ability to change the law to fix it . . . I am as frustrated as anyone that Congress is not doing its job, but the President shouldn't make such significant policy changes on his own.

That was just November last year.

The senior Senator from Missouri said:

Our immigration system is broken, and I support a comprehensive plan to fix it, but executive orders aren't the way to do it.

The senior Senator from West Virginia:

I disagree with the President's decision to use executive action to make changes to our immigration system.

The junior Senator from North Dakota:

I'm disappointed the president decided to use executive action at this time on this issue. . . . It's Congress' job to pass legislation and deal with issues of this magnitude.

Isn't that true.

The junior Senator from Maine:

I also have constitutional concerns about where prosecutorial discretion ends and unconstitutional executive authority begins.

Well, I share that thought.

The junior Senator from Minnesota:

I have concerns about executive action. . . . This is a job for Congress.

The senior Senator from Virginia:

. . . the best way to get a comprehensive solution is to take this through the legislative process.

So are those right-wingers? Are those people who can't be trusted to put the public interest first? Are they exaggerating? Are they somehow all in error to question the power of the Presidency to execute this policy?

No, and I will cite one more national leader that is well known. I would cite President Obama himself, who on 20

different occasions said he did not have power to do what he now has done. So Congress is not passing any new law. Congress is not passing any new power. Congress is simply saying: Mr. President, you cannot create new laws and fund new programs that are contrary to existing law, in violation of existing law, and in violation of the wishes of the American people and the decided actions of Congress itself.

Remember all these ideas were presented to Congress, and Congress rejected them. They were elected to represent the people of the United States of America, and they rejected these policies. So why should Congress fund the President, who goes and does what they now reject?

Well, Senator SCHUMER says he believes the American people are on his side, or ''our side,'' the obstructionist side, the side that is blocking Homeland Security.

Let's look at the polling data. This is a poll from Paragon Insights. The question to the American people was: Should you focus on bettering work situations for Americans? Should that be our focus and not immigration advancements or expansion. Among Democrats, 64 percent said yes. Among Independents, 75 percent said yes.

What about this: Do you believe providing amnesty encourages illegal immigration? Democrats, 63 percent. Is that part of the great rightwing conspiracy? How about Independents—68 percent; Republicans, 88 percent.

How about this: Do you believe illegal immigrants take jobs from vulnerable citizens? Democrats, 57 percent; Independents, 73 percent.

How about this one: Do you believe amnesty is disastrous and unconstitutional? Democrats, 53 percent; Independents, 70 percent.

How about the question that illegal immigrants take jobs from vulnerable citizens. What do Hispanics say about that? Mr. President, 65 percent of Hispanics agree with that.

What about the question that providing amnesty encourages illegal immigration? We all know that it does, and 63 percent of Hispanics agree with that. What about the question: Amnesty will hollow out the middle class. We had a lot of talk about what to do with the middle class. Ask the middle class what they think for a change. Will amnesty hollow out the middle class? Independents—not Republicans, not Democrats, not rightwingers—73 percent agree; 62 percent of Hispanics agree with that statement.

This idea somehow that the American people support blocking the Homeland Security bill to protect the President's unlawful Executive amnesty, that the American people support the Democrats in doing that is not true. The data shows that, and that is consistent with my understanding.

How about this question in a poll by Kellyanne Conway's polling company, a nationwide survey: ''President Obama recently said that he may go around Congress and take executive action on immigration policy.'' This was done back in August of last year. ''Which do you support more: President Obama changing immigration policy on his own, or President Obama working with Congress to change immigration policy?'' Well, 74 percent said he should work with Congress. Only 21 percent said he should do it on his own.

How about Independents? How about the Independents—not conservative rightwingers? What do they view as to whether the President should work with Congress and pass a law in the orderly business according to legitimate processes or do it on his own? Among Independents, 81 percent said he should work with Congress, and only 14 percent say he should do it on his own.

So this idea that somehow the American people are all in support of President Obama's outrageous actions, which he himself 20 times said he had no power to do but did anyway, is just false. It is not true, and it is not true the Republicans are blocking the Homeland Security bill, either. The Democrats are filibustering the bill, not allowing it to come to the floor so even an amendment can be voted on.

What do our colleagues do? They seem to think that if they say the Republicans are causing it to happen, then the media will accept it. But the media is not accepting this, and nobody is accepting this. And I hope the Democratic colleagues who openly question this policy will re-evaluate where they stand and think back.

Isn't this the thing to do? Let's move to the bill, and then we can debate all the language and all the issues that are relevant and see where we go from there—not just block the bill. So I would urge colleagues to think that through and change their view from what they have been doing, which is supporting unanimously a filibuster.

Now there is some simple Paragon Insights polling data. It asked a simple policy question without reference to Republicans and Democrats or President Obama. What did they find in their poll, by a 50-point measure?

The PRESIDING OFFICER (Mr. TILLIS). The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent for 2 additional minutes.

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

Mr. SESSIONS. I didn't know we had a time limit.

By a 50-point margin voters want to pass legislation making it harder to hire workers now illegally in the country—71 to 21. They want us to protect American workers, to make it harder for businesses to hire people unlawfully in the country. We are not doing any of that. The President has given an Executive order that provides 5 million people with work authorizations, Social Security cards, Social Security numbers, and the right to take any job in America when we have a shortage of jobs in America.

Female voters support this action by a 3-to-1 margin. Hispanic voters support the measure by a 19-point margin, 56 to 37 percent. I would say blue-collar voters, people who go to work every day, strongly oppose the President's action by more than a 3-to-1 margin. One in three Obama voters opposes his Executive action, overall.

We are not going to stop. President Obama does not have the authority to do this. It is a challenge institutionally to this body. No matter what you feel about amnesty or providing benefits for people here unlawfully, it is Congress's job, and we have to face up to it and wrestle with it.

Some say that if we don't approve it, then we are not facing up to it. I don't agree. I think it is worth discussing and voting on it. So far Congress has rejected the President's ideas of how it should be handled. I think they will continue to do so. The American people overwhelmingly want the Congress to defend their interests, to defend their right to work, to defend their declining wages, and to do something about the wages that are declining, to do something about the difficulty their children have in finding a decent job—even college graduates. We don't have a shortage of workers in this country; we have a shortage of jobs in this country. That is absolutely clear.

We can do this country a great service, and we can do the struggling, hurting middle-class workers a great service if we slow down a bit in this unlawful immigration flow. We have a generous lawful flow. Let's end the lawlessness and protect them, and maybe their wages will begin to rise, for a change, instead of falling, as they have done for a decade.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President. First, let me say to my friend from Alabama, I couldn't agree more that we need to focus on jobs. There is no question about it.

I couldn't agree more that we need to have a legal immigration system that works and that protects Americans first, in terms of jobs, people who are here legally, whether it is those working in agriculture, whether it is those working in manufacturing or any other part of our economy. We can very quickly, if the new majority wants to, bring an immigration bill and address it. I think there are 68 of us, if I remember right, who voted for a pretty big bipartisan effort last year, a major effort to actually fix a very broken system. There were important protections in there for American workers. It is something that would have been incredibly important to get done and to put those prohibitions in. So this is not about that.

It is very simple. The majority could very quickly pass the funding for Homeland Security to keep us safe and

immediately go to the issue of immigration, and I would support it wholeheartedly, as would colleagues on this side of the aisle.

Here is what we don't support: holding the security of our country hostage while others debate policy, frankly, that was already agreed to by the majority of the Senate last year. Regardless of your feelings about the immigration policies, if you ask folks at this time, when terror threats are all around us, do they want games being played with the funding of our homeland security, the answer would be no—a resounding no.

So let's get on with the business in a bipartisan way of funding our national security effort, and then let's immediately go to a vigorous and important debate about immigration. I would agree that should be done as soon as possible.

Since the attacks of 9/11 in 2001, we have had a Department of Homeland Security that we organized and put together to play a critical role in protecting America against acts of terror. Make no mistake, as I said, we have terrorist threats all around us, yet, unfortunately, our Republican colleagues are willing to shut down our Homeland Security Department to make a political point.

Yesterday ISIS released a video showing the horrendous burning of a Jordanian pilot. It was unbelievable. But while that is happening, the Senate can't pass a Homeland Security funding bill. We need to pass a Homeland Security bill. Colleagues who are fighting about immigration are willing to shut down Homeland Security in order to make a point with the President.

This past weekend ISIS beheaded a Japanese contractor. Yet Republicans are willing to shut down Homeland Security to make a point. Last week at a hotel in Libya an American was killed in an attack by ISIS. Yet colleagues on the other side of the aisle are willing to shut down Homeland Security in order to make a political point. Last month 11 people were killed in a terrorist strike against America's oldest ally, France. Yet Republicans are willing to shut down Homeland Security.

In November, a Canadian soldier was killed in an attack near the Canadian Parliament, just 60 miles from the U.S. border. Michigan is on that northern border. Yet Republicans are willing to shut down Homeland Security. In fact, we heard Republicans in the House say it wouldn't be that big of a deal to shut down Homeland Security. Really? Anybody who reads the paper or watches the news can see what is happening every day around us, and Republicans in the House say it wouldn't be a problem to shut down Homeland Security? That is stunning.

Detroit, MI, has the busiest northern border crossing in the country. It is the busiest northern border crossing for commerce, products, and people. We rely on our Customs and Border Patrol every single day. Customs and border security, airport security, and police and firefighters are on the frontlines every day protecting us. Let's not forget about the Coast Guard. All those folks are on the frontlines protecting our families in America. That is what we are debating.

Do we want to play games with that? Do we want to hold Homeland Security hostage because of a debate with the President on another issue or do we fund Homeland Security and then have that debate? We can do it immediately—the same day. We could fund Homeland Security and then the Republican leader could immediately call up any bill he wants on immigration and then have that debate. Unfortunately—with terrorist threats all around us—Republicans are willing to shut down Homeland Security.

Boko Haram is gaining strength in West Africa and hoping to inspire attacks against Americans. We know what they have done. Yet here we are debating whether Homeland Security is going to be shut down.

In the months to come, we will need all of the hard-working men and women who work in every part of that agency to be full speed so they can protect us. Unless Republican colleagues are willing to support a spending bill and get that done right away, we are going to see the Department of Homeland Security management and headquarters stop functioning. Some 30,000 employees will be furloughed. People will be asked to work without pay—talk about jobs for people.

In Detroit alone—and all over Michigan—we get firefighter grants. The budget has already started, and we have 150 firefighters in the city of Detroit alone whose ongoing funding has been stalled. We have firefighters all across Michigan. We have very important law enforcement grants all over Michigan that at the moment are on hold and can't go forward.

We are talking about disrupting programs used to detect weapons of mass destruction and the training of local law enforcement officers who are on the frontlines of our defense. This makes no sense.

It would be one thing if Republican colleagues were in the minority and they felt the only way we could have the debate they want to have is to tie the two together, but that is not the case. Republican colleagues are in the majority. We can pass Homeland Security together—100 to 0—and then get on to whatever immigration debate the majority wants to have or whatever else they would like to debate. We don't have to hold the Homeland Security funding hostage in order to do it.

This past August our Defense Secretary said of ISIS:

> They are as sophisticated and well-funded as any group we have seen. They're beyond just a terrorist group.

When we think about it, we are talking about a well-funded terrorist group at the same time we are debating whether to fund our Homeland Security agencies that keep us safe from ISIS and other terrorist threats.

I implore Republican colleagues to join with us, regardless of the passion on this other issue. We can debate it. It can be addressed.

There are Republican majorities in the House and Senate that can debate the President's actions or debate anything for that matter, but we can certainly debate immigration at any moment. We do not have to hold the funding for the national defense of our homeland hostage to do it.

I encourage my colleagues to get on to the business of passing the funding.

I thank the Presiding Officer.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m. tomorrow.

Thereupon, the Senate, at 6:06 p.m., adjourned until Thursday, February 5, 2015, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

WAVERLY D. CRENSHAW, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE, VICE WILLIAM JOSEPH HAYNES, JR., RETIRED.

LAWRENCE JOSEPH VILARDO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK, VICE RICHARD J. ARCARA, RETIRED.

DEPARTMENT OF JUSTICE

EILEEN MAURA DECKER, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE ANDRE BIROTTE, JR., RESIGNED.

JOHN W. HUBER, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF FOUR YEARS, VICE DAVID B. BARLOW, RESIGNED.

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 major general

BRIG. GEN. NINA M. ARMAGNO
BRIG. GEN. JOHN D. BANSEMER
BRIG. GEN. CASEY D. BLAKE
BRIG. GEN. MICHAEL T. BREWER
BRIG. GEN. ANTHONY J. COTTON
BRIG. GEN. CLINTON E. CROSIER
BRIG. GEN. THOMAS H. DEALE
BRIG. GEN. TIMOTHY G. FAY
BRIG. GEN. TIMOTHY S. GREEN
BRIG. GEN. JOSEPH T. GUASTELLA, JR.
BRIG. GEN. DAVID A. HARRIS
BRIG. GEN. JAMES B. HECKER
BRIG. GEN. SCOTT A. HOWELL
BRIG. GEN. JAMES C. JOHNSON
BRIG. GEN. MARK D. KELLY
BRIG. GEN. MATTHEW H. MOLLOY
BRIG. GEN. MICHAEL D. ROTHSTEIN
BRIG. GEN. KEVIN B. SCHNEIDER
BRIG. GEN. BARRE R. SEGUIN
BRIG. GEN. THOMAS J. SHARPY
BRIG. GEN. JAMES C. SLIFE
BRIG. GEN. SCOTT F. SMITH
BRIG. GEN. GIOVANNI K. TUCK
BRIG. GEN. GLEN D. VANHERCK
BRIG. GEN. JAMES C. VECHERY
BRIG. GEN. SARAH E. ZABEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RANDALL REED

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CHRISTOPHER A. COFFELT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JEFFREY A. KRUSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

To be major general

BRIG. GEN. ABEL BARRIENTES
BRIG. GEN. BRIAN E. DOMINGUEZ
BRIG. GEN. JOHN C. FLOURNOY, JR.
BRIG. GEN. KATHRYN J. JOHNSON
BRIG. GEN. KENNETH D. LEWIS, JR.
BRIG. GEN. MARK L. LOEBEN
BRIG. GEN. VINCENT M. MANCUSO
BRIG. GEN. RONALD B. MILLER
BRIG. GEN. KAREN A. RIZZUTI
BRIG. GEN. RICHARD W. SCOBEE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. RANDALL R. BALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DIXIE A. MORROW

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. LEONARD W. ISABELLE, JR.
BRIG. GEN. MICHAEL T. MCGUIRE
BRIG. GEN. SAMI D. SAID

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. JAY N. SELANDERS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TODD M. AUDET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ARTHUR E. JACKMAN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. VITO E. ADDABBO
COL. THOMAS L. AYERS
COL. MAUREEN G. BANAVIGE
COL. DENNIS T. BEATTY
COL. JAMES N. COOMBES II
COL. CHRISTIAN G. FUNK
COL. JAY S. GOLDSTEIN
COL. HUBERT C. HEGTVEDT
COL. JOHN A. HICKOK
COL. FARRIS C. HILL
COL. JOHN M. HILLYER
COL. CRAIG L. LAFAVE
COL. PAMELA J. LINCOLN
COL. LINDA M. MARSH
COL. STEVEN R. ROSENMEIER
COL. STAN A. SHELEY
COL. PATRICK M. WADE
COL. JOHN B. WILLIAMS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. JOHNNY S. LIZAMA
COL. THOMAS W. RYAN
COL. SCOTT A. YOUNG

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 brigadier general

COL. BRIAN J. MENNES

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

JEFFREY B. KRUTOY

EXTENSIONS OF REMARKS

RECOGNIZING REIMAN'S HARLEY–DAVIDSON IN KEWANEE, ILLINOIS FOR THEIR SERVICE TO OUR SERVICE MEMBERS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize Reiman's Harley-Davidson in Kewanee, Illinois, for going above and beyond to serve the men and women who so bravely serve our country.

These business owners have a policy to waive storage fees for the motorcycles of deployed service members.

In their own words, they say 'It is our honor to keep your bike safe and secure while you provide us with our freedoms. We hope you return to us safe and sound. Until that time, we will store your bike at no charge to you. This is our way of saying 'Thank You' for your service to our country.'

Mr. Speaker, it is my honor to represent such a remarkable company, and I want to once again thank them for their continued efforts to honor the men and women of the United States Armed Forces.

HONORING THE CAREER OF BILL CRAVER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and accomplishments of a distinguished member of the Western New York community, Bill Craver on the occasion of his retirement after a remarkable career.

Mr. Craver has served our community working for the Buffalo Sewer Authority for over 31 years. Mr. Craver began working for the Buffalo Sewer Authority on June 6th, 1983 as a Millwright. Less than a year later he was promoted to Machinist. Prior to serving the City of Buffalo, Mr. Craver had worked at Van Nott Machinery, Buffalo Color and the Ford Stamping Plant, where he is held in high regard by his co-workers.

At the age of 92, Mr. Craver holds the title of the oldest active employee in the New York State Retirement System and oldest employee in the Buffalo Sewer System, a record that will undoubtedly be difficult to top.

Mr. Craver is a veteran of the United States and an honored recipient of the Bronze Star for his service in the Second World War. During World War II, he served in Okinawa and the Philippines, where his most gloried accomplishment was shooting down two enemy aircrafts off shore of Okinawa on April 15, 1945.

Mr. Speaker, it is with great pride that I rise today to honor the amazing accomplishments of Bill Craver during his career and for his service as a decorated Veteran of WWII. I am pleased to join his family members, colleagues and friends in congratulating him on his retirement. Mr. Craver has earned a great deal of respect from his colleagues and friends and has certainly earned my sincere respect and admiration for his integrity, commitment, and impressive work ethic. I wish Mr. Craver continued happiness and contentment in the future.

IN RECOGNITION OF MR. GRANT GREIDER ON HIS 100TH BIRTHDAY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize my constituent, Mr. Grant Greider, in celebration of his 100th birthday.

Born in Middle Paxton Township, Pennsylvania, Mr. Greider was the fifth of ten children born to Grant and Elizabeth Greider. Some of Grant's earliest memories include traveling to Broad Street Market in Harrisburg, where he and his mother sold butter, cup cheese, and baked bean sandwiches. After graduating from Halifax High School in 1935, he married Ruth Deibler, and they had six children together. Ruth and Grant were married for 76 years until Ruth's passing in 2011. In 1945, Mr. Greider moved his family to a farm in Jackson Township. To this day, Mr. Greider still helps his son, Randy, operate the farm. Mr. Greider was an employee of the Pennsylvania Railroad for 39 years, where he worked alongside his father and three older brothers. He recalls first earning an hourly wage of 45 cents as a laborer. After many years of hard work, he was proud to see his salary increase to $7.50 an hour, right before his retirement in 1979. To this day, he still collects his hard-earned railroad pension. Additionally, Mr. Greider has held several elected offices in Jackson Township, including Township Supervisor and Judge of Elections. As an avid participant in the democratic process, he has proudly voted in every election since turning 21 in 1936.

Mr. Speaker, I wish to recognize Mr. Greider on this important milestone, and to thank him for his time spent serving our local community. His commitment to family, hard work, Pennsylvania, and our nation is exemplary, and I wish him a happy and healthy 100th birthday celebration in the company of his family and friends.

PERSONAL EXPLANATION

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. DESAULNIER. Mr. Speaker, last week I regret that I was unable to cast my vote against H.R. 351, the Natural Gas Pipeline Permitting Reform Act. Had I voted, I would have voted NO on H.R. 351, in order to protect the environment and our natural resources.

COMMEMORATING THE LIFE OF CODIE PETERS

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of Codie Carter Peters who passed away January 25, 2015.

Mrs. Peters was a pillar in the Charlottesville community. She was a successful actress and small business owner and a loving mother and grandmother. Active and passionate about politics, she served for six years in the Albemarle-Charlottesville Republican Women's League, two of them as its president.

Codie Peters lived her life with an intense dedication to the persons and causes she loved. Whether she was asserting her opinion on an issue of national importance or speaking of her beautiful family, the twinkle in her eyes was always present. Codie relished sharing with all what she had in abundance: a love of family, a love of life, and a love of country. Her delight in her commitment to her husband, Steve, was infectious; they were partners in everything, from tending to their family to their public service in politics.

Codie Peters will long be remembered for her dedication and her passion. She was predeceased by her parents and is survived and fondly remembered by her husband, Steven L. Peters; her daughter, Katherine J. Peters; her son-in-law, William A. Finn; and her two grandchildren, Bennett Grace and William Patrick Finn.

My thoughts remain with the Peters family, and I am grateful for the opportunity to have known Codie Peters and to remember the wonderful life she led.

HONORING THE TOWN OF YOUNTVILLE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Town of Yountville, California on the 50th anniversary of its incorporation. The Town of Yountville has developed a reputation for culinary excellence, distinguished lodging, fine wines and renowned retail businesses, which is especially impressive considering that the town has less than 3,000 residents.

Yountville's rich history dates back to 1831, when George Yount settled in Napa Valley. In

1836 Mr. Yount obtained the first land grant from the Mexican government awarded to a United States citizen in Northern California. By 1855, a surveyor had laid out the town's borders and Mr. Yount decided to call this town Sebastopol. Given that there was another town by the name of Sebastopol nearby, the town was renamed Yountville two years after Mr. Yount's death in 1867 in honor of its founder and his invaluable contributions to the town's beginning, which included planting the first grape vines in Napa Valley.

On February 4, 1965, the City of Yountville was officially incorporated and in 1982 changed its name to Town of Yountville. Over the past 50 years the town has grown to almost 3,000 residents. Today the town is home to many award-winning restaurants, such as The French Laundry which boasts a Three-Star Michelin rating, and which contributes to the town's reputation as the "Culinary Capital of the Napa Valley". In addition to the town's rich culinary history, Yountville's wine, retail, and lodging industries attract tourists from around the world to this small town known as the "Heart of Napa Valley"™.

Mr. Speaker, it is my distinct pleasure to recognize the Town of Yountville, California on the 50th anniversary of its incorporation. Yountville is a treasured part of our Napa Valley and I look forward to seeing the town continue to prosper over the next 50 years.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 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 $18,099,042,237,253.89. We've added $7,472,165,188,340.81 to our debt in 6 years. This is over $7.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELEBRATING THE 70TH ANNIVERSARY OF THE MORRIS COUNTY HISTORICAL SOCIETY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morris County Historical Society, located in Morristown, Morris County, New Jersey, as it celebrates its 70th Anniversary.

The Morris County Historical Society, also known as the MCHS, seeks to preserve, exhibit, and actively enhance its collections of historical items relating to Morris County, predominantly during the Victorian period of American history. The MCHS believes in providing Morris County with a place in which its residents may learn about the County's interesting history. Through various exhibits, ranging from Victorian Architecture & Design Display to the Women's Suffrage Movement in NJ Display, the MCHS offers interactive programs that are both engaging and insightful.

The MCHS is housed in Acorn Hall, named after the two-centuries-old red oak formerly located on the property. Built in 1853, Acorn Hall continues to retain its original interior design characteristics and furnishings. In the Hall, the carpeting, wall covering, and decorative paint techniques mirror the original decorative selections implemented by the Hall's longest tenured owners, Augustus and Mary Crane. These aesthetical aspects of the Hall help visitors understand what exactly life was like during the mid-19th century.

Among the multiple programs and activities that the MCHS offers, its internship and volunteer program offers those individuals interested in maintaining some of Morris County's most prized artifacts is rewarding for a diverse group of people. Ranging from college students to senior citizens, the MCHS welcomes all individuals who care about Morris County's historical significance. The internship opportunity is especially valuable for college students as it often offers college credit to interns for semester-long projects. The MCHS values these volunteers and interns by offering them free admittance to the Acorn Hall and invitations to members-only events.

For members of the public, the MCHS offers guided tours of Acorn Hall. During these tours, MCHS tour guides help depict life during the Victorian era, and offer insightful explanations about the various artifacts housed in Acorn Hall. Though these tours generally last an hour, the experience leaves a long lasting impression. Also, after touring Acorn Hall, viewers can swing by the Oakleaf Gift Shop and browse through various historical books describing the role Morris County played in the Revolutionary War or the development of the Morristown Green.

I commend the members of the MCHS, its officers, and its Board of Directors, especially Director Amy Curry, for their dedication to promoting Morris County's rich history. Our society has consistently demonstrated a dedication and commitment to preserving priceless artifacts for Morris County residents to enjoy for years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Morris County Historical Society, as it celebrates its 70th Anniversary.

HONORING THE SERVICE OF EULESS POLICE OFFICER TONY BURNETT

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. MARCHANT. Mr. Speaker, I am proud to recognize retiring Senior Corporal Tony Burnett for his 25 years of public service as a Euless Police Officer.

Tony Burnett began his career in public safety as a North Hills Mall security officer. In 1990, Tony's aspiration to join law enforcement was achieved when Euless Police Department hired him as Public Service Officer in the role as a jailer. Tony worked in that capacity for over three years until he was promoted to Police Officer. Throughout Tony's career, he continued to strive towards excellence which was acknowledged through the department with a promotion to Corporal in 1996 and Senior Corporal in 2008. In his leadership roles, Tony has supervised Patrol, Criminal Investigations and the Neighborhood Patrol Officers Unit.

Tony Burnett's commitment to public safety encouraged him to undergo extensive training as a patrol officer, criminal investigator, and department police trainer. His training earned him the following certifications: Basic Police Certification in 1993, Intermediate Police Certification in 1997, Advanced Police Certification in 1999, and Master Police Certification in 2004. In 1995, Tony received his Police Officer Instructor License and his DARE Officer Certification. In total, Tony received over 1,700 hours of in-service training. Tony has also taught over 1,200 hours of police training in the Dallas-Fort Worth area, and he is highly recognized by the region's law enforcement community as an outstanding instructor.

Aside from his police training, Tony Burnett has also earned a Bachelor's Degree from Columbia College and a Master's Degree in Criminology from the University of Texas at Arlington.

Tony Burnett has led a distinguished career in the Euless Police Department where he received over 80 police commendations for professionalism and service to the community. He has also been nominated for numerous department awards which include Rookie of the Year Award in 1993, Civic Achievement Award in 1998, Distinguished Service Award in 2005, and Police Officer of the Year in 2006.

Tony Burnett and his wife Melissa of 20 years have two children, Jacob and Andrew. Tony graduated from Richland High School in North Richland Hills, Texas, in 1989.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Tony Burnett for his years of public service as a Euless Police Officer.

PROTECTING WITH INTEGRITY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Victor Peschke of the Sugar Land Fire Department for being selected by the department and the Sugar Land Citizen's Fire Academy Alumni Association for the Firefighter of the Year Award. This award recognizes his exemplary character and actions in protecting our communities.

Peschke's firefighting career now spans six years. Since he joined the service of the Sugar Land Fire Department in 2011, he has honorably safeguarded the community and strengthened our public safety system. Peschke is not just a leader whose hard work and attitude others admire; he is a leader who inspires those who serve with him. Our communities are safer because of folks like Victor.

I commend Victor Peschke for his exemplary service to his community. On behalf of the residents of the Twenty-Second Congressional of Texas, congratulations again to Victor for being honored with Sugar Land's Firefighter of the Year Award.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA PAPERWORK REDUCTION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Paperwork Reduction Act, to eliminate the wasteful congressional review process for legislation passed by the District of Columbia Council and to align longtime congressional practice and the law. The congressional review process for D.C. bills is ignored by Congress providing it no benefit, but imposes substantial costs (in time and money) on the District. Congress has almost always used the appropriations process rather than the disapproval process and entirely abandoned the congressional review process as its mechanism for overturning D.C. legislation twenty-three years ago, and only used it three times before that, preferring riders on D.C. appropriation bills instead. Yet Congress still requires the D.C. Council to use Kafkaesque make-work procedures to comply with the abandoned congressional review process established by the Home Rule Act of 1973.

Our bill would eliminate the congressional review process for legislation passed by the D.C. Council. However, Congress would lose no authority it currently exercises because, even upon enactment of this bill, Congress would retain its authority under clause 17 of section 8 of article I of the U.S. Constitution to amend or overturn any D.C. legislation at any time.

The congressional review process (30 days for civil bills and 60 days for criminal bills) includes those days when either house of Congress is in session, delaying D.C. bills from becoming law, often for many months. The delay forces the D.C. Council to pass most bills several times, using a cumbersome and complicated process to ensure that the operations of this large and rapidly changing city continue uninterrupted, avoiding a lapse of the bill before it becomes final. The review period, based on legislative, not calendar, days means, for example, that a 30-day period usually lasts three calendar months and often much longer because of congressional recesses. The congressional review period for a bill that changed the word ''handicap'' to ''disability'' lasted nine months. The Council estimates that 50–65 percent of the bills the Council passes could be eliminated if the review period did not exist. To ensure that a bill becomes law, the Council often must pass the same legislation in three forms—emergency (in effect for 90 days), temporary (in effect for 225 days) and permanent. Moreover, the Council has to carefully track the days the House and Senate are in session for each D.C. bill it passes to avoid gaps and to determine when the bills have taken effect. The Council estimates that it could save 5,000 employee-hours and 160,000 sheets of paper per two-year legislative Council period if the review period were eliminated. House Majority Leader KEVIN MCCARTHY addressed the issue of saving such resources by eliminating the amount of paperwork sent to Congress when he proposed a cut in the number of reports that federal agencies are required to submit to Congress. Our bill is a perfect candidate because it eliminates a paperwork process that repeats itself without interruption.

My bill would do no more than align the Home Rule Act with congressional practice over the last twenty-three years. Of the more than 5,000 legislative acts transmitted to Congress since the Home Rule Act, only three resolutions disapproving D.C. legislation have been enacted—in 1979, 1981, and 1991—and two of those mistakenly involved federal interests in the Height Act and the location of chanceries. Placing a congressional hold on 5,000 D.C. bills has not only proven unnecessary, but has imposed fruitless costs on the D.C. government, residents and businesses. District residents and businesses are also placed on hold because they have no certainty when D.C. bills, from taxes to regulations, will take effect, making it difficult to plan. Instead of using the congressional review process to overturn D.C. legislation, Congress has preferred to use appropriation riders. Therefore, it is particularly unfair to require the D.C. Council to engage in a labor-intensive and costly process that Congress has itself long abandoned. My bill would only eliminate the automatic hold placed on D.C. legislation and the need for the D.C. Council to use a process initially passed for the convenience of Congress, but that Congress has since eliminated in all but law. This bill would promote efficiency and cost savings for Congress, the District, its residents, and businesses without reducing congressional oversight, and would carry out a policy stressed by Congress of eliminating needless paperwork and make-work redundancy.

I urge my colleagues to support this good-government measure.

HONORING DOMINICAN HERITAGE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. RANGEL. Mr. Speaker, I am proud to honor the rich culture and heritage of Dominicans, during the month of Carnival, the most important period of religious celebration in the Dominican Republic. Dominicans are dedicated members of our communities and have contributed so much to our country. This month, we take the opportunity to acknowledge and applaud their service to our nation and their many great achievements.

Dominicans in our nation have been motivated by the value of hard work and the bonds of family—the same pillars that have formed the foundation of our society for over 230 years. From Secretary of Labor Thomas Perez, the first Dominican-American to serve in the Cabinet, to Pedro Martinez, a former pitcher for the New York Mets who was recently elected to the Hall of Fame, Dominicans are trailblazers who strengthen America's diverse cultural heritage.

Dominicans are one of the fastest growing Hispanic groups in America. 1.5 million people of Dominican descent currently live in the United States. With over 700,000 people, Dominicans are the largest Hispanic group in New York City. I am honored to serve a congressional district with a significant Dominican population. They bring vibrant and rich cultural and economic contributions to every neighborhood in my district, from Washington Heights to Inwood.

I am fortunate to have many excellent organizations, in my district, that promote Dominican culture and empower Dominicans living in Manhattan and the Bronx. The Dominican Women's Development Center, New York Dominican Officers' Organization, Dominican Medical Association, National Dominican Women's Caucus, Community Association of Progressive Dominicans, Alianza Dominicana, Dominican Bar Association, Association of Dominican Classical Artists, Dominican Cultural Civic Center, Mirabal Sisters Cultural and Community Center all help strengthen their communities and improve the lives of Dominicans in New York.

Like so many generations of immigrants, Dominicans have fought tirelessly to achieve the American Dream. They come to this great nation seeking a home, a place to raise their families, and a community that will nurture their dreams. From the initial wave of Dominican migration in the 1960s to the most recent arrivals of today, Dominicans have graced our nation with their culture and traditions. Their contributions are integral to the success of our great nation and to strengthening the American fabric.

PERSONAL EXPLANATION

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. GIBSON. Mr. Speaker, on roll call no. 51; 52; 53 H.R. 361, the Medical Preparedness Allowable Use Act; H.R. 623, the Social Media Working Group Act; H.R. 615, the Department of Homeland Security Interoperable Communications Act.

Due to inclement weather, I was not present for the vote series on Monday, February 2, 2015.

Had I been present, I would have voted AYE.

RENEWABLE FUEL STANDARD (RFS) REFORM ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. GOODLATTE. Mr. Speaker, I rise today to join my colleagues Representatives PETER WELCH, STEVE WOMACK and JIM COSTA as we introduce the Renewable Fuel Standard (RFS) Reform Act, a common sense solution to ensure that renewable fuels compete fairly in the marketplace and avoid causing unintended and negative consequences for American consumers.

The federal government's creation of an artificial market for the ethanol industry has quite frankly triggered a domino effect that is hurting our nation's consumers, energy users, livestock producers, food manufacturers, retailers, and natural resources. Renewable fuels play an important role in our all-of-the-above energy policy, but should compete fairly in the marketplace and not be the beneficiary of an anti-competitive government mandate.

American families and businesses should not have to shoulder the high cost of an unworkable federal ethanol mandate through the Renewable Fuel Standard (RFS). According to the Congressional Budget Office (CBO), the heightened 2017 RFS requirements would increase the amount of total U.S. food expenditures by $3.5 billion. At the same time, the Department of Energy shows a decrease in fuel mileage—triggering increasing energy costs and lasting impacts on the environment.

The RFS mandates that 36 billion gallons of renewable fuels be part of our nation's fuel supply by 2022. However, in 2014 nearly 40 percent of the U.S. corn crop was used for ethanol production. This is more than the amount of corn used to feed livestock and poultry in the United States.

This is a kitchen table issue—this unworkable policy impacts every American family trying to make financial decisions. From food costs to wear and tear on the family car and other equipment many families use, the RFS means added costs and less money for other purchases.

The RFS debate is no longer just a debate about fuel or food. It is also a debate about jobs, small business, economic growth, and freedom.

The RFS is also hurting—not helping—to preserve our natural resources. The EPA has provided evidence that shows ethanol produced 33 percent more emissions in 2012 than gasoline. The RFS is impacting the quality of life for all Americans. The nation has hit the ''blend wall'' or the point at which we can no longer blend ethanol into gasoline at levels safe for all engines.

This Congress is the time for RFS reform. The momentum around this issue continues to grow. Last year, we found that more than 218 Members of Congress were on record—either by cosponsoring legislation or signing letters—expressing concerns about the current policy.

The support from various stakeholders also continues to expand as the RFS Reform Act is endorsed by a broad spectrum of groups representing livestock, small engines, taxpayers, restaurants, boats, food manufacturing, environmental issues, and food aid. I urge my colleagues to join me in support of the Renewable Fuel Standard Reform Act to address the increasing costs of this broken federal policy impacting our nation's citizens.

RECOGNIZING THE 90TH ANNIVERSARY OF THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC)

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. REED. Mr. Speaker, I rise today to recognize the 90th Anniversary of the New York State Association of Counties (NYSAC).

NYSAC was established by a group of committed local leaders in 1925 for the purposes of training county officials and advocating for the needs of local governments. Since that time, the organization has become the only statewide association representing the interests of New York's 62 counties, including the five boroughs of New York City.

NYSAC advocates for the interests of taxpayers and county officials at the state and federal levels of government. In addition, the association provides its members with training, educational resources, and information relating to public policy.

Despite the tremendous diversity found in New York, NYSAC has consistently and effectively promoted the best interests of all its members, from the urban areas downstate to the rural and suburban areas of my congressional district. I commend NYSAC on its ability to combine such different perspectives into a single unified mission that serves the interests of each county.

Mr. Speaker, it is my sincere pleasure to congratulate NYSAC on 90 years of excellent service to the counties, citizens, and officials of the State of New York. The professionalism and commitment displayed by the association's staff have ensured the effective management and delivery of county services. I salute NYSAC for a job well done, and extend my best wishes for continued success in the future.

CELEBRATING THE 40TH ANNIVERSARY OF PLAID HOUSE, INC.

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor Plaid House, Inc. located in Morristown, New Jersey as it celebrates its 40th Anniversary.

Over the last forty years, Plaid House has stayed true to its mission of providing residential and counseling services to adolescents in northern New Jersey. Since its foundation, the members of Plaid House, Inc. have worked tirelessly to improve the lives of so many young adults, as evidenced by the impact its programs have had on the community.

In December of 1970, Katherine Merck was asked by the Morris County Probation Office if she would be willing to take a seventeen year old girl into her home for the holidays. The local residential treatment center would be closed due to the holidays, and the judge had decreed that the girl, despite lacking a criminal history, would be placed in Clinton State Prison for Women if an alternative could not be found. Upon taking the young woman into her home, Kate learned from the young woman about the numerous girls from the community that were often left without a place to live. So, she decided to start a group home for girls in Morris County, and within a few years, the Plaid House group home opened its doors.

The goal of the Plaid House group home is to provide a complete living experience and therapeutic environment for troubled adolescent girls. The residents of the Plaid House group home are placed there by the Department of Children and Families. The girls can range in age from fourteen to eighteen years old and are accepted from anywhere in New Jersey. Girls are enrolled in local school and encouraged to involve themselves in the community through afterschool programs, working, and volunteering. The group home staff provides a varied schedule throughout the week including recreational and educational activities. All girls regularly participate in individual and group counseling, provided both on site by the Program Manager and off site by therapists in community agencies.

When it opened its doors in 1975, Plaid House group home began with a capacity for five girls and was staffed by two houseparents. Since then, the number of girls at the home has expanded to ten, with supervision increasing to a team of full-time staff working twenty-four hours a day to serve these girls. The group home even underwent an expansion construction project in 2003 to provide much needed additional space and improve the quality of living for its residents.

Plaid House, Inc. also offers Thenen House, which opened in 1989, to provide a supervised transitional living program to young women who have outgrown group homes, but have been assessed as being unable to return home. The residents are young women of ages from sixteen to twenty, who are under the supervision of Child Protection and Permanency and need assistance in preparing for independence. Here the residents are required to participate in a full-time educational and employment program, helping them to develop practical skills, establish emotional independence, and learn budgeting techniques; the budgeting program demands that the women save fifty percent of their wages, which will be returned to them when they leave the program.

Plaid House's Aftercare Program provides counseling to adolescent males and females who have been discharged by Child Protection and Permanency from residential placements or foster care. The goal of the program is to help these young adults transition successfully from out of home placement into the community, whether they are returning to their homes or moving out to live on their own. In addition, Their Aging Out Program serves male and female clients of ages fifteen to twenty who are under the supervision of Child Protection and Permanency and currently in out of home placement. The young adults participate in life skills training, presented in weekly workshops, which follow a curriculum including employment skills, money management, career planning, further education, communication, and problem solving. Each participant completes a skills assessment at the beginning and end of the program to measure the progress made from training.

Since the opening of their group home forty years ago, Plaid House has moved hundreds of young adults through their programs. Though the organization has undergone various changes and improvements since its inception, their commitment to providing these adolescents with opportunities for success has remained constant.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Plaid House, Inc, its dedicated staff and Board of Directors as it celebrates its 40th Anniversary.

''HONOR, COURAGE, COMMITMENT''

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Brice Kolle for being named the December 2014 Cadet of the Month by the Marine Military Academy. Kolle, a freshman at the Marine Military Academy, hails from my hometown of Sugar Land in TX–22. This esteemed award recognizes his exemplary character, leadership, academic achievement, and

esprit de corps while serving in the preparatory school's band.

Kolle's superb attitude and dedication to his studies will continue to serve him well at the Marine Military Academy and beyond. Receiving this honor, speaks to Kolle's dedication to uphold academy's mission and values.

I commend Brice Kolle for his outstanding leadership and development of character thus far in his academic career. On behalf of the residents of the Twenty-Second Congressional District of Texas, congratulations again to Kolle for being named the Marine Military Academy's Cadet of the Month for the Leatherneck Band for December 2014.

RECOGNIZING THE LEGACY OF RICHARD NAMEY

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. GRAYSON. Mr. Speaker, I rise to recognize the life and legacy of Richard ''Rick'' Ellis Namey, who died of a heart attack on February 26 at the age of 66. Rick wasn't a man defined by one title, one line of work, or one talent. He was many things: successful concert promoter, advertising genius, pitchman, standup comic, author, screenwriter, and political activist. Friends and family say one thing is certain; he didn't do anything halfway. With every endeavor, he went all out.

Rick was born in Baltimore on February 12, 1949. The oldest son of Albert and Salam Namey, his father met his mother while traveling abroad in Beirut, Lebanon. An aerospace engineer, Albert took a job with Martin Marietta and the family moved to Orlando when Rick was 10.

Rick began pursuing his ambitions while attending Winter Park High School and Sanford Naval Academy. At age 16, he won a teen disc jockey competition on WLOF-AM and began managing local bands like Mr. Banana and the Bunch and Marshmallow Steamshovel. He was also a performer.

Rick's first business venture was a coffee shop called The Hobbit in Daytona Beach, which catered to the hippie crowd, followed by The Purple Door in Bithlo. His success booking national acts like Bob Seger and the Silver Bullet Band for events at the Tangerine Bowl and the Daytona International Speedway led him to start Cosmic Productions. Rick was part of the promotional team for Woodstock and appears in a documentary about the 1969 music festival.

Rick took ideas and turned them into reality, even if they failed. During the Summer of Love, he started a business selling love beads. He had an importer, stringer, and packager and he was going to make thousands—until it was revealed the ink on his product was poisonous. Despite some setbacks, Rick's many successes were featured in an Orlando Sentinel article when he was just 23.

An active participant in the civil rights movement, Rick attended rallies and worked on presidential campaigns including McGovern/Eagleton and Carter/Mondale. Though Central Florida was always his home and he worked hard to promote it, he often rubbed elbows with the rich and famous. Old photos show Rick and the Carter family at home watching the Kentucky Derby in the 1970s.

The list of Rick's accomplishments is long. Rick and his brother, Charles, started two of Orlando's first black pop radio stations—WORJ and WORL—and Kissimmee's first tourist channel. Rick had a nationally syndicated radio show with Hugh Rodham, former Secretary of State Hillary Clinton's brother. He also served as interim manager for the Backstreet Boys and cut an album of Vietnam War protest songs.

Through his company, Stuyvesant Corporation, Rick wrote hundreds of TV and radio ads including ''Mr. Stereo and Video,'' ''Mad Max,'' ''Cheese Wars'' and ''Sounds Unlimited.'' Many of his ads garnered him national Addy Awards for creative excellence.

Rick was most proud of his screenwriting, which included Lake Woebegone Boys with Garrison Keiler, and Matt Merlin, a story about a kid wizard. Universal Studios optioned Matt Merlin well before Harry Potter took the world by storm.

He was also the author of several published non-fiction books including Fodor's Disney Like A Pro, Orlando Like A Pro, and Buy This Book and Make Me Rich, a political satire. His most recent book, Casey's Ghost, chronicled his brief stint as the ghost writer for Casey Anthony, who was acquitted of the 2008 murder of her daughter Caylee in a trial televised worldwide.

Mr. Namey was a longtime member of Mensa. In recent years, he spent his time volunteering for local Democratic candidates and rallying for liberal causes. His ideas never stopped, his opinions grew stronger with age, and his love for his family was unparalleled.

I am humbled to honor the memory, life, and outstanding achievements of Richard Namey.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Ms. LEE. Mr. Speaker, I was not present for roll call votes 54–58 due to a family emergency.

Had I been present, I would have voted no on #54, no on #55, no on #56, yes on #57, and no on #58.

CELEBRATING THE 50TH ANNIVERSARY OF THE ROTARY CLUB OF JEFFERSON TOWNSHIP

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Rotary Club of Jefferson Township, New Jersey, as it celebrates its 50th anniversary.

The Rotary Club of Jefferson Township dedicates itself to bettering the township through the completion of communal projects. This organization seeks to improve the local community with the goal of ensuring that the Jefferson Township region is a wonderful place in which to live, work and raise a family. The greater Jefferson Township area benefits immensely from this organization's dedication to its neighbors and friends.

Since 1965, the Rotary Club of Jefferson Township has devoted its time and energy to facilitating projects for the benefit of the community. From distributing dictionaries to third graders to financing the construction of four vocational schools in Romania, this organization's members continuously find ways to help those people in need of assistance. Whenever an opportunity arises to help others, like participating in End Polio Now, Rotary Club members always seem to be the first volunteers to respond.

Recently, this organization began several new projects in order to support members of the Jefferson Township community. On December 6th and 7th, the Rotary Club participated in the Sparta Christmas Bazaar by selling desserts and candies to help fund its operations. The Rotary Club also sold Gertrude Hawk chocolate bars to fund its third grader dictionary distribution project. This organization is also participating in ''Walkfest 2015,'' a Sunday morning event where participants walk in Waterloo Village, located in Byram, New Jersey. During this fundraising event, participants may donate money to various organizations, including the Rotary Club, and have the opportunity to receive prizes.

The Rotary Club of Jefferson also believes in a rich cultural experience for students. To ensure that students from Jefferson Township expand their education outside of the classroom, the Rotary Club funds a Japanese Summer Exchange Program. In this program, American students spend three weeks on the island of Shikoku, while Japanese students spend three weeks in Northern New Jersey. Those students in Shikoku live with Japanese families and encounter Japanese culture, cuisine and customs. Those students visiting New Jersey live with families affiliated with the Rotary Club, and attend excursions to New York City. This program is yet another instance of the Rotary Club's commitment to students' educational experience.

To celebrate 50 successful years of offering assistance to those in need, the Rotary Club of Jefferson Township is holding an anniversary dinner on Tuesday, February 24th at the Casa Bianca Restaurant in Oak Ridge, New Jersey. At this celebration, the Rotary Club will host buffet-style culinary offerings, as well as a cash bar. In honor of its dedication to 50 years of service, the Rotary Club will present its 2015 Citizen Year Award to Alice and Bela Szigethy.

I commend the members of the Rotary Club of Jefferson Township, especially Alice and Bela Szigethy, for their dedication to improving the Jefferson Township area. The club has consistently demonstrated a dedication and commitment to improving the community and successfully completing numerous communal projects.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Rotary Club of Jefferson, its members and Board of Directors as it celebrates its 50th anniversary.

HONORING THE CHEERLEADING TEAM FROM THOMAS W. KELLY HIGH SCHOOL

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the cheerleading team from Thomas W. Kelly High School in Benton, Missouri. At the National Cheerleaders Association Championship this year they took home the first place trophy, earning their first National Championship. They earned this by working hard and setting their eyes on the prize early on. During their practices they focused on quality, not quantity and the team would come together and give it their all to perfect their routines.

Last October, the cheerleading team proudly took home the title of Class 2A Large State Champion, but they did not stop there. They traveled to St. Charles for the National Championship to compete with schools from all over the country.

During the competition, the Kelly High School cheerleading team competed against schools more than ten times the size of their own. This may have seemed daunting to some, but the team came prepared and represented Scott County admirably.

This is the first National Championship trophy for the cheerleaders of Thomas W. Kelly High School, but I do not see it being their last. It is my privilege to recognize their achievements and hard work before the House of Representatives.

CELEBRATING THE 100TH ANNIVERSARY OF SAINT JOHN THE BAPTIST RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the parish of Saint John the Baptist Russian Orthodox Greek Catholic Church, located in Little Falls, New Jersey as it celebrates its 100th Anniversary.

The parish of Saint John the Baptist Russian Orthodox Greek Catholic Church has been an active part of the Little Falls community since its founding in 1915. Through its weekly masses, education center, and cultural celebrations, the church greatly reflects and celebrates its culture which has been rooted in the church by its founders, while still taking on new members in the present day.

Saint John's was the product of two migrations: one from Europe prior to 1915 and one from Pennsylvania about a decade later. The original church was built in 1915 as a place for the Orthodox faithful to embrace their history, culture, and religion. In 1917, the church established a Russian School Program for the youth. Over the years, the Orthodox population in the area grew, as did the church itself. In 1952, the architectural firm S.E. Greydanus & Son was hired to construct the new building. The project began on June 24, 1952. During the construction period, services were held at the Signac Public School and the Signac Fire House. Less than one year later, the project was completed and the first service was held in the new building on April 2, 1953. From 1957 through 1970, the church continued to purchase new land and build additions. Its final project, an education-recreation center, was completed on April 17, 1970.

The Parish of Saint John's has been helping the Orthodox community celebrate and practice their religion and beliefs. The church has also done much more; with the construction of its education center it has been able to offer programs such as a youth recreation center Sunday school, and much more to help educate the youth of the Orthodox community. The Sunday school teaches the youth about their religion and what it means to be an Orthodox Christian. Additionally, Saint John the Baptist Church invites all of those who wish to practice and understand their Orthodox beliefs to join them.

For Saint John the Baptist's Centennial Celebration, I commend all of the pastors and committees of the Parish. Since its founding, Saint John's has been supported by the people of Little Falls; this is one of the main reasons why the parish is still a big part of the community. After 100 years of outstanding service to the Township of Little Falls, I commend and congratulate Saint John the Baptist Church for all of its hard work and dedication.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Parish of Saint John the Baptist Russian Orthodox Greek Catholic Church, as it celebrates its 100th Anniversary.

INTRODUCTION OF THE MEDICARE DEMONSTRATION OF COVERAGE FOR LOW VISION DEVICES ACT OF 2015

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, it is estimated that more than 60 million Americans are at risk of serious vision loss—a number expected to increase as the baby boomer generation ages. Along with my colleague Rep. GUS BILIRAKIS, I am proud to reintroduce legislation to support Americans with limited or impaired vision. For someone with a visual impairment, reading a book or crossing the street could be blurred or distorted even with the help of glasses or contact lenses. In many cases a physician can prescribe magnifiers or special optical devices to help an individual remain independent. While there are a wide variety of options to help people with low vision, currently, there is an exclusion from Medicare coverage for devices that include a lens to aid vision or provide magnification of images for impaired vision. Ultimately, not having these assistance devices could shift more individuals from independent living to care facilities or nursing homes.

To understand the impact of covering these devices for America's seniors, we are introducing the Medicare Demonstration of Coverage for Low Vision Devices Act of 2015. This legislation would create a five-year national demonstration project administered by the Department of Health and Human Services to evaluate the economic impact of allowing reimbursement for certain low vision devices under the Social Security Act. Coverage of such devices could help Medicare beneficiaries with low vision lead healthy, safe, and independent lives.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Ms. LEE. Mr. Speaker, I was not present for roll call votes 51–53 due to a family emergency. Had I been present, I would have voted yes on #51, yes on #52, and yes on #53.

CONGRATULATING DOROTHY KREUTER ON HER RETIREMENT

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2015

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor a dedicated public servant in my Congressional District, Officer Dorothy Kreuter of the Doylestown Township Police Department. Last month, Officer Kreuter celebrated her retirement after serving 26 years with the department—an accomplishment for which we are all grateful.

Officer Kreuter was the first female officer in the Doylestown Township Police Department. Since joining the force, she faithfully devoted her life to protecting the health, safety and well-being of the constituents in the Central Bucks community. No matter the call, Officer Kreuter carried out her many responsibilities with a sense of skill and professionalism that was critical to the department's success over several decades. The integrity she displayed for her job, and sense of duty is unmatched.

Officer Kreuter is a trusted friend to many on the Police Department, and many in our community. I along with the residents of the 8th Congressional District wish her the best of luck in her retirement, and appreciate her many years of service and unwavering commitment to duty.

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, February 5, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 10

9:30 a.m.

Committee on Armed Services

To hold hearings to examine global challenges and the United States national security strategy.

SH–216

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine regulatory relief for community banks and credit unions.

SD–538

Committee on Commerce, Science, and Transportation

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security

To hold hearings to examine keeping goods moving.

SR–253

Committee on Finance

To hold hearings to examine tax reform, focusing on lessons Congress can learn from the Tax Reform Act of 1986.

SD–215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the reemergence of vaccine-preventable diseases, focusing on exploring the public health successes and challenges.

SD–106

FEBRUARY 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the situation in Afghanistan.

SH–216

Committee on Environment and Public Works

To hold an oversight hearing to examine the Environmental Protection Agency's (EPA) proposed carbon dioxide emissions rules from new, modified, and existing power plants.

SD–406

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the National Labor Relations Board's (NLRB) new election rule, focusing on employers and employees.

SD–430

10 a.m.

Committee on the Budget

To hold hearings to examine Social Security disability trust fund insolvency.

SD–608

Committee on Commerce, Science, and Transportation

To hold hearings to examine the Internet.

SR–253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the Government Accountability Office's (GAO) 2015 list of high risk government programs.

SD–342

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine ending modern day slavery, focusing on the role of United States leadership.

SD–419

FEBRUARY 12

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2016 for the Department of Energy.

SD–366

FEBRUARY 24

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2016 for the Department of the Interior.

SD–366

FEBRUARY 26

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2016 for the Forest Service.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S741–S802

Measures Introduced: Twenty-three bills and six resolutions were introduced, as follows: S. 356–378, S.J. Res. 6–7, and S. Res. 65–68. **Pages S771–72**

Measures Reported:

S. 227, to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement. **Page S771**

Measures Passed:

Congratulating the New England Patriots: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 63, congratulating the New England Patriots on their victory in Super Bowl XLIX, and the resolution was then agreed to. **Page S798**

Authorizing the Use of the Rotunda: Senate agreed to H. Con. Res. 12, authorizing the use of the rotunda of the United States Capitol for a ceremony to present the Congressional Gold Medal to Jack Nicklaus. **Pages S798–99**

Measures Considered:

Department of Homeland Security Appropriations Act—Agreement: Senate continued consideration of the motion to proceed to consideration of H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015. **Pages S741–44, S755–59**

During consideration of this measure today, Senate also took the following action:

Pursuant to the order of February 3, 2015, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on February 3, 2015, was agreed to. **Page S759**

Pursuant to the order of February 3, 2015, the motion to reconsider the vote by which cloture was not invoked on February 3, 2015, was agreed to. **Page S759**

By 53 yeas to 47 nays (Vote No. 52), three-fifths of those Senators duly chosen and sworn, having not voted in the affirmative, Senate upon reconsideration rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S759**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:30 a.m., on Thursday, February 5, 2015, with the time until 11:30 a.m. equally divided in the usual form. **Page S799**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to the situation in or in relation to Cote d'Ivoire; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–4) **Page S768**

Nominations Received: Senate received the following nominations:

Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York.

Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years.

John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years.

68 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

A routine list in the Air Force. **Pages S801–02**

Messages from the House: **Page S768**

Measures Referred: **Page S768**

Measures Read the First Time: **Page S768**

Executive Communications: **Pages S768–71**

Additional Cosponsors: **Pages S772–73**

Statements on Introduced Bills/Resolutions: **Pages S773–81**

Additional Statements: Pages S767–68

Amendments Submitted: Pages S786–98

Authorities for Committees to Meet: Page S798

Record Votes: One record vote was taken today. (Total—52) Page S759

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:06 p.m., until 10:30 a.m. on Thursday, February 5, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S799.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Ashton B. Carter, of Massachusetts, to be Secretary of Defense, after the nominee, who was introduced by former Senator Lieberman, testified and answered questions in his own behalf.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY FRAMEWORK

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine private sector experience with the National Institute of Standards and Technology (NIST) framework, focusing on building a more secure cyber future, after receiving testimony from Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce; Ann M. Beauchesne, U.S. Chamber of Commerce, Paul Smocer, BITS/Financial Services Roundtable, and James A. Lewis, Center for Strategic and International Studies, all of Washington, DC; and Jeff England, Silver Star Communications, Freedom, Wyoming.

IMPACTS OF VESSEL DISCHARGE REGULATIONS

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the impacts of vessel discharge regulations on shipping and fishing industries, after receiving testimony from Claudia Copeland, Specialist in Resources and Environmental Policy, Resources Science and Industry Division, Congressional Research Service, Library of Congress; James F. Farley, Kirby Offshore Marine, LLC, Houston, Texas; James H. I. Weakley, Lake Carriers' Association, Rocky River, Ohio; and Robert F. Zales, II, Bob Zales Charters, Panama City, Florida, on behalf of the National Association of Charterboat Operators.

ADMINISTRATION'S PROPOSED EXPANSION OF WATER REGULATIONS

Committee on Environment and Public Works: Committee concluded a joint hearing with the House Committee on Transportation and Infrastructure to examine state and local impacts of Administration's proposed expansion of water regulations, after receiving testimony from Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, Department of Defense; Gina McCarthy, Administrator, Environmental Protection Agency; E. Scott Pruitt, Oklahoma Attorney General, Oklahoma City; Adam H. Putnam, Florida Commissioner of Agriculture, Tallahassee; Lemuel M. Srolovic, Office of New York State Attorney General, Bureau Chief of the Environmental Protection Bureau, New York; Sallie Clark, El Paso County Commissioner, Colorado Springs, Colorado, on behalf of the National Association of Counties; and Timothy Mauck, Clear Creek County Commissioner, Idaho Springs, Colorado.

PRESIDENT'S PROPOSED BUDGET REQUEST

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2016, after receiving testimony from Sylvia M. Burwell, Secretary of Health and Human Services.

ENDING MODERN SLAVERY

Committee on Foreign Relations: Committee concluded a hearing to examine ending modern slavery, focusing on the best way forward, after receiving testimony from Gary Haugen, International Justice Mission, Arlington, Virginia; Shawna Bader-Blau, Solidarity Center, and David S. Abramowitz, Humanity United, both of Washington, DC; James Kofi Annan, Challenging Heights, Accra, Ghana; and Shandra Woworuntu, Mentari, New York, New York.

DEFERRED ACTION ON IMMIGRATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine deferred action on immigration, focusing on implications and unanswered questions, after receiving testimony from Stephen C. Goss, Chief Actuary, Social Security Administration; Eileen J. O'Connor, Pillsbury Winthrop Shaw Pittman LLP, Luke Peter Bellocchi, Wasserman, Mancini and Chang, PC, and Bo Cooper, Fragomen, Del Ray, Bernsen and Loewy LLP, all of Washington, DC; and Shawn Moran, National Border Patrol Council, Solana Beach, California.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 184, to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings;

S. 209, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005;

S. 246, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, with an amendment in the nature of a substitute; and

S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes.

LOAN LEVERAGING IN INDIAN COUNTRY

Committee on Indian Affairs: Committee concluded an oversight hearing to examine loan leveraging in Indian country, after receiving testimony from Sami Jo Difuntorum, National American Indian Housing Council, Washington, DC; Carol Gore, Cook Inlet Housing Authority, Anchorage, Alaska; and Robert Gauthier, United Native American Housing Association, Ronan, Montana.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

COMBATING FINANCIAL EXPLOITATION OF VULNERABLE SENIORS

Special Committee on Aging: Committee concluded a hearing to examine combating financial exploitation of vulnerable seniors, after receiving testimony from Judith M. Shaw, Maine Securities Administrator, Augusta; Page Ulrey, King County Prosecutor's Office, Seattle, Washington; Philip C. Marshall, Roger Williams University, South Dartmouth, Massachusetts; and Kathleen M. Quinn, National Adult Protective Services Association, Fredericksburg, Virginia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 699–745; and 6 resolutions, H. Con. Res. 14; and H. Res. 86–90, were introduced. **Pages H809–12**

Additional Cosponsors: **Page H814**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Jolly to act as Speaker pro tempore for today. **Page H759**

Recess: The House recessed at 10:28 a.m. and reconvened at 12 noon. **Page H762**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dean Curry, Life Center Church, Tacoma, Washington. **Page H762**

Unfunded Mandates Information and Transparency Act of 2015: The House passed H.R. 50, to provide for additional safeguards with respect to imposing Federal mandates, by a recorded vote of 250 ayes to 173 noes, Roll No. 64. **Pages H772–88**

Rejected the Bustos motion to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 184 ayes to 239 noes, Roll No. 63. **Pages H786–87**

Pursuant to the Rule, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–4, modified by the amendment printed in part B of H. Rept. 114–14, shall be considered as adopted. **Page H779**

Agreed to:

Reed amendment (No. 1 printed in part C of H. Rept. 114–14) that requires an assessment of the effects that a proposed or final rule are expected to have on private property owners, including the use and value of affected property. **Pages H781–82**

Rejected:

Cummings amendment (No. 2 printed in part C of H. Rept. 114–14) that strikes section 12 of the bill that would require federal agencies to conduct a retrospective cost-benefit analysis of any regulation at the request of the Chairman or Ranking Member of a Congressional Committee (by a recorded vote of 179 ayes to 245 noes, Roll No. 61); and **Pages H782–83, H784–85**

Connolly amendment (No. 3 printed in part C of H. Rept. 114–14) that provides that in the event that the average annual rate of real gross domestic product (GDP) growth remains below 5 percent over

the first four calendar quarters occurring after the date of enactment of H.R. 50, then the amendments made by H.R. 50 are repealed (by a recorded vote of 173 ayes to 249 noes, Roll No. 62).

Pages H783–84, H785

H. Res. 78, the rule providing for consideration of the bills (H.R. 527) and (H.R. 50) was agreed to by a recorded vote of 243 ayes to 179 noes, Roll No. 60, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 174 nays, Roll No. 59.

Pages H767–72

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, February 5. **Page H788**

Joint Economic Committee's—Appointment: The Chair announced the Speaker's appointment of the following Member of the House to the Joint Economic Committee: Representative Carolyn B. Maloney (NY). **Page H789**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13396 of February 7, 2006 with respect to the situation in or in relation to Cote d'Ivoire is to continue in effect beyond February 7, 2015—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–6). **Page H789**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H762–63.

Quorum Calls—Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of today and appear on pages H771–72, H772, H784–85, H785, H787, and H787–88. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:13 p.m.

Committee Meetings

FINAL RECOMMENDATIONS FROM THE MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Committee on Armed Services: Full Committee held a hearing entitled "Final Recommendations from the Military Compensation and Retirement Modernization Commission". Testimony was heard from Stephen E. Buyer, Commissioner, Military Compensation and Retirement Modernization Commission; General Peter W. Chiarelli, USA (Retired), Commissioner, Military Compensation and Retirement Modernization Commission; Admiral Edmund P. Giambastiani, Jr., USN (Retired), Commissioner, Military Compensation and Retirement Modernization Commission; Michael Higgins, Commissioner, Military Compensation and Retirement Modernization Commission; and Alphonso Maldon, Jr., Chairman, Military Compensation and Retirement Modernization Commission.

THE PRESIDENT'S FISCAL YEAR 2016 BUDGET

Committee on the Budget: Full Committee held a hearing entitled "The President's Fiscal Year 2016 Budget". Testimony was heard from Shaun L.S. Donovan, Director, Office of Management and Budget.

EXPANDING OPPORTUNITY IN AMERICA'S SCHOOLS AND WORKPLACES

Committee on Education and the Workforce: Full Committee held a hearing entitled "Expanding Opportunity in America's Schools and Workplaces". Testimony was heard from Mike Pence, Governor, State of Indiana; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a markup on the "Federal Communications Commission Consolidated Reporting Act of 2015". The "Federal Communications Commission Consolidated Reporting Act of 2015" was forwarded to the full committee, as amended.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup on H.R. 639, the "Improving Regulatory Transparency for New Medical Therapies Act"; H.R. 471, the "Ensuring Patient Access and Effective Drug Enforcement Act"; the "Trauma Systems and Regionalization of Emergency Care Reauthorization Act"; and the "Access to Life-Saving Trauma Care for All Americans Act". The following bill was forwarded to the full committee, as amended: H.R. 639. The following were forwarded to the full committee, without amendment: H.R. 471; the "Trauma Systems and Regionalization of Emergency Care Reauthorization Act"; and the "Access to Life-Saving Trauma Care for All Americans Act".

EXPLORING ALLEGED ETHICAL AND LEGAL VIOLATIONS AT THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Exploring Alleged Ethical and Legal Violations at

the U.S. Department of Housing and Urban Development''. Testimony was heard from David Montoya, Inspector General, Office of the Inspector General, Department of Housing and Urban Development; and Edda Emmanuelli Perez, Managing Associate General Counsel, Office of General Counsel, Government Accountability Office.

CUBA: ASSESSING THE ADMINISTRATION'S SUDDEN SHIFT

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Cuba: Assessing the Administration's Sudden Shift''. Testimony was heard from Roberta S. Jacobson, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; John E. Smith, Deputy Director, Office of Foreign Assets Control, Department of the Treasury; and Matthew S. Borman, Deputy Assistant Secretary of Commerce for Export Administration, Bureau of Industry and Security, Department of Commerce.

THE PALESTINIAN AUTHORITY'S INTERNATIONAL CRIMINAL COURT GAMBIT: A TRUE PARTNER FOR PEACE?

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''The Palestinian Authority's International Criminal Court Gambit: A True Partner for Peace?''. Testimony was heard from public witnesses.

COMMITTEE FUNDING FOR THE 114TH CONGRESS

Committee on House Administration: Full Committee began a hearing on committee funding for the 114th Congress. Testimony was heard from Chairman Nunes, Chairman Ryan of Wisconsin, Chairman Goodlatte, Chairman Conaway, Chairman Price of Georgia, Chairman Shuster, Chairman Chabot, Chairman Kline, Chairman Sessions, Chairman Smith of Texas, Chairman Miller of Florida, and Representatives Schiff, Levin, Conyers, Peterson, Van Hollen, DeFazio, Velázquez, Scott of Virginia, Slaughter, Eddie Bernice Johnson of Texas, and Brown of Florida.

LEGISLATIVE HEARING

Committee on the Judiciary: Subcommittee on Immigration and Border Security held a hearing on the ''Legal Workforce Act''. Testimony was heard from public witnesses.

LEGISLATIVE HEARING

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 526, the ''Furthering Asbestos Claim Transparency (FACT) Act of 2015''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Full Committee held a markup on H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; H.R. 637, to amend the Internal Revenue Code of 1986 to make permanent the rule allowing certain tax-free distributions from individual retirement accounts for charitable purposes; H.R. 641, the ''Conservation Easement Incentive Act of 2015''; H.R. 640, to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations; H.R. 636, the ''America's Small Business Tax Relief Act of 2015''; H.R. 629, to amend the Internal Revenue Code of 1986 to make permanent the reduced recognition period for built-in gains of S corporations; H.R. 630, to amend the Internal Revenue Code of 1986 to make permanent certain rules regarding basis adjustments to stock of S corporations making charitable contributions of property. The following bills were ordered reported, as amended: H.R. 644, H.R. 637, H.R. 641, H.R. 640, H.R. 636, H.R. 629, and H.R. 630.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 5, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the Guantanamo detention facility and the future of United States detention policy, 9:30 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine data breach and notification legislation in the 114th Congress, 10 a.m., SR–253.

Committee on Finance: to continue hearings to examine the President's proposed budget request for fiscal year 2016, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the ''joint employer'' standard and business ownership, 10 a.m., SD–430.

Committee on the Judiciary: business meeting to consider S. 337, to improve the Freedom of Information Act, S. 295, to amend section 2259 of title 18, United States Code, and the nominations of Michael P. Botticelli, of the District of Columbia, to be Director of National Drug Control Policy, Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International

Trade, and Daniel Henry Marti, of Virginia, to be Intellectual Property Enforcement Coordinator, 10:30 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Energy and Commerce, Subcommittee on Environment and the Economy, hearing and markup on H.R. 212, the ''Drinking Water Protection Act'', 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Human Rights in Cuba: A Squandered Opportunity'', 10 a.m., 2172 Rayburn.

Next Meeting of the SENATE

10:30 a.m., Thursday, February 5

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 240, Department of Homeland Security Appropriations Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 11:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, February 5

House Chamber

Program for Thursday: Consideration of H.R. 527—Small Business Regulatory Flexibility Improvements Act of 2015 (Subject to a Rule).

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