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Senate

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

PRAYER

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

Let us pray.

Eternal God, we wait expectantly for You to bring order from our world's chaos. Empower our lawmakers today to contribute harmony to our Nation and world by living with purity. Make their thoughts and desires so pure that they can bear Your scrutiny. Make their words so pure that You delight to hear them. Make their deeds so pure that You find joy in seeing them. And because of their pure thoughts, desires, words, and deeds, may our Senators possess such pure hearts that they will see You.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

PROTECT WOMEN'S HEALTH FROM CORPORATE INTERFERENCE ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 459, S. 2578, the Protect Women's Health From Corporate Interference Act.

The PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 459, S. 2578, a bill to ensure that employers cannot interfere in their employees' birth control and other health care decisions.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, there will be a period of morning business until 12 noon today, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees. The majority will control the first half, the Republicans the final half.

At 12 noon today the Senate will proceed to executive session and to a series of two rollcall votes on the following nominations: cloture on Norman C. Bay to be a member of the Federal Energy Regulatory Commission and cloture on Cheryl A. LaFleur to be a member of the Federal Energy Regulatory Commission.

Following the second vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings. If cloture is invoked on either of the nominations, the time from 2:15 p.m. until 3 p.m. will be equally divided and controlled between the two leaders or their designees. At 3 p.m., the Senate will proceed to vote on confirmation of the two nominations.

MEASURES PLACED ON THE CALENDAR—S. 2599 AND H.R. 4718

Mr. President, it is my understanding that there are two bills at the desk due for a second reading.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 2599) to stop exploitation through trafficking.

A bill (H.R. 4718) to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation.

Mr. REID. Mr. President, I object to any further proceedings with respect to both of these bills.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

FERC NOMINATIONS

Mr. REID. Mr. President, later today, as I have just mentioned, the Senate will hold two rollcall votes to confirm nominations to the Federal Energy Regulatory Commission—Norman Bay and Cheryl LaFleur.

I am aware of the important nature of these two nominations, and I realize that their confirmations have significant consequences.

Upon her confirmation, Cheryl LaFleur will remain at the FERC as chair for 9 months. Following that period of time, Norman Bay will then assume the position of FERC chair.

I appreciate very much the work done by a number of Senators to get us to the point where we are. The chair of the energy committee, Senator MARY LANDRIEU, has done really hard work, and it has been a bipartisan effort to move these nominations forward.

I have been assured by both nominees that the issue which the Wall Street Journal editorialized about yesterday—and they called it ''the federal takeover of New York's electric grid''—will be addressed. I have spoken to both nominees, and they will take a hard look at that. When it came out yesterday, I directed attention to that, and that will be addressed by both of them, and they have said so.

HOBBY LOBBY DECISION

Mr. President, last week my friend, the Republican leader, essentially declared victory for American women in their struggle for equality by saying:

We've come a long way in pay equity and there are a ton of women CEO's now running major companies. . . . I could be wrong, but I think most of the barriers [for American women] have been lowered.

The Republican leader seems to be suggesting the obstacles preventing women from receiving equal treatment under the law have been conquered—the struggle for equality for women is over.

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

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The only things missing from the Republican leader's declaration would be an aircraft carrier and a large ''MISSION ACCOMPLISHED'' sign hanging in the background. We all remember that. Remember, that was President Bush declaring the war in Iraq was basically over. Well, it was not. And the war regarding women is not over.

The Republican leader suggested that the notion of ensuring equal rights for American women is tantamount to ''preferential treatment.'' That was his opinion. That is as shocking as it is troubling.

The truth is, regardless of what Republicans in Congress may say, the barriers of inequality for American women are very real and very substantial. Take this as an example. There are many examples, but let's try this one: The Republican leader mentioned pay equity. American women are paid an average of 77 cents for every $1 their male colleagues make for doing the exact same work. It is not fair. But instead of working with Senate Democrats to give working women a fair shot at equal pay for equal work, Republicans refuse to even let the legislation be debated. This was one of their multitude of filibusters.

The Republican leader also spoke of the growing number of women CEOs at major companies. Now try this one on: Currently, among Fortune Magazine's listing of the 500 top companies in the world, there are 24 chief executives who are women. That is 4.8 percent of all the CEOs in the Fortune 500. If anyone believes—including my friend, the Republican leader—that fewer than 1 in 20 is good enough, this perfectly illustrates the Republicans' antiquated beliefs concerning working women and American women in general.

But perhaps the most disturbing reminder of the inequality barriers that women face is the Supreme Court's recent Hobby Lobby decision. Just a few weeks ago, five men on the U.S. Supreme Court gave corporate bosses the right to interfere with their employees' decisions about birth control.

In its Hobby Lobby decision, those five Justices ruled that for-profit companies can assert religious objections to deny their employees—who may not share their same religious views—the contraceptive coverage required by law. That is what the Court said.

The Court's decision was stunningly wrong. The Court's misguided decision effectively takes away the right of American women to decide their own health care, instead empowering boardrooms to make final decisions on their employees' access to birth control.

How is it possible that in the 21st century we are debating whether or not bosses should be able to dictate their employees' family planning? It is 2014. It is not 1906 or 1907 or 1915.

Health coverage is a form of payment or compensation for employees.

There is a strike going on in New York—they are going to start Monday, I am told—for the largest short-haul railroad. Mr. President, 300,000 people ride that every day. What is the big sticking point? It is health care. Health care is a big deal to everybody. Health care is a form of payment or compensation for employees. Should employers' religious beliefs be able to dictate how you spend your paycheck and your days off? Of course not. So why would we let bosses decide something so personal and so private as the use of contraceptives?

Last week Senators PATTY MURRAY and MARK UDALL introduced the Not My Boss's Business Act to fix the Hobby Lobby decision. This legislation would make it illegal for any company to deny their workers specific health benefits, including birth control, as required by Federal law.

The Murray-Udall bill preserves the exemption for houses of worship and the accommodation for religious nonprofits that have religious objections to contraceptive coverage.

The decision to use birth control is private—and it should be—and it should not be subject to the personal or religious beliefs of some corporate boss; otherwise, where is it going to end? As Justice Ruth Bader Ginsburg stated in her dissenting opinion:

> Would the exemption . . . extend to employers with religiously grounded objections to blood transfusions; antidepressants; medications derived from pigs—

And there are medications derived from swine that help people get well—

> including anesthesia, intravenous fluids, and pills coated with gelatin; and vaccinations?

That is what Justice Ruth Bader Ginsburg said.

As Justice Ginsburg points out, the Court's decision is a very, very slippery slope. It opens the door to endless possibilities in which corporate boardrooms trump employees' health coverage.

That is why I support this bill, which clearly establishes a woman's right to quality health care. By passing the Not My Boss's Business Act, the U.S. Senate can knock down a significant barrier to women's equality. Regardless of what Republicans in Congress will tell you, we have a long, long way to go before American women are equal in all aspects of the law, as they should be.

The bill before us is a step in the right direction. It will help undo the damage done by the Supreme Court. But, more importantly, the Not My Boss's Business Act will help ensure American women have access to the health coverage they need and deserve and should be entitled to by law.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, we hear the President is planning to spend the week calling for Congress to pass highway funding legislation that Congress is already planning to pass. It seems odd for the President to be focusing so intently on something that is inevitable while ignoring other issues that really should be addressed—issues such as ObamaCare.

So many middle-class families in my State and across the country continue to suffer from the impact of this law. One thing that becomes increasingly clear with each passing day is the extent—the extent—to which ObamaCare is particularly hard on women.

Research shows that women make about 80 percent of the health care decisions for their families in our country. Yet ObamaCare has caused countless women to lose the health care plans they had and liked. When these women first spoke out about the betrayal they felt when they lost their plans, many of the law's supporters simply waved their concerns away or said they were making it up. They said they were lying or that their plans were ''junk''—because, of course, the critics knew better. It is a pattern that seems to have continued ever since.

American women also now have fewer choices of doctors and hospitals under ObamaCare. The bill's supporters have continually waived those concerns aside too.

Millions of Americans use flexible spending accounts to pay for out-of-pocket health care expenses. But ObamaCare imposes arbitrary limits on how much of a family's own hard-earned money can be set aside, and the law also prevents people who have come to depend on FSAs from using them to pay for common expenses such as allergy medicine or cold medication.

ObamaCare's cuts to Medicare Advantage and other regulatory actions could reduce the average benefit for women and men who rely on this program by more than $1,500 a year. Concerns such as these are all simply brushed aside by ObamaCare's supporters.

Washington should also be looking for ways to grow economic opportunities for women, but ObamaCare, of course, does just the opposite. I have heard from businesses large and small in Kentucky that fear they will not be able to cope with the higher costs of coverage under ObamaCare. They do not want to cut hours for their staffs or eliminate jobs, but many may no longer really have a choice.

Many of them are worried about new mandates that place millions of Americans—nearly two-thirds of them women—at risk of having their hours and wages reduced. One of my constituents from Somerset recently wrote to tell me what this new ObamaCare mandate has meant for her.

> I'm employed at a major chain putting these rules into effect now. This is causing us to lose up to eleven hours per week averaging $440.00 . . . [less] per month less in wages. Obamacare [is] causing us to lose hours [and] lose wages, yet expecting us to spend more.

Let me repeat that. She says ObamaCare is causing her to lose hundreds of dollars a month in lost wages and at the same time causing health

care costs to skyrocket. This is simply not right.

Yet despite these terrible stories that keep pouring into our offices, the people who supported this law when it passed continue to defend it now. We kept warning them that ObamaCare would hurt jobs and increase costs. They had to know ObamaCare was going to reduce choices for women and limit their access to certain doctors and hospitals. But Washington Democrats voted for ObamaCare anyway. They created these problems. That is why they should be working with Republicans now to start over with real, patient-centered reform that lowers costs and that women and men in this country actually want, but of course they refuse. They are just doubling down on ObamaCare.

Now they are trying to convince people of another untruth—that somehow it is not possible to preserve our Nation's long tradition of tolerance and respect for people of faith while at the same time preserving a woman's ability to make her own decisions about contraception. Washington Democrats are doing this based on a claim that, in the words of the Washington Post's nonpartisan Fact Checker, is ''simply wrong''

I realize Democrats may think the best way to keep people from focusing on the impact of ObamaCare on middle-class families is to just make things up and to attempt to divide us. Well, I think that is a shame. It takes a pretty dim view of what we are capable of as a country. The goal here should not be to protect the freedoms of some while denying the freedoms of others; the goal here and always should be to preserve everybody's freedoms. We can do both. That is just what a number of us on this side are proposing to do this week. Instead of restricting Americans' religious freedoms, we should preserve a woman's ability to make contraceptive decisions for herself. That is why we plan to introduce legislation this week that says no employer can block any employee from legal access to her FDA-approved contraceptives. There is no disagreement on that fundamental point. The American people know that. They know Democrats are just attempting to offer another false choice. What we are saying is that of course you can support both religious freedom and access to contraception.

Look, if Washington Democrats really wanted to help women, they would work with us to do so. We have been imploring them to work with us to deliver relief to middle-class women for years now, to work with us on a new approach to the health care law that is hurting millions of American women. It is not too late. Work with us to increase jobs, wages, and opportunity at a time when American women are experiencing so much hardship as a result of this administration's policies—especially ObamaCare.

BAY NOMINATION

I would like to voice my opposition to the nomination of Norman Bay to be a Commissioner of and eventually lead the Federal Energy Regulatory Commission, or FERC. I fail to see what qualifies Mr. Bay to be Chairman of the Commission, especially when the Acting Chair of FERC, whom he would displace, is much more qualified to hold the position. Unlike most FERC Commissioners in the last decade, he has never served as a State utility regulator, he has never served on the Commission and does not possess the background in policy areas that FERC is charged with overseeing.

In contrast to Mr. Bay, the current Acting Chair of FERC, Cheryl LaFleur, is much more qualified to hold the Chair position. Ms. LaFleur came to FERC with more than two decades of experience in the electric and natural gas industries, including roles as chief operating officer, general counsel, and acting CEO of National Grid USA and its predecessor. I find it shameful that this administration would seek to displace a well-qualified woman in favor of a male nominee with less experience.

More importantly and of utmost concern to my home State, there are factors that lead us to believe Mr. Bay would reliably serve as a rubberstamp for this administration's extreme anticoal agenda. This agenda harms the people of Kentucky and is one I most strenuously oppose.

As the current head of FERC's enforcement office, he has shown a history of targeting carbon-intensive businesses. Who is to say that if installed as the next head of FERC, he will not come after Kentucky businesses relying on the coal industry for electricity, which is 90 percent of my State.

Moreover, during his testimony before the Senate Energy and Natural Resources Committee this past May, Bay cited his home State of New Mexico as an example of a real-life ''all of the above'' approach to energy. He mentioned his State's reliance on solar, wind, oil, and gas for its energy mix. Notably left out of this supposed ''all of the above'' approach, however, was any mention of coal—which, by the way, provides 70 percent of the electricity in New Mexico.

For all of these reasons—because he is not qualified, because he holds an anticoal agenda, and because he will be only too willing to implement this administration's anticoal policy—I will be opposing Norman Bay's nomination to FERC. I urge my colleagues to do the same.

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 noon, with the time equally divided between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half.

The PRESIDING OFFICER. The Senator from Colorado.

NOT MY BOSS'S BUSINESS ACT

Mr. UDALL of Colorado. Mr. President, I rise today to speak about the repercussions of the Supreme Court's misguided Hobby Lobby decision which allows employers to refuse to cover contraception as a part of their employees' health plans under the false pretense that corporations can not only have religious beliefs but they can impose those beliefs on their employees.

Several days ago I was home in the great State of Colorado. I stood shoulder to shoulder with experts in women's health care who joined me to highlight how the Hobby Lobby decision is already negatively affecting women in our State.

One Denver-based OB–GYN explained how physicians might now have to consider an employer's religious beliefs when making medical recommendations. She said the Court's decision fundamentally interferes with health care decisions that should be based solely on a patient's well-being.

Because of the Supreme Court's 5-to-4 decision, women across America are now facing the uncertainty that their bosses may restrict the health care benefits Federal law currently secures for them.

Birth control has been deemed an essential preventive health service by a nonpartisan independent group of doctors and other medical experts. Ninety-nine percent of American women have used birth control at some point in their lives. They use it for a variety of health reasons. In fact, just hours after Senator MURRAY and I introduced legislation in response to the Hobby Lobby decision, a Colorado mother called my office to share the story of how her college-age daughter was suffering from a health condition that was so debilitating that it kept her from attending class or really participating in any activities at school. As a result, her doctor prescribed a form of birth control that ended up managing her symptoms and getting her back on track. This Colorado mother wanted to make sure I knew that access to contraception is not just about birth control and that if her employer took away the contraception coverage in her family's health plan, her daughter would not have coverage for a medically necessary treatment.

Regardless of why women take birth control, none of those reasons have any connection to how they do their jobs. Their bosses have no business interfering in those decisions. But with the Court's ruling in Hobby Lobby, corporations and CEOs have been handed

the right to play the role of gatekeeper for what kind of health care employees and their families can access as a part of their health insurance plan. That is not acceptable to Coloradans.

I have heard the arguments from those who say the Supreme Court's decision narrowly protects religious freedom. I think we can all agree that where religious freedoms are being threatened, we as Americans have a duty to act swiftly to address it. But the fact is that actual religious institutions are already exempt from requirements that run contrary to their beliefs. Remember, the men and women who went to work for Hobby Lobby signed up to work at a craft store, not a religious organization.

This decision, in the words of Justice Ginsburg, is one of startling breadth. In the Hobby Lobby majority opinion, the Supreme Court said its decision only applied to ''closely held'' corporations, but up to 90 percent of American companies are considered closely held and over half of Americans work for a closely held company. To call this decision ''narrow'' is as wrong as the reasoning behind it.

Contrary to what supporters of the decision are saying, this is just not about contraceptives. We have been warned by legal experts, including Justice Ginsburg and the other three Justices who joined in her dissent, that this decision could lead to employers discriminating against women, minority groups, and others because a company's owner may object to any number of medications or procedures, such as vaccines or HIV treatment.

Just over 2 short weeks ago, before the Hobby Lobby decision, workers knew exactly what health services they had access to under their health plans. They did not need to be labor lawyers to figure out which benefits they would receive, which benefits they might be at risk of losing, or how much more they would have to pay out of pocket for prescription drugs or other critical health treatments. However, with the Hobby Lobby case, that has all changed.

Supporters of the Hobby Lobby decision want women to believe this is not a big deal. But let me be clear. This has the potential to change health coverage for millions of women. I am not—along with millions of Americans—going to stand for this kind of discrimination. I trust women to make their own health care decisions. I do not believe their employers should have a say in that. Through their hard work and insurance premiums, women have earned and already paid for coverage that includes copay-free contraception under Federal law. Health insurance is a part of their compensation packages. There is nothing free about it; they have earned it.

Not only does this case wedge bosses into private health care decisions, it unfairly burdens hard-working women, ignoring the fact that contraception can be crucial to women and families' economic success. The ability to decide when, how, and with whom to have a family is critical to the health and economic security of women and their families.

The Supreme Court even stated this in its opinion in Planned Parenthood v. Casey in 1992. I wish to quote the Supreme Court from 1992:

> The ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives.

That is what the Court said in 1992.

Today many employees are left wondering if that economic freedom is in jeopardy. Women are left to ask their bosses whether they will continue to cover their birth control—a topic of conversation which women should never be forced to bring up at work, an issue which is certainly not a boss's business.

Throughout my time in Congress I have long believed we all have the fundamental right to live our lives as we choose, free from needless intrusion, whether by the government, by bureaucrats, or by corporations and CEOs, and certainly free from intrusion by politicians. Indeed, a women should be free to make her own health decisions based on what is right for her and her family, not according to her employer's religious beliefs.

So the reason I am standing here today is to make very clear that this type of intrusion will not stand. I am proud to lead the effort with Senator MURRAY to ensure that employers cannot refuse to cover health services guaranteed to women under Federal law.

Our bill, the Protect Women's Health From Corporate Interference Act, would restore a woman's power to make personal health care decisions based on what is best for her and her family, free from corporate interference. I invite my colleagues of both parties to join this effort, and I thank my colleagues who will stand with Senator MURRAY and me this week to say: Women's health care is not your boss's business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor to join with the senior Senator from Colorado, and I thank him for his excellent statement and leadership on this issue as we kick off this important debate on our bill, the Protect Women's Health From Corporate Interference Act, or, as we just heard, the ''Not My Boss's Business Act.''

I start off by asking our colleagues a few basic questions: First of all, who should be in charge of a woman's health care decisions? Should it be the woman making those decisions with her partner, her doctor, and her faith or should it be her boss making those decisions for her based on his own religious beliefs?

To me and to the vast majority of the people across the country, the answer to that question is obvious: Women should call the shots when it comes to their health care decisions—not their boss, not the government, not anyone else, period. But we are here because five men on the Supreme Court disagreed.

Five men on the Supreme Court decided there should be a group of women across America who are required to ask their boss for permission to access basic health care. Five men on the Supreme Court decided a corporation should have more rights than the women it employs. Five men on the Supreme Court rolled back the clock on women across America, and we are here today because we cannot allow that to stand. People across the country think the Supreme Court was dead wrong on this decision, and we are here to be their voice.

When we passed health care reform, we made sure every woman has access to basic health care, including contraception, which is used or will be used by 99 percent of the women in this country. When 58 percent of women use birth control for purposes other than pregnancy prevention—including managing endometriosis, ovarian cysts, and other medical conditions—we know this provision could have a sweeping impact on women across our country. In fact, according to the Department of Health and Human Services, 30 million women nationally are already eligible for this benefit, and when the law is fully implemented, 47 million women nationally will have access to no-pay birth control, thanks to the Affordable Care Act. By the way, thanks to this benefit, women have already saved $483 million, and that is just in the last year alone.

Contraception was included as a required preventive service in the Affordable Care Act on the recommendation of the independent nonprofit Institute of Medicine and other medical experts because it is essential to the health of women and families. After many years of research, we know ensuring access to effective birth control has a direct impact on improving the lives of women and their families in America. It is directly linked to declines in maternal and infant mortality, to reduced risk of ovarian cancer, to better health outcomes for women and, by the way, far fewer unintended pregnancies and abortions, which is a goal we all should share.

We should all know improving access to birth control is a good health care policy and it is good economic policy. We know it will mean healthier women, healthier children, and healthier families, and we know it will save money for businesses and consumers. But with their ruling, setting a potential dangerous precedent, the Supreme Court has not only inserted a woman's boss into her health care decisions, in many cases they have given him the final word.

In the aftermath of this decision, women across America are turning to

Congress and demanding we fix this. And by the way it is not just women who want Congress to act. People across the country understand, if bosses can deny birth control, then they can deny vaccines or HIV treatment or other basic health care services for employees and for their dependents. I think what men across America understand is it is not just the female employees who are impacted, it is their wives and their daughters who are on their health care plan as well.

As the ink was still drying on Justice Alito's misguided opinion in this case, I made an unwavering commitment to do everything I could to protect women's access to health care since the five male Justices of the Supreme Court decided they would not. That is why I have been working with my partner, the senior Senator from Colorado, to introduce this bill, and I am proud that in the many days since then we have received such strong support from people across the country.

Our straightforward and simple legislation will ensure that no CEO or corporation can come between people and their guaranteed access to health care, period.

This shouldn't be a controversial issue. The only controversy about birth control is the fact that it is 2014 and women across America are still fighting for this basic health care.

The data is clear. Ensuring access to contraceptive coverage isn't just the right thing to do, it is a critical part of making sure women and their families have a fair shot. In the 21st century, women and their families shouldn't be held back by outdated policies and unfair practices.

Again, it is not just about access to contraception. This includes pay equity, access to childcare, higher minimum wage, and it absolutely includes the right to make their own medical and religious decisions without being dictated to or limited by their employer.

The bottom line is this: Women use birth control for a host of reasons, none of which should require a permission slip from their boss.

I thank Leader REID for moving this bill to the floor so quickly and for his commitment to getting this done because women across the country are expecting action. They do not want to wait. As we move forward on this bill this week, I hope enough Republicans can put proven science over their partisan politics and join us and revoke this Court-issued license to discriminate and return the right of Americans to make their own decisions about their own health care and their own bodies.

I thank Senator UDALL once again for his work with me on this commonsense and bicameral legislation. I also thank the Members of the House Pro-Choice Caucus who introduced their companion legislation in the House, and I sincerely hope our Republican colleagues on both sides of the Capitol will join us. For those who don't, for those Republicans who have already said they oppose our legislation, I am interested in hearing their answer to the question I posed a few minutes ago: Do they think bosses should be in charge of a woman's health care decision? Do they think women should have to ask their boss permission for health care used by 99 percent of the women? Do they think we as a country should start down the path where CEOs and corporations can start making decisions for all kinds of health care for their employees?

Women across the country will be watching this debate, and I think they will be very interested in seeing who is on their side.

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

The PRESIDING OFFICER (Mrs. MURRAY). No objection, it is so ordered.

Mr. BOOKER. Madam President, I rise to support the ''Not My Boss's Business Act,'' which will help to fix the recent Supreme Court Hobby Lobby decision by making it illegal for a company to deny their workers specific health care benefits, including birth control, as is required to be covered by Federal law.

I am proud to be an original cosponsor of this bill which is necessary to ensure that all women have access to preventive care.

I wish to say, on a personal note, I was a young child growing up in a household with a working mother. Mom worked for a big corporation and worked in human resources. My table would often be one where it was discussed that my mother was dealing with challenges of racial discrimination, challenges of sexism in the workplace. I watched how my mother, in human resources, would fight to make sure that we as a nation, as well as this particular corporation, continued to advance in fairly treating all of its employees. I was proud to watch my mother assert her independence, her freedoms, and her basic sense of equity, which resonates with the highest values of this Nation.

What is frustrating to me now is here we stand in 2014, and we seem to be fighting so many battles and advancements we won before that are still needing to be fought.

It is unthinkable to me that as we should be turning our focus toward other things such as paid family leave or raising the minimum wage, here we are again fighting about whether women should have the right to have access to birth control. This is unfortunate because contraception is essential to a woman's right to make her own personal health care decisions. Birth control is not only basic to making health care decisions, but it is one in which 99 percent of women avail themselves. Throughout their lifetime we will see 99 percent of American women avail themselves of birth control.

These women should not be forced to decide between contraception and a tank of gas or between contraception and meals for their family, contraception and paying rent.

The Hobby Lobby decision, if you think about it, is imposing the will of a corporation—one corporation's board member's religious beliefs or what-have-you can be imposed such that it would cost women who now want to exercise their freedom up to $1,000 a year. For minimum-wage or low-wage workers, the out-of-pocket cost for birth control each month is a real and substantive financial burden.

Let's be clear. Workers have insurance coverage through their labor. It is part of their earned pay. This is not a free giveaway. They earned this coverage. What they spend their health care coverage on is their business, not their boss's business.

I deeply value ideals of religious liberty. This is what this country was founded on. But religious liberty belongs to all of us; it does not belong to a corporation. Religious liberty means being free from having other people's religions foisted upon you, imposed upon you, or forced upon you.

Most employees would never dream of telling their bosses what they must decide and abide by in terms of religious freedom. And by that same principle, no boss should have the right to impose his religion on the people who work for him.

That is one of the reasons why so many faith leaders have spoken against the Hobby Lobby decision. It is now making it acceptable for a corporation to impose on the individual liberty of others their religious beliefs, also the financial freedom that goes along with that, and also the ability for a woman to make critical health care decisions. They might even be interfering with a doctor telling a patient what is best for them and their health.

The views held by companies' owners should not be able to interfere with this basic understanding of fundamental rights. The Not My Boss's Business Act protects workers' religious liberty by not allowing their bosses to impose this hardship, to impose their religion, and to impose what I believe ultimately comes down to discrimination.

Finally, the precedent set by this decision could open the door wider and wider for more court cases and more employers who want to deny more aspects of basic health coverage and services because they claim it conflicts with the boss's religious beliefs. From blood transfusions to vaccinations, we are now in a minefield in which we can have the destruction of religious freedom of employees and the health care freedom we have fought so hard to manifest.

The Hobby Lobby decision is a step backward that we must correct. It is a step against women's rights. It is a step against religious freedom. It is a step against workers who earn basic benefits to have the ability to make those benefits real in their lives.

The Not My Boss's Business Act will make it clear that bosses cannot discriminate. The Not My Boss's Business Act will make it clear that there should be equal treatment under the law for the tens of thousands of workers whose coverage now hangs in the balance.

A woman's health care decisions should be between that woman and her doctor. There is no room for a boss's religious beliefs in that equation, period.

I watched for decades, growing up, not only my mother but countless people fight to establish basic principles in the workplace. We cannot go back now. This is such a critical piece of legislation, to correct for the mistakes in this Supreme Court decision and assert those fundamental American ideals, that individuals should be able to make their own health care decisions, that bosses and corporations should not impose religious beliefs on others, and that we are a nation where every woman can create a sacrosanct and private relationship with her doctor and make ultimately the health care decisions that are best for her, not ones in any way influenced or affected by a corporation.

I thank again the Senate and the Presiding Officer for this time but, most importantly, I thank Senator MURRAY and other Senators who have led on this issue. I yield the floor.

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

Mrs. BOXER. I am proud to follow my colleague from New Jersey, and I am proud to say I am a cosponsor of Senator MURRAY's bill and Senator UDALL's bill, the Udall-Murray bill, that is going to make sure we protect the health of our families.

I am going to put up a beautiful photograph of the Supreme Court where above the portico these words are inscribed: ''Equal Justice Under Law.'' We have reprinted them here. I am going to keep this for the remainder of my remarks, because I think that is the essential issue before us. Those four words are the promise of our country that every American should be treated equally, should be respected, should be honored.

I wish to note that these words don't say: Equal justice under law except for women. They don't say: Equal justice under law except for birth control. And they don't say: Equal justice under law as long as it is OK with your boss.

The beauty of this Nation is we respect each other's rights and freedoms, and we have shed blood to make sure those freedoms are protected.

Yet with this Hobby Lobby ruling, five men, who happen to be appointed by Republicans, decided that a corporation has the power to deny me or to deny you coverage of critical health care for us and for our families.

What is very upsetting to me is that they have seized on the Religious Freedom Restoration Act of 1993 to justify giving for-profit companies the sweeping power to deny their employees access to affordable birth control, and we believe it will prove to be other health care benefits required under Federal law.

I speak as someone who voted for the Kennedy bill, the Religious Freedom Restoration Act, that if anybody thinks Ted Kennedy wanted to deny access for birth control, then they didn't know Ted Kennedy and they didn't read at all the RECORD as we debated that bill.

I voted for the Religious Freedom Restoration Act because it was written to protect an individual's freedom of religion so that if I, as a religious individual working for a corporation, don't want to use the birth control coverage, I don't have to. But if I want to, I make that choice. If I, as an independent individual, want to vaccinate my child, it is covered under law, under the insurance. I can if I want to. No one can force me to do that.

The idea behind the Religious Freedom Restoration Act was to protect the individual, and I quote: ''Government shall not substantially burden a person's exercise of religion.''

Let me repeat: ''a person's exercise of religion.'' It doesn't say a corporation's exercise of religion, your boss's exercise of his religion. It was about protecting the individual.

What the conservative majority of the Court did 2 weeks ago turned the Religious Freedom Restoration Act on its head. As someone who supported that act, it made me angry, sad—put in the adjective. It is wrong to reinterpret what a law meant. It stood the Religious Freedom Restoration Act on its head when they ruled a corporation can put its own ideology ahead of the religious freedom and health care needs of its employees.

A female employee should be able to decide whether to use birth control. And that is not all that is at stake after the Hobby Lobby decision, because we know if you follow their logic that if a corporation can deny birth control because of a religious objection, what if they object to a blood transfusion? There are certain religions that do. Then the employee can't get a blood transfusion. And what if they object to a vaccine or HIV treatment? Then, in order for employees to have access to those treatments, they wouldn't have the insurance. We all know, from looking at the real world, if you don't have insurance, these treatments become very expensive and you may not be able to avail yourselves of them.

Chief Justice John Roberts, during oral arguments in the Hobby Lobby case, made it clear that Congress can fix this and override the Court's decision, and I agree. That is why I am so thankful to Senator MURRAY and Senator UDALL for working so hard and so fast so we can have the remedy right now. It is important that we act fast. People are very confused out there as to what they can count on in their insurance coverage.

We are going to have a vote on this tomorrow. It is a cloture vote to end debate so we can actually get to a vote on the substance. Sadly, it means we need 60 votes, a supermajority. But I hope and frankly pray that we get those 60 votes because we need to protect women's health.

The Murray-Udall bill is called the Protect Women's Health from Corporate Interference Act, but they have nicknamed it Not My Boss's Business Act, which I like. It is not my boss's business what I decide to do.

It would require employers to follow the Federal law when offering health insurance to their employees, notwithstanding the Religious Freedom Restoration Act which, as I said, I believe the Court stood on its head. It was meant to protect individuals, not corporations, not your boss.

The bill says corporations cannot hide behind the Religious Freedom Restoration Act to deny their workers coverage to the benefits we have in law. More than 180 House and Senate lawmakers have cosponsored this bill so far, and I hope our colleagues will vote for it.

I was saying we need to act fast because there is confusion out there. Virtually so many women rely on birth control at some point in their lives, it is amazing. Sixty percent of women who take birth control, 6.5 million American women, do so in whole or in part to treat painful and difficult medical conditions.

Let me say that again. One may take a birth control pill for birth control, but there are many other uses for that pill; 1.5 million women out of the 6.5 million who use it, at least in part for other conditions, use it solely as a medication to treat those painful and difficult conditions.

By allowing employers to deny coverage for contraception, the Court is depriving many women and families of health care. Surveys have shown that 55 percent of young women, aged 18 to 34, struggle to afford birth control, which can cost as much as $600 per year. Maybe the Supreme Court Justices in their ivory tower think that is not a lot of money, but let me state, for women working the minimum wage, even for women earning more than the minimum wage, it is quite a hit to their pocketbooks.

Ruth Bader Ginsburg pointed out in her dissent that a woman earning the minimum wage would spend nearly an entire month's wage to get an IUD, $1,000. Imagine. This case has unjustly singled out women's health services.

I have to make a note here. I do not know of any employer that is dropping coverage for Viagra. I don't. I have

asked around. I have been on TV, I have invited folks to let me know. Oh, no, Viagra is fine; birth control is not fine. Just put the pieces together yourself. I think this decision discriminates against women, and in the slippery slope argument you are going to see it affect everyone. And we need to listen to the women who rely on birth control to improve their health and the health of their families. Let me tell you a few stories. Raquel from Sacramento was diagnosed with non-Hodgkin's lymphoma in 2010. After her treatment her doctors told her she needed to use birth control to ensure she did not become pregnant for the next 3 years because she was really sick. Luckily, her employer covers birth control and now, happily, 4 years later she is pregnant with her first child. What could have happened to her if she had gone through an unintended pregnancy? It could have been pretty devastating. What if she had worked for a different employer who refused to offer her that birth control? Her health and the health of her child would have been at risk and that would have been tragic. So let's listen to her.

Let's listen to Katherine from Pleasant Hill, CA, who relies on birth control after having her first child.

> Both my husband and I want to be the best possible parents for our son, and having another child so soon would hurt our ability to do that. A variety of affordable birth control options are crucial for me and for all first-time moms like me!

Many years ago I was on the board of Planned Parenthood, and what we said all the time was that our dream was that every child be a wanted child—a wanted child. As a parent myself and as a grandparent I tell you right now it takes a lot to raise a child. Hillary Clinton said it takes a village. It certainly takes loving parents, and it takes a loving family. It certainly costs money, and it certainly takes energy.

We want our families to be healthy. We want our families to be productive, and birth control is a success story. It breaks my heart that women just like Katherine who work at Hobby Lobby and other for-profit corporations now could be denied access to affordable health care unless we fix this.

The Religious Freedom Restoration Act was not about giving your boss the power over you like this. It was about giving you the right to make your own choices and decisions. We need to listen to women like Ariana in Redding, CA, who wrote:

> I am a recent college graduate trying to make ends meet and pay off my student loans. It is a great relief to know I can get the birth control I need without a copay.

These are real stories. If the boss doesn't like that you choose birth control, that is his right. If he wants to sit down with his daughter and tell her his religious objection, and if she agrees with him, that is fine. I mean, that is what America is about. But don't take your religious beliefs, your ideology, your biases, your prejudices, and your opinions and foist them on your employees. That is not this country. That is not what we are about.

Shouldn't we care more about the rights of women and their families than the rights of a few employers who can exercise that in their families? This bill we are going to vote on is critical, and I hope it won't die as a result of partisanship. We have to rise above partisanship around here.

''Equal justice under law''—that is what it says over the portico. And frankly, there is another issue. If you look at what has happened to the rates of abortion since we have seen more use of birth control, they are going down. There has been a study in one of our Nation's big cities that proved that because there was broad use of birth control, abortions went down by 50 percent. Imagine. So if that is our concern regardless of whether we are pro-choice or not, we shouldn't be embracing decisions that make it more difficult for women to get access to birth control.

So equal justice under the law doesn't say: ''except for women.'' It doesn't say: ''except if my boss disagrees with me.'' It is pretty beautiful. It is pretty clear. It is something that we have to respect. It is for the ages, and tomorrow we are going to see if our colleagues agree. Every Senator must take a stand tomorrow for individual liberty. When we vote tomorrow, let's be reminded: Women are watching. The American people will hold each of us accountable if we fail to protect their rights and their ability to decide what is best for their families.

I have been around a while. I was around when one of the Bushes was actually on the board of Planned Parenthood—George Herbert Walker Bush. Suddenly this issue is back—birth control—and suddenly we are arguing over it again.

So I say this. I may be wearing a white jacket, but it is not a white doctor's coat. I am not a doctor, and I don't want to put myself, as a politician, in between a woman and her doctor or in between a family and their doctor. Let's leave important health care choices where they belong: with women, with families, with doctors, and not with politicians, in the Senate or Justices sitting in a courtroom.

Thank you very much. I yield the floor.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. KING). The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent that if cloture is invoked on either the Bay or LaFleur nomination the confirmation vote or votes occur at 3:15 p.m. with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

PROTECT WOMEN'S HEALTH

Mrs. HAGAN. Mr. President, I rise in support of the Protect Women's Health From Corporate Interference Act, to stand up for what I thought was a commonly shared value—that a woman's health care decisions are between her and her doctor, not her and her boss. I thought that was well-established, straightforward—simple, even.

But it turns out that the majority of the Supreme Court thought differently when it came to certain kinds of health care decisions: whether a woman would have access to contraceptives without copays as guaranteed by Federal law. As we all know now, 2 weeks ago the Supreme Court held in Hobby Lobby that an employer's personal beliefs can trump some of the most private and significant health care decisions a woman makes.

So let me be very clear on where I stand: What kind of birth control a female employee uses is not her boss's business.

I have heard some of the supporters of the Supreme Court decision argue that ruling is a narrow ruling, and that it only applies to closely held family businesses. That doesn't tell the whole story because just 3 days after this ruling in Hobby Lobby the Court said that a nonprofit religious college didn't have to comply with a contraceptive coverage requirement even though it had already had an accommodation that allowed it to avoid paying for such coverage itself.

The majority even pointed to this accommodation in the Hobby Lobby ruling as an example of a less restrictive alternative that could be open to for-profit businesses. A few days later that same accommodation wasn't good enough.

In her dissent Justice Sotomayor wrote:

> Those who are bound by our decisions usually believe that they can take us at our word. Not so today.

In other words, in less than a week the Supreme Court's conservative majority went from issuing a supposedly narrow ruling to potentially broadening it to encompass a new class of institutions. The impact of the ruling in Hobby Lobby will most definitely not be limited to those closely held businesses, as some say. I have heard others argue, in essence: Don't worry. The ruling doesn't expressly ban access to contraceptives. It just shifts the additional cost of the coverage back to the women.

But those who say erecting a barrier of cost between a woman and birth control will give her the same access she had before the decision don't understand what women have to go through to get covered and don't understand the many reasons why women use birth control. Since the coverage requirement went into effect last year, the number of women who got their birth

control without a copay jumped from 14 percent to 56 percent. That means some serious costs were avoided for many women.

The average annual savings for women last year was $269. In total, women in the United States saved $483 million on contraceptives, thanks to the Affordable Care Act. Among those women were 917,000 in North Carolina alone who were eligible for preventive services without additional copays. Many of these women sought and used birth control medications for reasons that had absolutely nothing to do with planning pregnancy. In fact, oral contraceptives are a key treatment for at least three major medical conditions that affect women. Polycystic ovary syndrome affects 5 to 10 percent of women of reproductive age, and if left untreated can lead to the development of ovarian cysts or infertility. In addition, 11 percent of women are affected by endometriosis in their lifetime, and 40,000 women each year are diagnosed with endometrial cancer. Many women are at risk of developing ovarian cancer—one of the most deadly cancers in the United States—and women with ovarian cancer also can receive treatment via birth control. And yes, one of the best known ways to reduce the risk of these conditions is birth control.

Employers who make their female employees pay out of pocket for contraceptives aren't just imposing their personal beliefs, they are also making it more difficult for women to access important lifesaving medical treatment.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HAGAN. Mr. President, I would like to ask for another 45 seconds.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

Mrs. HAGAN. That is why I believe it is so important to debate and to pass the Protect Women's Health From Corporate Interference Act. This bill would fix the Hobby Lobby decision by making it illegal for any company to deny their workers specific health benefits, including birth control, that would be required to be covered. It would make clear that bosses cannot discriminate against their female workers and would ensure equal treatment under the law for tens of thousands of workers for which coverage hangs in the balance. It would preserve and codify the existing accommodation for our nonprofit religious employees.

It is troubling to me that in 2014 we are even debating women's access to contraception. Nearly all women—99 percent—will use it at some point in their lives, and they should have access to safe, effective birth control if they choose to use it—plain and simple.

This bill would ensure that those decisions about an employee's health can stay between the woman and her doctor, not between the woman and her boss. I urge my colleagues to support the bill.

Thank you, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CONGO ADOPTION POLICY

Mr. PORTMAN. Mr. President, I want to talk about an issue today that transcends party lines: the humanitarian crisis we are seeing in Africa and the Democratic Republic of Congo.

In September of last year the Congo informed the United States that they would no longer issue exit visas for Congolese children who were in the process of being adopted by American parents. These are kids that have gone through the adoption process and yet the Government of the Congo says they cannot leave the country. This terrible and unjustifiable action has left hundreds of children and their families here in the United States in limbo.

Last Friday the Congolese Government announced an end to exit permit exceptions until the country passes what they deem are new adoption laws. I stand here today to express our deep concern and commitment to resolve this crisis from so many in the Senate. We have over 50 cosponsors for a resolution calling on the Congo to do the right thing. Those of us who have cosponsored this are looking for a way to help these children who have already been adopted to be reunited with their families permanently.

More than 350 families have finalized adoptions of Congolese children. They have obtained the necessary U.S. approvals, including U.S. visas authorizing their children to immigrate to the United States. There were 400 additional families in the process of completing adoptions at the time Congo imposed this moratorium. In every way that matters, including in what they feel in their hearts, these are their children.

All told, more than 800 children are caught in this diplomatic nightmare. By the way, that is about 10 percent of total adoptions worldwide by American families last year. These are international adoptions, so it is a significant number. Many of these kids have special needs, and those needs are not being met. Until they are able to come home and be with their families, those needs will not be met. In fact, some lives have been put at risk. In fact, six of these children have already died.

I had the opportunity to meet with some of the parents of some of these children and have seen some of the photos and heard some of the stories. If the Congolese Government would simply do the right thing and allow these exit permits, lives would be saved. We can't remain silent in the face of this tragedy.

Together with Senator LANDRIEU of Louisiana, I am offering a resolution calling on the administration to take action and demand that the Government of the Democratic Republic of the Congo resume processing these adoption cases and issuing exit permits so these kids can leave. They need to prioritize the processing of intercountry adoptions which were initiated before the suspension began.

I thank Senator LANDRIEU for her hard work on this matter, as well as 50 of our colleagues from both sides of the aisle who have joined us.

Last week I met with a number of families from Ohio, and we had the opportunity to talk about some of these kids and some of their specific circumstances. We also talked about what these families are ready to do, and they are ready to give these kids the support and love they need.

I met with the Millimans from Columbus, OH. They are adopting a little girl who has very serious medical conditions. They are in the final stages of the adoption process, and they fear they will not be able to provide her the treatment and care she needs.

I also met with the Webb family. The Webbs are in the process of adopting a child from the Congo to bring to their home in Wooster, OH. The Webbs' biological daughter Heather is also in the process of adopting from the Congo. They were both in the Capitol to talk about their kids and what they have been through.

These families represent the very best of our country and our values, a respect for these young people's lives and a commitment to live with humility, prioritizing the needs of the most vulnerable children. This diplomatic impasse is keeping these families apart. It is time the administration joined with Congress to support the families and the children involved in this crisis in every way possible.

In the coming days, I hope we will speak with one voice and demand that Congo reverse their decision and process these adoptions as quickly as possible. It is my sense this is an issue that will come up in committee this week. I hope before this session is out we will be able to take this up on the floor of the Senate, pass it, and begin to put some pressure on the Congolese Government to do the right thing. It is time to allow these children to be with their loving families.

With that, I yield back all time and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HEALTH CARE

Mr. BARRASSO. Mr. President, last week I heard the majority leader speak about people who are happy with the President's health care law. While I agree that some people have been helped by the law, many Americans have been hurt by the law's destructive side effects. Republicans have given examples of people from all across the

country of all ages and in all kinds of situations being harmed by the health care law, and we found that a disproportionate number of those being hurt are women. These are middle-class Americans who work hard, do the right thing, and they just want to care for themselves and their families.

The health care law that the President wrote—and every Senate Democrat in the Senate voted for—is standing between them and the lives they want to live. That is what I am hearing from my neighbors back home in Wyoming, and I think I hear from more individuals than many of the Senators do because I was a physician and practiced medicine in Wyoming for 25 years. I have taken care of patients and families.

I would like to share with everyone what I have been hearing from the women around the State of Wyoming and how this law has been impacting their lives.

I got a letter from a woman in Gillette, WY, and she said: ''I wanted to share with you my frustration and worry concerning the Affordable Care Act.''

She said she and her husband have three daughters—ages 12, 9, and 3—and her husband started a new business. She said: ''Thanks to the new health care law our insurance premium increased $560 per month.'' That is $6,700 more a year that this family has to pay for insurance under the President's health care law.

She wrote:

> As we struggle to plan for our girls' futures, attempt to make my husband's business prosper, and dream of what our future may hold once our children are raised, it is disheartening that we will now pay nearly $17,000 a year for health insurance.

She said:

> There are so many things we could, and should, be able to do with that money. That additional $560 per month could be put in our girls' college funds, be given back to our church and community. Sadly, we don't have the luxury of deciding how to use that hard-earned money.
>
> We have been told by Washington that we will spend our money on health insurance. I have never felt so completely let down by the American government.

Here is a woman who just wants to raise her family, send her daughters to college, maybe grow the family business, and there she is in Wyoming struggling with the burden Washington Democrats imposed on her with this terrible health care law and its damaging and disheartening side effects.

President Obama says the Democrats who voted for this law should ''forcefully defend and be proud'' of the health care law.

Are Democrats in the Senate who voted for this health care law proud of what they are doing to this woman and her family? Are Democrats willing to come to the floor and forcefully defend and be proud that this Wyoming family has to spend thousands of dollars on health insurance instead of on their daughters' college funds?

Millions of women all across America are in the same situation as this woman in Gillette, WY. There has been a new study that looked at how much more money people are paying this year for insurance in the ObamaCare exchanges than they paid last year before the Obama health care law kicked in. They found that a lot of women are paying much more because of the President's health care law.

In North Carolina—and we just heard from the Senator from North Carolina—an average 27-year-old woman is paying $1,100 more for health insurance coverage than she did last year. In North Carolina a 64-year-old woman is paying $5,000 more because of all of the requirements of the health care law. Is that Senator willing to come back and forcefully defend and be proud of this health care law and what it has done to these women in her home State?

It is the same in Arkansas. An average 40-year-old woman pays $1,300 more this year because of the law. A 64-year-old woman in Arkansas is paying $3,400 more this year in the exchanges. In one State after another, women are paying more. Women of all ages are getting hurt. The Washington Post had a very interesting story about this on June 24.

It said: ''Older women bear the brunt of higher health insurance costs under Obamacare.'' That is the headline from the Washington Post—''Older women bear the brunt of higher insurance costs under Obamacare.''

The article says a new report found ''women age 55 to 64 will face a huge spike in cost when they go out to buy individual insurance on the federal exchange.''

The article says, ''These women bear the brunt of the increased premiums and out of pocket expenses after the Affordable Care Act.''

Under President Obama and the Democrats' plan, older women are bearing the brunt of higher health insurance costs. This is a disgraceful side effect of the Democrats' health care law. Women across the country are paying more money for insurance they do not need, do not want, and will likely never use.

Are Democrats willing to come to the floor of the Senate and forcefully defend and be proud of the fact that older women are bearing the brunt of higher health insurance costs under this law?

I got another letter from a rancher from Newcastle, WY. She and her husband were paying $650 a month for insurance. She said, ''We don't carry maternity insurance because we have completed our family.'' This woman has had a hysterectomy.

I get letters more than maybe most because I am a physician who practiced in Wyoming for a long time.

She says their insurance agent told them they couldn't renew their policy at the end of last year. The reason? Because it didn't meet the President's requirement that they have to have maternity coverage, so they had to choose a new policy from the exchange.

Now, remember, she doesn't need or want maternity coverage and she is never going to use it because she has had a hysterectomy. According to President Obama and the Democrats, it doesn't matter one bit. It doesn't matter.

They were paying $650 a month before ObamaCare. She said her insurance agent quoted her rates for a comparable policy of anywhere between $1,300 and $1,600 a month or they could take a bronze policy with much less coverage than they had before for $900—still more than they were paying before. So $3,000 a year more than they paid before ObamaCare, and the out-of-pocket costs would be much higher and much more difficult for the family.

This woman from Wyoming writes:

> We're being forced out of a good policy, which we pay for with hard-earned money, which we choose, into a dangerous financial health care situation, with less coverage, and which puts my husband and I, who are proud of our own sustainability, on to what we consider the welfare rolls by needing a government subsidy to afford a plan that we don't want or need.

We don't want, we don't need, and we are forced on to it.

She writes:

> To say that we're angry is an understatement. Why is this happening? Why can Obama force me into this? We feel helpless.

This isn't what the President of the United States promised the American people. It is not what every Democrat who voted for the health care law promised the American people.

It seems to me that President Obama and Democrats in the Senate just don't get it. All these women wanted was a chance to buy insurance coverage that worked for them. They wanted the right to be left alone to make their own choices about their family's health care, not to have Washington make choices for them. They wanted the care they need from a doctor they choose at lower cost.

President Obama wasn't interested in listening to what women wanted. He wanted to tell—he wanted to mandate—he wanted to tell them and mandate what he thought was best for them. It is outrageous.

I hear from people almost every day who are feeling the costly and cruel side effects of the health care law.

I heard from a woman in Casper, WY, where I practiced and was chief of staff of the Wyoming Medical Center in Casper. She gets her insurance through her job. The costs have gone up so much under ObamaCare that she is worried about what might happen. She writes:

> I am concerned for what I might be facing when my employer has to comply with the [health care law] next year. I have not had children yet because of the effects the recession had on me and my husband. I would very much like to think we could have one in the next couple of years, however, the insurance fiasco worries me.

So this woman is worried that the health care law might actually affect her and her husband having a family.

Why did President Obama take away the rights of women to choose what

health coverage is right for them and their families? This was an active decision made by Democrats in this body and the President of the United States to take away the rights of women to choose what health coverage is right for them and their families.

Why did President Obama raise the cost of health care and make it more expensive for women?

These are just a few of the women who are being hurt by ObamaCare and just a few of the ways the President's health care law is affecting women all across America.

Again, there are some people who have been helped by the law. Some people are happy with their insurance. Nobody is denying that. There are also people who have been hurt by the law and who can't afford it and who are devastated because of it. What does the President have to say to those people? Why won't President Obama sit down with just one of these women who has written to me and actually listen to the damage he has done to them, to their families, and to their health care as a result of his health care law?

Why won't Democrats come to the floor of the Senate and talk about these millions of Americans—millions of women—whom they have harmed with the health care law?

Republicans have offered ideas for health care reform that allow women to make choices on what is best for them and their families. If they want maternity coverage, they can find a policy that offers it. They wouldn't be forced to pay for what they don't need or don't want just because someone in Washington tells them they must. People wanted health care reform to give them access to quality, affordable care—not more expensive coverage.

Republicans are going to keep coming to the floor. We are going to keep offering real solutions for better health care without all of these expensive and offensive side effects.

Thank you, Mr. President. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BORDER CRISIS

Mr. COATS. Mr. President, as have many Americans, I have watched with increasing concern and increasing frustration the rapidly growing humanitarian crisis on our southern border. More than 60,000 unaccompanied alien children—mostly minors from Guatemala, Honduras, and El Salvador—have been apprehended at the border in this fiscal year, and we have 2½ months remaining. The numbers are staggering. Another 40,000 family members—one or both parents traveling with their children—have also been apprehended just in this fiscal year.

To put these numbers in perspective, in 2008, the number of unaccompanied alien children apprehended at the border was 8,000. Three years later, in 2011, the number had doubled. It had doubled to 16,000. This is a situation we perhaps didn't see coming, but should have.

Today, of course, the numbers are staggering, as I mentioned. The number has skyrocketed. In fact, in April and May of this year, 10,000 have arrived. We simply cannot sit back and let this situation grow worse as it does day by day. We must now find a way to solve this crisis and stem the flow of unaccompanied minors entering our country. It is imperative that this Congress and this administration work together to do this and do this immediately. We dare not move toward our regularly scheduled August recess without accomplishing the solution or resolution of this current crisis, which is impacting children, impacting families, impacting communities, impacting many across the United States in terms of this crisis.

As we do this, I think it is important that we be guided by some key principles, including laws that are currently on the books—laws that might need to be adjusted—as well as compassionate hearts in terms of how we deal with those who are here but will need to be returned to their homeland.

First, clearly and foremost, we have to enforce existing law. Existing law says we need an orderly process. Immigration needs to be legal. It needs to be processed in an orderly way and in a way so that we can accommodate those who come from out of the country. I am the son of an immigrant who was processed through a legal process, a process that speaks for many of us not only here in this Chamber but for many across America. We are all in a sense immigrants. For over 200 years, we have come as immigrants through a legal process. Today we find a situation where our borders are being swamped with those who are attempting to come illegally, for whatever reason. More importantly, we have to make it clear to them that the law does not allow this to happen. So we have to get control of the border. We have to get control of our immigration process.

I think all of us feel the need for immigration reform. Step No. 1 has to be securing our borders so we can convince the American people we can return to an orderly process of bringing immigrants to this country and not be overwhelmed by the illegal immigration flowing to our southern borders. It is also important because we need to let the families know and the children know their trip to America is not what has been promised them.

Many believe this humanitarian crisis is focused on how we handle these children once they arrive at the border, and there is a need to address that issue. But in reality, the crisis for these children begins when they start their trip, given the dangers of the journey. We now know the children who are making these dangerous treks from Central America are often in the hands of smugglers, drug cartels, coyotes—criminal elements that are delivering a false lie to families and individuals in these countries. They are basically saying, Get your children across the border and they will then be absorbed into American society and they will be in a better place. And, by the way, write us a check for $7,000 or $10,000 or $5,000, whatever the market bears, and we will ensure that your children arrive safely, and then you won't have to worry about them anymore. That is simply not true.

Sadly, from the latest information that has come to us, in surveys that are being taken and investigations that are being made, the story is horrendous. Often, for those in the hands of those who are seeking to bring them along the approximately 1,500-mile trip from Central America to the Texas border, the reality of what these children are facing and what these families are facing is startling and it is an issue that absolutely has to be addressed.

Doctors Without Borders exists in southern and central Mexico, and they did surveys of those who were attempting to make this trip. They indicated that 58 percent of their patients suffered at least—at least—one episode of violence along their way from Central America to the United States. One media network did an investigation that followed the path of Central American migrants, including children, and while their numbers have not been verified or documented, they are staggering. Even if the results are half of what they claim, it is a situation of immense humanitarian dysfunction. They found that 80 percent of all migrants will be assaulted, 60 percent of women will be raped, and only 40 percent will actually make it to the border.

Let's say those numbers are exaggerated. There is some indication this media outlet was, perhaps, sensationalizing their numbers. Let's say it is just half of that. But if it is half of that, it is a situation we absolutely cannot tolerate. We absolutely cannot sit by and say the only humanitarian crisis is taking care of these children once they cross the border—making sure they have vaccinations, sustenance, and a place to sleep until we get them processed. Those who claim that need to understand the crisis that exists before they ever get to the border, and the impact on these children in particular.

In 2010, when the narrative coming out of the administration was chipping away at our Nation's immigration laws through the abuse of prosecutorial discretion, this generated whispers of hope that ran rampant through the families of our Central American neighbors and gave a false confidence that if you illegally enter our country, once you are here, you will be able to

stay. The belief spread in 2012 when the President took his prosecutorial discretion a step further by essentially halting the removal of illegal immigrants who arrived as minors.

There was a process where, of course, they were given a piece of paper, which basically said: You have to appear before a judge, who will determine whether you are able to stay in the country or whether you will have to be sent back home.

The narrative there was: This is your document that allows you to stay in America. In fact, it was not that at all. But because of the overwhelming number of people who received these documents, allowing them to stay here until they were adjudicated by a judge—because that number now exists around 375,000, and there is no way we can possibly adjudicate these and make these decisions in a short amount of time—those who arrived simply melded into the society, and most never showed up before a judge who was making a decision about their legality or illegality.

A key part of what we have to do here, in my opinion, is a repatriation plan. It is easy to just simply throw money out there and say we will come up with a plan later. I cannot support a provision that does not have policy changes to address this situation—policy changes that will allow us to inform our Central American neighbors that they must make every possible effort to engage with us in telling the truth to their constituencies and the parents of these children as to what lies ahead for them: the fact that they will be subjected to potential brutality, unspeakable, brutal efforts and consequences of this trip, as well as returned to their families and their countries.

We have to together make this message clear that our laws require that these children be sent back, but we also have to make it abundantly clear they are putting their children at great harm and great risk to believe this narrative that says: They will be fine, they will be taken care of. Just give us the money and we will make sure your children become Americans and they will be fine in the future.

Secondly, I think we need to go a step further. To deter children from making this journey, we have to return those who have already come.

Included in a viable repatriation program has to be a streamlined process. I mentioned the number of the hundreds of thousands who are still waiting for their adjudication. There have been efforts and suggestions made by some of our colleagues on a bipartisan basis that we address and dramatically increase the number of judges who can go down to the border and make these decisions quickly so we can safely return these children home without having the horror of seeing these children rejected in different communities and no place to put them, as the numbers simply overwhelm our ability to care for them.

The administration does have some flexibility under current law to move families and children through these immigration proceedings in an accelerated manner. However, I believe—and the Secretary of Homeland Security has stated—that we need to go further to change current law to treat all unaccompanied alien children the same.

Now this is the President's own Secretary of Homeland Security, who has been to the border, whom I have met with and talked to several times, who is assiduously trying to address this issue in a bipartisan way. We need to work together to make sure we put the processes in place and the policies in place before we simply decide on a number and hope for the best later.

We need to change the law to allow Central American children who qualify to choose voluntarily to return as well, rather than go through drawn-out immigration proceedings that should still lead to their removal and damage any chance they have to seek legal immigration in the future.

This narrative out there, this story out there, is: Oh well, just go back across the border. Then maybe tomorrow you will get back here, and someone else will pick you up, and you will go to a different place, and you will start the process all over again, and you will finally get handed a piece of paper, and then don't worry about showing up in 12 to 18 months later. You can meld into society, and everything will be well. That absolutely has to be addressed. If we do not do that, we will not succeed with this process.

We also need to use our leverage with these foreign countries to gain their cooperation if they refuse to cooperate with us—whether it is withholding foreign aid, whether it is any number of punitive measures. We need to make sure the governments of these nations understand the risk to their children, the harm to their children, and the fact that we are going to enforce the law, and that if they want to continue future relations with the United States through a legal immigration process, they have to work with us to convince their constituencies and give them the truth as to what is happening to their children—to engage in this process of working with us to stop this flow of illegals.

Now, obviously, we have to provide reasonable care for those who are already here. The vast majority of the new funding the President is requesting would go for caring for the illegal immigrants who are already here. It includes housing, transporting, and caring for the children and families already in the United States.

I believe it is our responsibility as a nation and as a compassionate society to care for the hurt and displaced. But we cannot simply open our arms and encourage all the world's children to strike out on their own, face endless dangers, and come to our shores with the belief that they will be welcomed and accepted and integrated into our society. We simply do not have the capacity to do that on a worldwide basis, and we see the trouble we are having from just three countries. What are we actually doing to stem the flow of unaccompanied alien children coming to the United States? And when will we begin to see the tide turn? That is something that has to happen and must happen initially.

Finally, in addition to the care which we must provide—the sustenance and the health care and the bedding and the nutrition and the efforts we need to make; and thank goodness for so many nonprofit organizations, churches, and others that have volunteered to join us in this particular effort—but it cannot be an ongoing effort. It has to be something that is accompanied by significant changes I have talked about before in terms of policy. You have to stop the bleeding. You have to stop the effort first and convince the American people that we finally gained control of our borders before we can move to any kind of sensible immigration reform.

This is going to be expensive. We are going to have to make sure the money we are spending is spent as part of a plan to address the problem—not just simply address it and have the problem continue, but address it in a way, on a one-time basis, that we put an end to this story: Send your children and they will be just fine.

Mr. President, the time is moving on, and I know my colleague is waiting to speak and we have votes coming up. So let me shorten this by simply concluding, at the end of the day, we have a huge humanitarian crisis on our hands on our border. I believe we have a moral responsibility to swiftly address and solve this crisis. We have to understand that the crisis involves more than just unaccompanied minors. We cannot ignore the national security implications of a weak border. There are many dark powers in this world that wish to see the influence of the United States diminish—that wish to extinguish the beacon of freedom that we have been to the world.

So for the sake of the rule of law, for the sake of our national security and the safety of these children, it is imperative we act now and get it right. It will only happen if this body, the Congress—the House and the Senate—and the President will work together to put in place, on an expedited basis, a sensible plan to address this humanitarian crisis. ''Save the children'' means: Don't put those children in the hands of smugglers, coyotes, criminal elements, only for them to go through the horrendous consequences that have become the humanitarian crisis we are addressing.

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

The PRESIDING OFFICER (Ms. HEITKAMP.)

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF NORMAN C. BAY TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION

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

The bill clerk read the nomination of Norman C. Bay, of New Mexico, to be a member of the Federal Energy Regulatory Commission.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote to invoke cloture on the Bay nomination.

Mr. KAINE. I ask unanimous consent that the time be yielded back.

CLOTURE MOTION

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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, hereby move to bring to a close debate on the nomination of Norman C. Bay, of New Mexico, to be a Member of the Federal Energy Regulatory Commission.

Harry Reid, Tom Udall, Robert P. Casey, Jr., Jack Reed, Tim Kaine, Patrick J. Leahy, Barbara Boxer, Bill Nelson, Christopher A. Coons, Richard Blumenthal, Richard J. Durbin, Christopher Murphy, Patty Murray, Martin Heinrich, Tom Harkin, Tammy Baldwin, Cory A. Booker.

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 nomination of Norman C. Bay, of New Mexico, to be a member of the Federal Energy Regulatory Commission shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Tennessee (Mr. CORKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay'' and the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

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

The yeas and nays resulted—yeas 51, nays 45, as follows:

[Rollcall Vote No. 222 Ex.]

YEAS—51

Baldwin	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heller	Pryor
Booker	Hirono	Reed
Boxer	Johnson (SD)	Reid
Brown	Kaine	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—45

Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heitkamp	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Cornyn	King	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Walsh
Fischer	McConnell	Wicker

NOT VOTING—4

Alexander	Corker
Begich	Schatz

The PRESIDING OFFICER. On this vote the yeas are 51, the nays are 45. The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote to invoke cloture on the LaFleur nomination.

Who yields time?

Mr. REID. I yield back the time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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, hereby move to bring to a close debate on the nomination of Cheryl A. LaFleur, of Massachusetts, to be a Member of the Federal Energy Regulatory Commission.

Harry Reid, Tom Udall, Robert P. Casey, Jr., Cory A. Booker, Jack Reed, Tim Kaine, Patrick J. Leahy, Barbara Boxer, Bill Nelson, Christopher A. Coons, Angus S. King, Jr.., Richard Blumenthal, Richard J. Durbin, Christopher Murphy, Patty Murray, Tom Harkin, Tammy Baldwin.

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 nomination of Cheryl A. LaFleur, of Massachusetts, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2019, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Tennessee (Mr. CORKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea'' and the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

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

The yeas and nays resulted—yeas 85, nays 10, as follows:

[Rollcall Vote No. 223 Ex.]

YEAS—85

Ayotte	Hagan	Murray
Baldwin	Harkin	Nelson
Barrasso	Hatch	Paul
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Risch
Boxer	Inhofe	Rockefeller
Brown	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Cornyn	Lee	Toomey
Crapo	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	Markey	Vitter
Enzi	McCain	Warner
Feinstein	McCaskill	Warren
Fischer	McConnell	Whitehouse
Flake	Menendez	Wicker
Franken	Merkley	Wyden
Graham	Murkowski	
Grassley	Murphy	

NAYS—10

Cardin	Isakson	Schumer
Chambliss	Mikulski	Walsh
Cruz	Moran	
Gillibrand	Roberts	

NOT VOTING—5

Alexander	Coburn	Schatz
Begich	Corker	

The PRESIDING OFFICER. On this vote the yeas are 85, the nays are 10. The motion is agreed to.

RECESS

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

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF NORMAN C. BAY TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION

NOMINATION OF CHERYL A. LAFLEUR TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3:15 p.m. will be equally divided and controlled between the two leaders or their designees. If neither side yields time, both sides will be equally charged.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, are we in a quorum call presently?

The PRESIDING OFFICER. We are not.

Ms. MURKOWSKI. Madam President, I have come to speak about the two nominees on the executive calendar who are before us this afternoon. Norman Bay and Cheryl LaFleur are nominated to be commissioners on the Federal Energy Regulatory Commission, FERC, an increasingly critical, independent regulatory commission.

As the Senate has considered these nominations, there has been kind of a weird drama that has played out throughout the entire community that follows the FERC and, as I understand, the agency itself has been really very distracted by it. Many are concerned the wrong person is set to take over as chair of the FERC and that the Commission is at risk of losing its reputation for objectivity. So for the benefit of Senators who are not on the energy committee and for members of the public who have not followed the controversy surrounding these nominees, let me provide a little bit of perspective this afternoon.

Both nominees have been serving at the FERC. Ms. LaFleur currently leads the agency as its chair. She has done so with distinction for the better part of a pretty difficult year. This is a year that has brought about the polar vortex and challenges to bulk power system reliability. The other individual, Mr. Bay, is an employee. He is the director of the agency's Office of Enforcement. He was appointed to that post by its somewhat controversial former chair, John Wellinghoff of Nevada.

If confirmed, Mr. Bay will become the first FERC employee in the agency's history who would go directly and immediately to the commission itself, despite just 5 years of relevant experience. Furthermore, Mr. Bay will not only be elevated to the post of commissioner; President Obama has announced that Mr. Bay will be designated as chairman after his confirmation. That means that Ms. LaFleur, the FERC's only female commissioner, will be demoted when Mr. Bay takes over as chair. How soon Ms. LaFleur's demotion will take place is unclear at this moment.

At the energy committee's business meeting to consider these nominees, there was a lot of talk about a deal that would allow Ms. LaFleur to remain as chair for a period of time. It was suggested that this would give Mr. Bay some much needed on-the-job training as a rank and file commissioner. So there was a lot of discussion going back and forth. I was certainly part of that discussion. But talk of a deal and confirmation of a deal, giving the assurances that certainly this Senator has sought and yet was not given—talking about a deal and getting a deal are two different things.

So as we discuss where we are with these nominees, I think it is important to recognize that even if Ms. LaFleur stays on for a period of months—whether it is 9 months as some have suggested the deal is or a different period of time—what we understand is that Ms. LaFleur will only be allowed to continue in an acting capacity.

So stop and think about this. We have President Obama who has nominated Ms. LaFleur twice for high office, and despite what I think has been her distinguished service as a commissioner and as chair of the FERC, the White House dismisses her as an acting chair. The administration reportedly has limited her authority even to hire staff. As some have suggested, this is just a technicality and this is what happens within the Commission. That is not my understanding at all. I would view it as an affront. If one is going to be the chair, one should have the full authorities of the chair.

Even though I disagree with ''Acting'' Chair LaFleur on some key policy matters, by all accounts, from both Republicans and Democrats, she is doing a good job. She is fair. She seeks balance. She has the temperament I think we need for this commission. She has the personal qualities of leadership we look for. She clearly has the experience. She has 25 years' worth of experience, in fact. I certainly hope she will be easily confirmed this afternoon. In fact, I hope Chair LaFleur's bipartisan support has not hurt her prospects.

Chair LANDRIEU observed during the committee's consideration of these nominees that Ms. LaFleur's renomination ''was not a sure thing just a couple of months ago.'' But we have to ask: Why not? Why wasn't the renomination of the only woman serving as a FERC commissioner—a Harvard-educated Obama appointee from Massachusetts—why wasn't she a sure thing from the get-go? Was it her bipartisan appeal? I would certainly hope not. Was it her good work as a chair? Again, I hope not. To me, those are reasons one would choose her to lead the FERC, not someone else.

One hint came from our majority leader, Senator REID. He recently told the Wall Street Journal that Ms. LaFleur ''has done some stuff to do away with some of Wellinghoff's stuff.'' Now, he didn't really define what ''stuff'' that was and didn't acknowledge that much of Mr. Wellinghoff's ''stuff'' was either controversial or incapable of withstanding legal challenge.

Before we turn to Mr. Bay and his unprecedented promotion from Director of the Commission's Office of Enforcement in the face of Ms. LaFleur's demotion, let's discuss the agency the White House proposes he would lead for just a second. Why does the chairmanship of the FERC matter so much? Well, the Presiding Officer sits on the energy committee. She knows. She is watching this. She is looking at the issues of reliability. In the energy world, FERC regulates ''midstream everything.'' The chairman is its CEO, and under his or her leadership, FERC regulates interstate natural gas and oil pipelines, LNG import and export facilities, the sale of electricity at wholesale, the transmission of electricity in interstate commerce—basically the Nation's bulk power system, practically speaking, its high voltage transmission networks, also the reliability of the bulk power system, the licensing of hydroelectric facilities and the safety of dams. The list goes on and on.

One further example is the safeguarding of sensitive information about our critical energy infrastructure—information that was compromised by FERC during the tenure of former Chairman Wellinghoff. That series of events is now subject to an ongoing inquiry by the inspector general of the Department of Energy, and it is a breach that Ms. LaFleur has vowed will not happen again.

Given the significance of this agency, let's consider Mr. Bay. So, beyond the demotion of Ms. LaFleur, and beyond his lack of relevant experience, what is causing me pause? To begin, there are questions about the fairness and transparency of the functioning of the FERC Office of Enforcement during Mr. Bay's tenure there. I haven't resolved those questions, but I know others are looking at them. Senator BARRASSO has called attention to some of the questions. He has called for an independent review of the facts in dispute.

Second is the question of the circumstances under which Mr. Bay would recuse himself from at least 43 different matters, including some high profile matters that have been pending in the Office of Enforcement on his watch. But, unfortunately, Mr. Bay apparently doesn't see a need to recuse himself from these proceedings.

Third are the answers that Mr. Bay provided to questions from those of us on the energy committee. At best, many were unclear and, at worst, his responses were simply evasive.

Finally, I keep coming back to the deal—the waiting period that was needed to attract enough support on the Democratic side to report Mr. Bay's nomination from committee. So we

have to ask the question: What are those terms? Will the acting chair have the opportunity to serve fully and completely as chair? Will it be clear that Mr. Bay is not a ''shadow chairman'' or a ''chairman-in-waiting'' during this crucial period? At a minimum, before we make a choice about who should lead the FERC, the President owes Senators a clear time line of who will be in charge and what the powers are that will be given to him or her.

FERC is just too important a commission. It is too important for appointees to be handled in this way.

So, today, I am going to be supporting the confirmation of Ms. LaFleur. In fact, I am pleased to support her, even though I don't always agree with her policy views. But I do regret I will not give my support to Mr. Bay, and I urge other Senators to withhold their support as well.

With that, I would yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

PROTECT WOMEN'S HEALTH FROM CORPORATE INTERFERENCE ACT

Ms. MIKULSKI. Madam President, I wish to take this opportunity to speak in support of the Murray legislation to protect women's health from corporate interference. Because of an obligation to speak at a memorial service tomorrow, I will not be able to speak tomorrow morning. I feel so strongly about this issue that I would like to say a few words today.

This legislation ensures that the personal opinion of an employer doesn't trump the medical opinion of a doctor. I sure wish this legislation were not necessary, but, unfortunately, because of the recent Supreme Court decision now known as the Hobby Lobby decision, it is necessary.

Let's talk about how we got here. As the Presiding Officer knows, we worked on health care reform. We were so concerned that over 40 million people didn't have access to health care. We were concerned that just being a woman was treated as a preexisting condition. We were charged double for our insurance, and we often had to pay significant copayments for those procedures related to early detection and screening, for those procedures that would affect us such as mammogram care. So on a bipartisan basis we ended that discrimination so women couldn't be charged more than men of the same age or comparable health status.

We also wanted to be sure we could do preventive health care benefits. That was an amendment I offered on the Senate floor. We had a spirited debate, even with Senator MURKOWSKI. Senator MURKOWSKI and I agreed on the same goals, but we had different methods. Ours won; mine won. I wanted to be sure politicians didn't decide what was preventive health care. I wanted to be sure politicians didn't decide what should be covered or not, and I didn't want to bring politics into it. So we turned to one of the most distinguished organizations in our government that makes recommendations to our government on health care policy. It is known as the Institute of Medicine. It is a nonpartisan group funded by this Congress made up of scientific experts to advise us on medical and health care. We wanted them to tell us what should be the preventive services that were included.

So when we hear the criticism: ''Some government agency decided this; some bureaucrat decided this''—these are scientists, these are physicians, these are skilled researchers, and they determined that women should have access to eight preventive health care benefits for free. First of all, screening for gestational diabetes—that is, when a woman gets diabetes while she is pregnant or because she is pregnant— high risk to the mother, high risk to the child. That means high risk HPV DNA testing, annual counseling and screening for HIV, comprehensive lactation support, and counseling, screening for domestic violence, an annual well-woman preventive care visit, and a full range of FDA-approved contraceptive methods. That is what it was. It was the Institute of Medicine—the Institute of Medicine—not BARBARA MIKULSKI, not the Democrats, not President Obama—that said the FDA-approved contraceptive methods should be available.

That brings us to the Supreme Court and Hobby Lobby, a for-profit company, employing thousands of people of different faiths and religions.

Hobby Lobby's owners did not want to cover certain forms of contraception for their female employees. They said it was against their religious beliefs, and the Supreme Court agreed with that—actually, the five men on the Supreme Court said they did not have to. The women on the Supreme Court offered a dissenting opinion.

This ruling of the Court says the personal opinion of your employer is more important than the medical opinion of your doctor. As the Presiding Officer from Wisconsin knows—she, has put a lot of work into understanding health care and the delivery system—contraceptive methods are not always used to prevent pregnancy. Some are to deal with fibroids and other medical conditions. This ruling, unfortunately, says that a for-profit company can deny female employees coverage of important preventive health care based on religious objections of the company's health care ownership or leadership team.

I always felt health care decisions should be made by the patient and their doctor, by a woman and her doctor, not by an employer or an insurance company. So it concerns me greatly that the Supreme Court Justices decided against that. It concerns me greatly that the Supreme Court Justices decided the employers should have the power to determine what medical care is available to their female employees. This is pretty scary, actually. I support what Supreme Court Justice Ginsburg said. What exemption does this extend? Does this go to blood transfusions for some groups, antidepressants for some other groups, vaccinations for other groups? The Supreme Court said: Oh, no, it is only for this. Well, one Supreme Court decision leads to another Supreme Court decision.

So Senator MURRAY, who is an architect of a bill of which I am a cosponsor, has led the way. Her bill does two things. It prohibits employers from denying coverage of specific health care items or services if the coverage of that item or service is required by Federal law. It keeps in place, however, protections for religious organizations. So houses of worship can be exempted from this mandate of contraceptive coverage, religious nonprofits can certify that they do not want to offer contraceptive care, and insurers work separately with employees.

The Supreme Court decision is an attempt to deny women's access to birth control disguised as an effort to protect religious freedom. I am a strong supporter of religious freedom. I stood on this floor and voted with its architect, Senator Ted Kennedy—a happy memory—that we would always have this religious protection of religious organizations, their nonprofit affiliates.

So I hope we do support the Murray bill, that it follows the processes within the Senate, and it comes to our attention. I believe this will go a long way to clarifying this very important distinction between the religious freedom, particularly of religious organizations—houses of worship and the nonprofits affiliated with them—but it does not embody in a private business the rights of an individual.

Madam President, I thank you for your attention and that of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Thank you, Madam President.

I have to dispel some of the myths that are being told about the Hobby Lobby decision.

First of all, one of the biggest distortions I think has been this hashtag campaign #NotMyBossBusiness because before the Hobby Lobby decision—and as now—employers cannot deny their employees access to birth control.

So let's be clear. Employers cannot deny their employees access to birth control. So the #NotMyBossBusiness hashtag and I think some of the statements that are being made on the Hobby Lobby decision are a misrepresentation or distortion of what that decision stands for.

You do not have to take my word for it. In fact, the Washington Post Fact Checker yesterday debunked several of the outrageous claims that are being made about this decision. In fact, here are some of the things we know are true about the Hobby Lobby decision:

''Nothing in the ruling allows a company to stop a woman from getting or filling a prescription for contraceptives.'' ''Nothing in the ruling allows a company to stop a woman from getting or filling a prescription for contraceptives.''

The majority opinion of Hobby Lobby actually states expressly that ''under our cases, women (and men) have a constitutional right to obtain contraceptives.''

In fact, what the Fact Checker found in response to one lawmaker's claim about the Hobby Lobby decision—who claimed that it means employers can restrict the ability of their employees to use contraceptives—the Washington Post stated:

> No boss under this ruling has the right to tell an employee that they cannot use birth control. That's simply wrong.

I think that is very important for the American people to understand, for the women of this country to understand.

Also, the Washington Post, when debunking many of the claims made about the Hobby Lobby decision, said: ''Simply put, the court ruling does not outlaw contraceptives, does not allow bosses to prevent women from seeking birth control and does not take away a person's religious freedom.''

In fact, what the decision does is focus on the fact that under the Religious Freedom Restoration Act, which was a law that was passed with overwhelming support in the House of Representatives and in this body—in fact, by our count, as I understand it, over a dozen Democrat Members of the current Senate actually supported the Religious Freedom Restoration Act in some way. It was signed into law by President Clinton. So it used to be bipartisan that we would support religious freedom in this body. The notion that somehow Hobby Lobby as a closely-held corporation would have to give up all their religious beliefs seems to me to be antithetical to what we supported on a bipartisan basis in this Congress, which is the religious freedom of Americans that is reflected in the First Amendment to our Constitution.

In fact, contrary to the misleading rhetoric, the Hobby Lobby decision does not take away a woman's access to birth control. That existed before the Hobby Lobby decision and it exists today. That existed before ObamaCare and it exists today, thankfully.

No employee is prohibited from purchasing any FDA-approved drug or device. Contraception remains readily available and accessible to women nationwide. Prior to ObamaCare passing in this body, over 85 percent of large businesses already offered contraceptive coverage to their employees.

One thing that has not been mentioned is the ObamaCare mandate that has been the subject of the Hobby Lobby decision does not even apply to businesses that are under 50 employees in this country. So there are millions of women for whom the mandate that is addressed in the Hobby Lobby decision does not even apply to.

For lower income women, there are five programs at the U.S. Department of Health and Human Services that ensure access to contraception for women, including Medicaid.

In fact, more than 19 million women were eligible for government-supported contraceptive assistance in 2010, and that has not changed.

So for those who would distort the Court's decision and insist that we cannot stand for religious liberty while simultaneously ensuring that women continue to have safe, affordable access to birth control—it is just not true. We can do both and we need to do both on behalf of the American people because people have deeply held religious beliefs, and it was so important to our Founding Fathers that they put respect for religion and protection of people's ability to choose what they believe in in the First Amendment to the Constitution.

Americans believe strongly that we should be able to practice our religion without undue interference from the government. That goes to our character. So what happened in the Supreme Court's decision in Hobby Lobby is reaffirming that, but it did not say an employer will somehow now be making the decision whether a woman can have contraception. That is not what it said. In fact, employers have no right under the law to even know what my prescriptions are or any other woman's prescriptions are for contraception. So any suggestion to the contrary is entirely misleading.

The decision applies to closely-held businesses whose owners have genuine religious convictions. In this case, the company's owner, the Green family, agreed to provide coverage for 16 of the 20 contraceptive methods that are required under ObamaCare, including birth control pills. So I want people to understand that. They only had a moral objection to the remaining four methods.

In the narrow ruling, the Court agreed, based on the Religious Freedom Restoration Act—an act that was introduced into Congress by the late Senator Edward Kennedy from Massachusetts and then-Congressman CHARLES SCHUMER from New York. Again, it was supported by over a dozen of my Democrat colleagues at the time. They brought forth the law because they were concerned at the time about another Supreme Court decision which held that generally applicable laws that have nothing to do with religion could effectively prevent Americans from fully exercising their religious rights. And guess what? It passed a then Democrat-controlled House by voice vote and was approved by a Democrat-controlled Senate by a vote of 97 to 3. There is not much that happens around here 97 to 3.

When President Clinton signed it into law, he said: ''What this law basically says is that the government should be held to a very high level of proof before it interferes with someone's free exercise of religion.''

In the Hobby Lobby decision, the government did not even try to meet that standard. They have tried to meet that standard with other religious organizations, but they did not even try in this situation to contend what the Court found to be genuinely-held religious beliefs on a very limited basis.

There have been a lot of misrepresentations about the breadth of this decision. The Court's majority opinion explicitly states that the ruling does not ''provide a shield for employers who might cloak illegal discrimination as a religious practice.''

Additionally, the Court said that ''our decision should not be understood to hold that an insurance-coverage mandate must necessarily fall if it conflicts with an employer's religious beliefs,'' meaning that someone must show a genuine religious objection. The government can overcome it if they are willing to show that they can do it in a less restrictive way. They did not even try in this case.

Well, some Americans may disagree with the family who owns the Hobby Lobby stores. All Americans believe religious freedom is a fundamental right that should not be abridged. When President Clinton signed the Religious Freedom Restoration Act into law, he said:

> Our laws and institutions should not impede or hinder, but rather should protect and preserve fundamental religious liberties.

I come to the floor today because I want people to understand this decision. Employers cannot tell you what kind of contraception you can have as a woman. Employers cannot even know what kind of contraception you have as a woman. That is protected under HIPAA laws, privacy laws that are very important.

Finally, this notion that it is not my boss's business—of course an employer cannot tell you that you cannot go fill a prescription for contraception. I think that to suggest otherwise is really to distort what the facts of this case are.

I believe we can protect people's fundamentally-held religious beliefs and provide women safe, effective access to contraception. Because of that, I will be introducing legislation on the Senate floor. That legislation would reaffirm that no employer can restrict an employee's access to contraceptives. Finally, it would also ensure that we look at ways to potentially give women greater access to contraceptives.

The legislation I will be introducing would also ask the FDA to study whether women can purchase contraceptives over the counter and whether it would be safe and effective for adult women to be able to do so. So we should have the FDA look at this issue to see if women can perhaps have even greater access than they do right now.

But the American people need to understand that the Hobby Lobby decision did not change women's access to

contraceptives. In fact, under our HIPAA laws, no employer can know what kind of contraception you may have been prescribed or are using. No employer can tell you that you cannot fill a prescription for any kind of contraception that you think is appropriate and that your doctor thinks is appropriate for you.

Finally, I would say our bill also does one other important thing; that is, it repeals the restrictions ObamaCare put on health savings accounts and flexible spending accounts. ObamaCare actually reduced the amount someone can put aside on a tax-free basis to pay for their own health care. ObamaCare also restricted the use of those accounts for purchase of over-the-counter medications. I have had many of my constituents complain to me about this. We would like to eliminate those restrictions and give people greater ability to set aside money on a tax-free basis to pay for their own health concerns, including over-the-counter medications.

One thing I would say finally is that I have heard so much from my constituents about the concerns they have with ObamaCare. I have heard my colleagues on the other side of the aisle, who voted for ObamaCare, now come to the floor and complain about the Hobby Lobby decision. Well, I would argue that we are where we are today because they decided that ObamaCare was the way to go for health care in this country.

I have heard from a lot of my both male and female constituents about the real concerns they have with ObamaCare that I hope we will debate on this floor. I have heard from people who lost policies they liked, who are paying more for coverage than they were before, have higher deductibles. I have had women write me about concerns that their employer is going to cut their hours because of ObamaCare. Talk about a bad mandate. It redefined the 40-hour workweek. It is now a 30-hour workweek. So people are losing hours.

In my own State of New Hampshire, right now 10 of our hospitals are excluded from the exchange. We are not a very big State. It is a big deal. So some people have lost access to the doctor with whom they had a longstanding relationship or the hospital where they had their first child. Now, if they are expecting their second child and they are on the exchange, that hospital is excluded, and they are in a situation where ObamaCare is restricting women's rights as far as what hospital they can go to, when they could have gone there before.

Those are the real issues as we think about what has happened with ObamaCare. There are so many other issues I could talk about, stories my constituents have written to me. But I would hope the American people understand that employers cannot restrict your access to contraception. We will reassert in our bill that no employer can do that. We will look at the FDA studying whether women can potentially have greater access to contraceptives in a safe and effective manner by looking at whether adult women can safely purchase contraceptives over the counter.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from New Mexico.

Mr. HEINRICH. I rise to speak on the pending nominations.

I appreciate the majority leader scheduling this vote to confirm Mr. Norman Bay to be a member of the Federal Energy Regulatory Commission.

FERC is one of the lesser known but perhaps one of the most important independent agencies in the Federal Government. It has jurisdiction over interstate transmission of electricity, oil, and natural gas, as well as licensing of hydroelectric power.

I believe Mr. Bay will be an outstanding member of the Federal Energy Regulatory Commission. I urge all of my colleagues to support his nomination today.

Since 2009 Mr. Bay has been the Director of the Office of Enforcement at FERC, where he has gained extensive experience in the regulation of energy markets. The Office of Enforcement is responsible for market oversight and surveillance and for implementing the antimanipulation authority Congress enacted in the Energy Policy Act of 2005. This authority provided FERC new tools to combat the type of market manipulation that produced the devastating power crisis a decade ago across the West.

Under Mr. Bay's leadership, FERC has increased transparency in its work, while bringing a number of enforcement actions that have helped protect the integrity of the energy markets and provided $300 million in relief to consumers—$300 million back into the pockets of energy consumers.

He is a graduate of Dartmouth College and Harvard Law School and has had a long and distinguished career of public service. Before joining FERC, he taught law at the University of New Mexico. He also served as an assistant U.S. attorney and in 2000 was nominated by the President to be the U.S. attorney for the District of New Mexico. He was confirmed in that position by the full Senate by unanimous consent.

Mr. Bay is an outstanding public servant with extensive experience in the field of energy markets. I am confident he will judiciously implement FERC's statutory responsibility of oversight of our Nation's energy infrastructure, competitive markets, and reliability.

At his confirmation hearing in May, members of the Energy and Natural Resources Committee had a chance to question Mr. Bay extensively on his work at the FERC and his views on regulatory policy. Senator Pete Domenici, a former chairman and longtime member of the energy committee from my home State of New Mexico, spoke at the hearing in strong support of Mr. Bay's nomination. Senator Jeff Bingaman, another former chairman of the energy committee from New Mexico, wrote a letter in support of his nomination.

The Senate must give consent to the President's nominees to be members of the FERC. The Senate is fulfilling that responsibility with this vote today. However, there should be no misunderstanding—Congress gave the President alone the responsibility of designating a member of the Commission to be the Chairman of the Commission. The law enacted by Congress in 1977 remains very clear: The President, and not the Senate, determines who will serve as Chairman of the Commission.

I believe Mr. Bay will be fair, balanced, pragmatic, and a consensus-oriented member of the FERC. He will decide cases on the merits, based on the facts, based on the law and on the record.

I am pleased to support the nominations of both Commissioner LaFleur and Mr. Bay to be members of the Federal Energy Regulatory Commission. I hope the Senate will vote today to confirm them both.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to speak for up to 10 minutes and that it not be counted against the majority's time.

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

THE ECONOMY

Mr. THUNE. Mr. President, last week the President was in Denver, CO, where he talked about the economy. He said this: ''By almost every measure, we are better off than when I took office.'' That is quite a statement. ''By almost every measure we are better off than when I took office.'' I know a lot of Americans struggling with high health care bills who might disagree with that because the truth is that very few Americans are better off than they were 5½ years ago. Household income has plummeted by more than $3,300 since the President took office. Meanwhile, the price of everything, from milk to the refrigerator to store it in, has risen. Gas prices have nearly doubled since the President took office. College costs have soared. Of course, family health insurance premiums have increased by nearly $3,000 per family.

Combine reduced income with higher prices and you get a reduced living standard. Under the Obama Presidency, families who were once comfortably in the middle class are now struggling to make ends meet. Other Americans have dropped out of the middle class altogether.

There are 3.7 million more women in poverty today than there were when the President took office. Mr. President, you want to talk about the war on women?

When the President took office, 33 million Americans were on food stamps. Today more than 46 million Americans receive food stamps. Americans struggling financially have had few opportunities to get ahead because the Obama economy has offered very little in the way of opportunity.

The President likes to talk about the jobs the economy has gained recently. But what he does not say is that 5 years after the recession officially ended, our economy is still posting recession-type levels of unemployment.

Back in 2009 the President's economic advisers confidently predicted that unemployment would fall below 6 percent in 2012. Well, here we are 2 years later. We are still not below 6 percent unemployment even after a historic expansion of monetary policy and the largest fiscal stimulus since World War II. The only reason the unemployment rate is not higher is because so many Americans have given up looking for a job entirely and dropped out of the workforce. The labor force participation rate currently stands at 62.8 percent—near a 36-year low. To put it another way, if the labor participation rate today were what it was when the President took office, unemployment would not be a little over 6 percent, it would be 10.2 percent. That is how many people have completely dropped out of the labor force and are no longer even looking for a job.

Then there are the millions of Americans who are working part time because they cannot find a full-time job. The Labor Department reported that the economy lost more than half a million full-time jobs in June and gained almost 800,000 part-time jobs. That is not a good statistic. It is the rare part-time job that pays all the bills and gives financial stability. Americans need more full-time jobs, not more part-time jobs.

They also need the opportunity for higher paying jobs, but that is another opportunity which is in short supply in the Obama economy. Forty-one percent of the jobs lost during the recession were high-wage jobs, but just 30 percent of the jobs recovered have been high-wage jobs. Similarly, 37 percent of the jobs lost in the recession were midwage jobs, while just 26 percent of the jobs gained since the recession have been midwage jobs. Meanwhile, while just 22 percent of the jobs lost during the recession were low-wage jobs, 44 percent of the jobs gained since the recession have been low-wage jobs.

We are trading high-wage jobs for low-wage jobs, full-time jobs for part-time jobs. That is the reality that many Americans are experiencing. The Obama recovery, however, has been producing low-wage part-time jobs—not the types of jobs that Americans need for a future of financial security and stability.

No policy is threatening Americans' economic future more than ObamaCare. As every American knows, ObamaCare has failed to deliver on its promise of making health care more affordable. The President promised that his health care law would reduce premiums by $2,500. Instead, premiums have risen.

Millions of Americans had their insurance plans cancelled and were told that their new plans would cost more—sometimes much, much more. One constituent wrote to tell me that the cheapest plan she could find for her family of four would cost $17,000. Another wrote to tell me that his insurance plan was cancelled due to ObamaCare and the cheapest bronze plan he could find was $987 a month—more than double what he was paying before. On top of that, the plan had a higher deductible and significantly higher cost-sharing requirements than his old plan.

I am sure every one of my colleagues—Democrats and Republicans—has received letters just like this. Our constituents are hurting. What middle class family can afford to pay $17,000 a year in insurance or double its health care premiums from the year before?

ObamaCare is placing an immense burden on middle-class families. The huge premium hikes that many Americans are facing are having a real impact on families' budgets. Money eaten by health care costs is money that can't be spent on a daughter's college education or a new car to replace the failing one or on repairs for the roof—and there is seemingly no end to ObamaCare's penalties.

In addition to hiking insurance premiums, ObamaCare is also encouraging companies to drop spousal coverage from their health plans. UPS and the University of Virginia, for example, have already dropped spousal coverage because of ObamaCare. Women are particularly affected by this since, as the Wall Street Journal reports, they tend to be the ones being dropped from employer-sponsored health care plans.

Then there is ObamaCare's marriage penalty. A woman who qualifies for a tax subsidy to help her purchase insurance could lose that subsidy if she gets married—even if both she and her husband qualified for the subsidy when they were single.

ObamaCare isn't just hiking Americans' health care bills, it is also damaging their economic prospects. Thanks to the 30-hour workweek rule, ObamaCare is helping to drive the surge in part-time employment. Businesses that couldn't afford to give health insurance to workers working more than 30 hours have been forced to reduce their employees' hours and, by extension, their wages. Sixty-three percent of those affected by this provision are women.

Then there is the employer mandate, which is discouraging wage growth and making it more difficult for employers to grow their businesses and to hire new workers. When employers are forced to pay for benefits they can't afford, they often have no choice but to reduce wages or cancel raises and abandon plans for growing their businesses.

Then there are the other ObamaCare provisions that discourage job growth, such as the tax on medical devices such as pacemakers and insulin pumps, which has already been responsible for the loss of thousands of jobs in the medical device industry.

The last thing that we need right now in this weak economy is the kind of widespread devastation ObamaCare is causing. Americans are being hit from both sides. ObamaCare is raising their medical bills and it is destroying their job opportunities.

If the President were serious about trying to help middle-class Americans, he would be looking at where his health care law went wrong and at least supporting fixes for its most damaging provisions.

If Democrats were serious about fixing health care and helping the economy, they would be taking up Senator COLLINS' Forty Hours is Full Time Act, which would fix the ObamaCare 30-hour workweek rule and put Americans back to work or they would support my bill to eliminate the employer mandate for schools, colleges, and universities, so that these institutions aren't forced to cut wages or to eliminate positions.

Democrats thought if Americans found out what was in ObamaCare and what it meant for them, they would come to like it. Well, Americans have found out what is in the President's health care law, what it means for them, and they don't like it.

ObamaCare is hurting American families, it is hurting our economy, and it is time to start over and replace this bill with real health care reform, the kind that will lower costs, that will increase choice, and that will put Americans back in charge of their health care.

Mr. PORTMAN. Mr. President, I rise in support of the nomination of Cheryl LaFleur to serve as a commissioner on the Federal Energy Regulatory Commission, and in opposition to the nomination of Norman Bay to serve as a commissioner on the Federal Energy Regulatory Commission.

On May 20, the Energy and Natural Resources Committee, of which I am a member, held a hearing on these two nominations. I had questions regarding Mr. Bay's qualifications prior to that hearing, and they were not allayed. If anything, they were reinforced. Mr. Bay's experience in the energy field consists of his service over the past 5 years as Director of the Office of Enforcement at the FERC, a tenure which has been marked by that office's controversial theories of market manipulation and concerns by long-time industry experts about due process. Mr. Bay has 5 years of enforcement experience, but he has no regulatory experience. By contrast, Commissioner LaFleur, currently serving as the Acting Chairman of the FERC, has 5 years of experience on the FERC and decades of experience in the energy sector, including as a State utility commissioner.

Yet we are being asked to demote Commissioner LaFleur to commissioner and replace her with an unproven and arguably less qualified candidate.

But most important from my perspective is whether a nominee will address the key responsibilities assigned to the agency to which he or she is being nominated. At FERC, job one with respect to the electric sector is assuring just and reasonable electric service in interstate commerce, which Congress has found for the past 80 years to be in the public interest. Assuring the reliability of such service is an important task that Congress explicitly made part of FERC's responsibilities nearly a decade ago.

At our May 20 hearing, I asked Mr. Bay whether he agreed with the developing consensus that baseload power plants, the ''always on'' energy resources vital to reliable operation of the grid, deserve additional consideration for the irreplaceable reliability benefits they provide. Mr. Bay answered that he looked forward to reviewing comments on the issue. I then asked whether as a commissioner he would look at the cumulative effect of EPA rules that, by various estimates, have resulted in the announced closure of 40,000 to 70,000 megawatts of coal-fired power plants across the country, many of them in Ohio, the closure of which has raised strong concerns about maintaining electric reliability in many parts of the country. He answered that if confirmed, he would be willing to discuss the issue with his colleagues to see if consensus could be reached.

Mr. President, these are simple questions that go to the heart of FERC's mission. On both, Mr. Bay gave non-answer answers that are the basis for substantial concern. Either you agree that something needs to be done to keep power plants running that are vital to maintaining a reliable electric system, or you don't. Either you are concerned that EPA's rules, which even the environmental groups attribute to shuttering more than 68,000 megawatts of coal-fired generation, need to be evaluated for their electric reliability impacts, or you don't.

A presidential nominee deserves the benefit of the doubt, but in the case of Mr. Bay, whose nomination has been rushed to the floor, the doubts remain too strong.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—CALENDAR NOS. 894, 704, AND 508

Mr. REID. Mr. President, I ask unanimous consent that following the vote on confirmation of Executive Calendar No. 842, the Senate remain in executive session and consider Calendar Nos. 894, Nealon; 704, Wood; and 508, Jaenichen; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. For the information of all Senators, we expect the nominations considered in this agreement to be confirmed by voice vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I wish to make a few comments about nominees that are before the Senate for confirmation and to thank Members on both sides of the aisle for working together to try to move forward two very important nominees for FERC.

First, let me say there has been some criticism of one of the nominees from some Members of the other party and, of course, everyone is entitled to their opinion; that is what the Senate is for. But I would like to make sure that the Senate record reflects an opinion of someone whom I admire greatly and I believe is very admired—significantly admired—by every Member of this Senate, and that is the opinion of Senator Domenici, the Republican chair of the Energy and Natural Resources Committee for many years and a long-serving Senator from the State of New Mexico.

Senator Domenici, it may not be clearly understood, actually came to the energy committee to testify on behalf of Norman Bay.

His testimony was one of the most artful and compelling I have seen in my days here—which are now quite long at almost 18 years—and unusual in the sense that he read from no script, spoke from the heart, and spoke to Democratic and Republican members of our committee. This is some of what he had to say:

> I am pleased to provide a strong statement of support to the Senate Energy and Natural Resources Committee on behalf of Norman C. Bay. I first met Norman in early 2000, when he was nominated to be the U.S. Attorney in the District of New Mexico. I supported his nomination then and I support his nomination now to the Federal Energy Regulatory Commission . . .
>
> He was a good U.S. Attorney—fair, capable, and non-partisan—and, with my support, he remained in office as U.S. Attorney until 2001.

He continues:

> In July 2009, Norman became the Director of the Office of Enforcement (OE) at FERC. This is a big job, because among other things OE must administer the anti-manipulation authority of the Energy Policy Act of 2005—a bill that I had authored when I was the Chairman of the Senate Committee on Energy and Natural Resources and one that passed with wide bipartisan support. The anti-manipulation authority was intended to give FERC the tools to combat the type of manipulation we saw in the Western Power Crisis from 2000 to 2001. I am pleased to hear that FERC has brought a number of significant anti-manipulation cases and that the EPAct authority I gave to FERC has been put to good use to protect consumers, as well as the integrity of the wholesale natural gas and power markets.

I could not think of a more compelling person to have in your corner than the former Republican chair of the energy committee in support of the Bay nomination.

Now, there are a handful of Members on the other side that have opposed every nominee put forward by President Obama because their agenda is very different. It is a political agenda. But on policy, Senator Pete Domenici's testimony goes a long way in his support of a man who he believes is extremely qualified for the job to which the President has nominated him.

In addition to the compelling testimony of Senator Domenici, which was very influential in my final decision to support this nominee, I also want to present for the record the letter from the Republican Governor of New Mexico, Susana Martinez, who let me know personally that she would have loved to have been there personally to testify on behalf of Norman Bay but was unable to do so because of her schedule. She goes on to write a strong letter of recommendation, which is in the record of our committee. She says:

> I am certain that Norman has been dedicated in his efforts to protect consumers, has been fair and balanced in his approach, and has focused on doing the right thing on behalf of the public interest.
>
> For all those reasons, I hope the Committee on Energy and Natural Resources will approve Norman's nomination to the Federal Energy Regulatory Commission.

These are just a few of the strong testimonials that led me to finally consent to my support of Norman Bay, but I did so with the support of the Presiding Officer as a member of the Energy and Natural Resources Committee, making sure that the current chair, Cheryl LaFleur, could stay on for an additional length of time. I would have liked another year. Some people wanted 3 months, some people wanted 6 months, and some people wanted a full term. But we settled on a 9-month compromise—which is actually the fundamental nature of our business in the Senate.

It has been lost in the last couple of years, but I continue to be an optimistic believer that a good compromise can help us move the country forward, reduce rancor, hold people together, and make some decisions that are so important for the people who we are trying to serve.

FERC is not an insignificant entity. FERC, given the power by us, is the guardian of the public interest in our natural gas and electricity markets,

something that Louisiana knows a lot about—natural gas and electricity markets.

We produce a tremendous amount of oil and gas for this Nation, and we consume a lot of oil and gas as producers of chemicals and other products that use natural gas as a feedstock. We are proud of our industry, and I would never casually support members on FERC if I didn't believe they were prepared to do this job and to do it well.

In particular, with the testimony from the former Republican chairman of the committee and a current serving Republican Governor for Norman Bay, I feel confident, based on his background, that he could do a good job, after working with Cheryl LaFleur for 9 months, which is the agreement that the White House and others have made.

Let me talk about Cheryl LaFleur for a moment. She is a graduate of Princeton. She is able, she is competent, and she has served as a member of FERC. She, in my view, has also been doing a spectacular job. She will continue to serve as chair of FERC for the next 9 months—should she be confirmed today—and will continue with the members of FERC to try to provide reliable power and electricity to our country—being fair and protecting the public interest.

This is a very complicated field of law and policy, as we know. This is not an easy part of the law to interpret.

There are many different electricity markets, there are many different ways to supply it. They are not-for-profits, they are municipals, and they are public utility companies. They all have pipelines and issues that have to go before FERC, and there are over 2,000 people who work for this agency. It may not be a household word, but it affects every household in America. So Cheryl LaFleur will remain, at my request, as chair for 9 months. Norman Bay will come on and train, if you will, under her leadership, and I think grow into the role as a policymaker. He clearly is qualified—by the demonstration of the letters I have put in.

I thank the Presiding Officer for the leadership role he has played in outlining that path forward, trying to broker a compromise between people who wanted to do it very differently.

We had opposition on both sides for what is actually happening today, as we know, but we worked with Democrats and Republicans, trying to find a way forward, honoring the right of the President to make his nominations and still doing the right thing by FERC and the country. I personally think we have achieved that. I wanted to put that on the record before we vote. I understand the vote should be called any moment now.

I yield the floor.

VOTE ON BAY NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired. Under the previous order, there will now be 2 minutes of debate prior to a vote on the Bay nomination.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to yield all time back for both sides.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Norman C. Bay, of New Mexico, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2018?

Ms. LANDRIEU. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Tennessee (Mr. CORKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay'' and the Senator from Tennessee (Mr. CORKER) would have voted ''nay.''

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

The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 224 Ex.]

YEAS—52

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heller	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	
Hagan	Murray	

NAYS—45

Ayotte	Flake	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Heitkamp	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Cornyn	King	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Walsh
Fischer	McConnell	Wicker

NOT VOTING—3

Alexander	Corker	Schatz

The nomination was confirmed.

VOTE ON LAFLEUR NOMINATION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on the LaFleur nomination.

Mr. JOHANNS. Mr. President, I yield back all time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Cheryl A. LaFleur, of Massachusetts, to be a member of the Federal Energy Regulatory Commission for the term expiring June 30, 2019?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Tennessee (Mr. CORKER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea'' and the Senator from Tennessee (Mr. CORKER) would have voted ''yea.''

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

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 225 Ex.]

YEAS—90

Ayotte	Franken	Merkley
Baldwin	Graham	Murkowski
Barrasso	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Paul
Blunt	Heinrich	Portman
Booker	Heitkamp	Pryor
Boozman	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Risch
Burr	Inhofe	Rockefeller
Cantwell	Isakson	Rubio
Carper	Johanns	Sanders
Casey	Johnson (SD)	Scott
Chambliss	Johnson (WI)	Sessions
Coats	Kaine	Shaheen
Coburn	King	Shelby
Cochran	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Thune
Cornyn	Leahy	Toomey
Crapo	Lee	Udall (CO)
Cruz	Levin	Udall (NM)
Donnelly	Manchin	Vitter
Durbin	Markey	Warner
Enzi	McCain	Warren
Feinstein	McCaskill	Whitehouse
Fischer	McConnell	Wicker
Flake	Menendez	Wyden

NAYS—7

Cardin	Moran	Walsh
Gillibrand	Roberts	
Mikulski	Schumer	

NOT VOTING—3

Alexander	Corker	Schatz

The nomination was confirmed.

NOMINATION OF JAMES D. NEALON TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS

NOMINATION OF ROBERT A. WOOD FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE CONFERENCE ON DISARMAMENT

NOMINATION OF PAUL NATHAN JAENICHEN, SR., TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION

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

The assistant bill clerk read the nominations of James D. Nealon, of New Hampshire, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras; Robert A. Wood, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament; and Paul Nathan Jaenichen, Sr., of Kentucky, to be Administrator of the Maritime Administration.

VOTE ON NEALON NOMINATION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on the Nealon nomination.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we yield back time on all three nominations.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

Hearing no further debate, the question is, Will the Senate advise and consent to the nomination of James D. Nealon, of New Hampshire, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Honduras?

The nomination was confirmed.

VOTE ON WOOD NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert A. Wood, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as U.S. Representative to the Conference on Disarmament?

The nomination was confirmed.

VOTE ON JAENICHEN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Paul Nathan Jaenichen, Sr., of Kentucky, to be Administrator of the Maritime Administration?

The nomination was confirmed.

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

LEGISLATIVE SESSION

PROTECT WOMEN'S HEALTH FROM CORPORATE INTERFERENCE ACT OF 2014—MOTION TO PROCEED—Continued

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

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I come to the Senate floor today in support of the Not My Boss's Business Act. I thank Senator MURRAY and Senator UDALL for introducing this legislation to help address the recent Supreme Court decision.

Women have gone to the tops of the mountains and to outer space. Women are serving as CEOs, as scientists, and starting our own companies. Here in the Senate we have gone from no women to 20, and that is a great accomplishment.

But for all of our progress—and there has been a lot—this stubborn fact remains: Women still struggle to attain the basic health care services that allow them to plan their families, protect their health, and contribute to our economy. This is fundamentally an issue of fairness and an issue of equality.

I have always said that the Affordable Care Act is a beginning and not an end. I would like to see changes to that bill. I have sponsored changes to that bill. But the law does take significant steps forward on health care for women. One that is of particular importance to women is requiring that all health insurance plans cover FDA-approved forms of contraception. This decision was based on the recommendations of the Institute of Medicine.

The Institute of Medicine had good reason to include contraception as an essential preventive service. We know that pregnancies that are planned are good for moms; they are good for babies. Better access to contraception prevents unintended pregnancies—something we can all agree we want. We do not want unintended pregnancies. We do not want to have abortions. So better access to contraception, as has been proven time and time again, brings down those numbers. And access to birth control is essential for women to meet their career and their education and their family goals.

Not every employer was required to provide contraceptive coverage. Certain nonprofit religious employers were allowed an exemption. It protected the beliefs of religious nonprofits but could be implemented in a way that still ensured all women could receive the same preventive services in their health insurance.

What I do not believe is sensible, however, is allowing any for-profit business to ask for an exemption. That, in practice, is what the Hobby Lobby Supreme Court ruling could do and what the bill we are considering today would correct.

First, what this bill will not do: It will not force churches or religiously affiliated nonprofits to offer contraception coverage. This bill maintains their exemption. It will not force anyone to use contraception. That decision is and must remain with each person.

What this bill will do, however, is to add a provision to the Affordable Care Act's requirements that would prohibit an employer from denying coverage of a health care service that is required under Federal law. It clarifies that this requirement applies even under the Religious Freedom Restoration Act—the law that the Supreme Court ruled was violated by the contraception coverage requirement.

In other words, it says if you work for an American corporation, you can expect that your health insurance—which you work for and receive as part of your compensation—will cover the same basic preventive health benefits everyone else receives. It says that your boss—regardless of his or her religious beliefs—cannot pick and choose what benefits your health insurance covers.

This is common sense. A woman's decision about her birth control is between her and her doctor, not her employer. What she chooses to use her compensation for is really not her boss's business, whether we are talking about a salary or other compensation, including health insurance.

There is no doubt that women have come a long way. But when a woman's boss can step in, as a result of this narrowly decided Court decision—a 5–4 ruling—and prevent her from making the best health care decisions for her health, her career, and her future, it makes me wonder just how far we have actually come.

Mr. President, that is why I urge you to support this bill. I urge my colleagues to support this bill. This important legislation will help preserve the rights of employees while protecting religious employers. It will help women access the preventive services they need and it will prevent unintended pregnancies and improve the health of both women and their children. That is not just good for women; that is good for families, that is good for business, that is good for our economy, and that is good for our future.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish my remarks.

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

RELIGIOUS LIBERTY

Mr. HATCH. Mr. President, I rise today in defense of the most fundamental principle on which our Republic was founded—what is rightly recognized as our first freedom—religious liberty.

Our fellow citizens today do not think much of Congress. The Gallup organization, whose results are actually less grim than some other polls, gives Congress a job approval rating of just 15 percent. That figure has not risen above the teens in more than 3 years.

Now and then, however, Congress does rise to the occasion, putting aside partisan or ideological differences to achieve something important for our Nation and its citizens.

One example occurred in 1993—I had a lot to do with it—when liberals and conservatives, Democrats and Republicans, stood to defend a fundamental human right. On October 27, 1993, this body passed the Religious Freedom Restoration Act by a vote of 97 to 3.

It went through the House by a unanimous vote. By mid-November the House had passed it unanimously and President Bill Clinton had signed it into law. I was there at the signing ceremony on the south lawn. Despite the overwhelming bipartisan support for final passage of RFRA, it took Congress 3 years to achieve that defense of religious freedom.

The House Judiciary Subcommittee on Civil and Constitutional Rights held hearings in 1990 and 1992, and the full Senate Judiciary Committee held a hearing in 1992. Concerned citizens and groups came together to form the Coalition for the Free Exercise of Religion—a grassroots effort more diverse than any I have ever seen in all of my 38 years here. Americans of every political stripe joined hands to defend the first freedom mentioned in the Bill of Rights. The resulting legislation, the Religious Freedom Restoration Act, allows the Federal Government to interfere with the exercise of religion only for the most compelling reason and only in the least restrictive way. This law was necessary because in 1990 the Supreme Court had changed the legal standard, making it easy, rather than difficult, for the government to burden religious exercise.

A bill recently introduced here in the Senate, S. 2578, would turn the clock back, requiring that Federal laws and regulations ignore rather than respect religious freedom. This is the first time in American history that the Congress will consider a bill intended to diminish the protections for the religious liberty of all Americans. It is part of a broader campaign to demonize religious freedom as the enemy, as an obstacle to certain political goals.

It is important for the American people to know the truth about how we got here. The Affordable Care Act requires that most employers provide insurance coverage at no cost to employees for what it calls preventive services. Regulations from the Department of Health and Human Services define that category as covering all forms of birth control approved by the Food and Drug Administration, including both contraceptives and methods that can act after conception.

The difference between a contraceptive and an abortifacient is the difference between preventing and taking human life. That discrepancy may be meaningless to some, but it is very important to many and can be a matter of the most profound moral and religious significance. As a result of the birth control mandate, many religious employers faced massive fines if they followed their religious beliefs, so some of them filed suit to prevent its enforcement.

This is exactly the kind of situation that the Religious Freedom Restoration Act was enacted to address, the kind of situation that should require the government to justify why it wants to interfere with the exercise of religion.

Cases brought by two companies owned by religious families made it to the Supreme Court. These companies do provide insurance coverage for the FDA's 16 methods of contraception, but they believe that doing so for its 4 methods of birth control that can cause abortion violates their deeply held religious beliefs.

Two weeks ago, in a case titled ''Burwell v. Hobby Lobby Stores,'' the Supreme Court ruled that the HHS birth control mandate does not sufficiently accommodate these employers' exercise of religion as required by the Religious Freedom Restoration Act.

It took a lot of work to establish RFRA's defense of religious freedom, but it would not take much work to destroy it. The bill we will soon consider, S. 2578, would in one fell swoop reduce the free exercise of religion from a fundamental human right to a cheap election-year prop.

RFRA was developed after months of discussion and debate. It was the product of bipartisan deliberation and considered judgment. I know. I was there. I was the one who talked Senator Kennedy into coming on this bill. When it was signed on the south lawn—when President Clinton signed it, Senator Kennedy was one of the most proud people there. This bill represents vindication of the fundamental and natural rights that we originally established government to protect.

By contrast, S. 2578 was thrown together in a matter of days. It has not received a single committee hearing in either Chamber. In fact, here in the Senate it is not even being sent to a legislative committee. The majority has put their finger to the political wind and decided that all they want is a show vote they can spin to their advantage in the election this fall. That is ridiculous. They ought to be ashamed.

One sign of what is really going on is the fact that the bill's ''findings'' are about four times as long as its actual provisions, and it reads more like a series of press releases than serious legislative language. The bill's supporters wish to ram it through Congress without meaningful deliberation, without hearings, without the kind of scrutiny that would expose this effort for what it is. The bill's findings, for example, say not one word about the exercise of religion that gave rise to the Hobby Lobby litigation in the first place. Instead, one of the bill's findings claims that those lawsuits were filed by employers who simply wanted to deny their employees health insurance coverage for birth control. I guess you can call it contraception. In reality, the employers do not want to take anything away from anyone. They simply ask, as the Religious Freedom Restoration Act requires, that laws and regulations about health insurance coverage also consider and balance their basic right to religious exercise.

I have heard proponents of this legislation make wild claims that corporations are denying access to health care, intruding into people's bedrooms, and even taking away their freedoms. Nonsense. Such claims do not even pass the laugh test. They are so clearly false that those who peddle such fiction must ignore both RFRA and the Supreme Court's decision in the Hobby Lobby case or deliberately distort them beyond recognition.

Just yesterday the Washington Post Fact Checker listed example after example of what it charitably described as the rhetoric getting way ahead of the facts as Democrats have made one outlandish claim after another.

Finding 19 in this bill is perhaps its most outrageous, claiming that legislation ''is intended to be consistent with the Congressional intent in enacting the Religious Freedom Restoration Act.'' But of course that claim is absurd on its face. Congress expressed its purpose in enacting RFRA in the text of that statute, including RFRA's finding that its legal standard applies ''in all cases where the free exercise of religion is substantially burdened.'' RFRA's most prominent backers in Congress also expressed its intent. Over in the House, for example, then-Representative CHARLES SCHUMER said that RFRA would restore the American tradition of ''allowing maximum religious freedom''—spoke about this bill, spoke glowingly about what it means on both sides of the floor.

The bill before us today does the opposite, requiring employers to provide insurance coverage ''notwithstanding any other provision of Federal law,'' including specifically the Religious Freedom Restoration Act. If a bill prohibiting consideration of religious exercise is consistent with the law requiring consideration of religious exercise, such as RFRA, then words have no meaning whatsoever.

We are also told that S. 2578 simply responds to the Supreme Court's recent decision in Hobby Lobby, but in reality

it goes much further. The Supreme Court's decision involved only the Affordable Care Act and the HHS birth control mandate, but this bill prohibits consideration of the Religious Freedom Restoration Act regarding insurance coverage of any health care item or service required by any Federal law or regulation. The Affordable Care Act and the HHS birth control mandate apply to employers with at least 50 employees, but this bill's much broader mandate applies to any employer regardless of size. The Hobby Lobby case involved a for-profit corporation, but this bill applies to any employer. This bill appears to be not so much a response to the Supreme Court's decision in Hobby Lobby as the attempt to broaden and extend the Affordable Care Act and the HHS birth control mandate.

The bill's mandate that health insurance coverage for any health care item or service under any Federal law or regulation be provided notwithstanding any other provision of Federal law seems to reach beyond the Religious Freedom Restoration Act. Does it include, for example, the Hyde-Weldon amendment or other laws that have for more than 40 years protected health care providers and facilities from being forced to participate in abortion? Before you answer no, remember that no one thought RFRA's protections for religious freedom would ever be attacked as they are today.

Under S. 2578, the lone protections for the fundamental right of religious exercise would be the narrow statutory exemption for churches and houses of worship and the weak administrative accommodation for religious nonprofits that could be revoked at any time. Even worse, the bill would allow for a future reduction or elimination of this so-called accommodation but not for its expansion. Not only would religious freedom be diminished immediately but what is left would be subject to a one-way ratchet toward elimination.

Earlier this summer I spoke here on the Senate floor about how religious freedom in America has three key dimensions: It includes religious behavior as well as belief. It applies collectively as well as individually. It is public as well as private in scope.

The Religious Freedom Restoration Act represents the full understanding of religious freedom. It requires that when Congress considers legislation or executive branch agencies consider regulations, they must take this fundamental freedom into account and give it the respect it deserves. S. 2578 would be the first bill to create an exemption from RFRA and the first bill explicitly to prohibit consideration of the fundamental right of religious exercise.

Five years after enacting the Religious Freedom Restoration Act, Congress enacted the International Religious Freedom Act, which established the U.S. Commission on International Religious Freedom. That legislation declared that the ''right to freedom of religion undergirds the very origin and existence of the United States.'' The Senate passed that legislation by a vote of 98 to 0, including 10 Democrats who have today cosponsored the bill before us that would disregard freedom of religion. Those Democrats include the majority leader and the sponsor of S. 2578. They cannot have it both ways.

Like his predecessors, President Obama designated January 16 as Religious Freedom Day. In his proclamation, the President declared that ''my administration will remain committed to promoting religious freedom both at home and across the globe. We urge every country to recognize religious freedom as both a religious right and a key to a stable, prosperous and peaceful future.'' Actions speak louder than words. Either religious freedom undergirds the origin and existence of America or it does not. Religious freedom is either a universal right or it is not. Religious freedom is either a key to a stable and prosperous future or it is not.

If America is about allowing maximum religious freedoms, as my colleague the senior Senator from New York once said, then it should continue to do so.

It is time for this body to choose whether it will protect religious liberty or whether it will seek to destroy it.

In 1993, Congress stood up to defend the free exercise of religion after a Supreme Court decision undermined it. The bill before us today would undermine the free exercise of religion after a Supreme Court decision defended it.

In 1993, the free exercise of religion was offered as a solution. The bill before us today targets religious freedom as the problem. It treats certain religious beliefs as simply unworthy of recognition and religious exercise in general as a second- or even a third-rate value. I believe we can both uphold fundamental rights and find solutions to public policy issues.

I hope my colleagues on both sides of the aisle, even though we have differences about policy, will once again join together for the common good by recommitting ourselves and our Nation to the fundamental right of religious freedom. We have to do this. It is the first freedom mentioned in the Bill of Rights. One would think everybody here would be absolutely on the side of upholding it.

This bill is anything but that, and I hope my colleagues on both sides of the aisle start to realize how important this is and vote against this terrible bill that has been slapped together for political purposes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

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

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

Ms. WARREN. Mr. President, Republicans are on the attack once again, trying to put women's fundamental rights on the chopping block. I stand with my colleagues to fight back. Senator PATTY MURRAY of Washington, Senator MARK UDALL of Colorado, and 40 other Senators have stood to sponsor new legislation to reverse the Supreme Court's shocking decision in Hobby Lobby, where the Court gave corporations the power to deny their employees access to birth control. We will vote on this legislation tomorrow morning, and I urge my colleagues to pass it without delay.

Right now, with millions of Americans still out of work and struggling to recover from the worst economic downturn since the Great Depression, with 40 million Americans dealing with student loans, with millions of people working full time at minimum wage and still living in poverty, with the big banks getting bigger, workers getting poorer, and seniors struggling to make ends meet, Republicans in Washington have decided that the most important thing for them to focus on is how to deny women access to birth control.

I will be honest: I cannot believe we are even having a debate about whether employers can deny women access to birth control. Guys, this is 2014, not 1914. Most Americans thought this was settled long, long ago. But for some reason Republicans keep dragging us back here over and over again.

After all, the Hobby Lobby case is just the most recent battle in an all-out Republican assault on women's access to basic health care. In 2012 the Republicans tried to pass the Blunt amendment, a proposal that would have allowed employers and insurance companies to deny women access to health care services based on any vague moral objection. Democrats said no, the President said no, and the American people said no to this offensive idea.

But instead of listening to the American people, Republicans in Washington doubled down. Remember last year's government shutdown that nearly tanked our economy? That fight started with a GOP effort to hold the whole operation of the Federal Government hostage in order to try to force Democrats and the President to let employers deny their workers access to birth control. Well, we rejected the hostage taking. Democrats said no, the President said no, and the American people said no to this offensive idea.

But instead of listening to the American people, Republicans turned to their rightwing friends on the Supreme Court, and those Justices did what Congress would not do, what the President would not do, and what the American people would not do. Those Justices decided that corporations have the right to ignore the law and determine for themselves whether their employees can access basic health care coverage.

The Hobby Lobby decision is a stunning case. As Justice Ruth Bader Ginsburg noted in her dissent, the result of this case could be to deny ''legions of women who do not hold their employers' beliefs access to contraceptive coverage that the ACA would otherwise secure.''

The case is the first step on a slippery slope that could eventually allow corporations to deny health care coverage to employees for other medical care including immunizations that protect our children from deadly disease, HIV treatment that saves lives or blood transfusions needed in surgeries.

The Hobby Lobby case is stunning, but not entirely surprising. Giant corporations and their rightwing allies fight every day in Congress to protect their own privileges and to bend the laws to benefit themselves. They devote enormous resources to the task. Sometimes we beat them anyway. We beat them when they tried to pass the Blunt amendment, and we beat them when they tried to shut down the government over birth control. But when corporations lose in Congress, they don't just give up. They know they can often turn defeat into victory if they can get a favorable court decision. So while they push hard on Congress, they also devote enormous resources to influencing the courts, trying to transform our judiciary from a neutral, fair and impartial forum into just one more rigged Washington game. Nowhere has the success of this strategy to rig the courts been more obvious than with the U.S. Supreme Court. Three well-respected legal scholars recently examined 20,000 Supreme Court cases from the last 65 years, and they listed the top 10 most procorporate Justices in that entire time. The results? The five conservative Justices sitting on the Court today were all in the top 10, and Justices Alito and Roberts are numbers 1 and 2.

So it is no surprise that those five Justices banded together in the Hobby Lobby case to decide that corporations have more rights than the women who work for them. They decided that corporations are people who matter more than real living men and women who work hard everyday and who are entitled to the protection of our laws.

Now we can fight back against this decision and against the corporate capture of our Federal courts. We can fight back by appointing judges who are fair, judges who are impartial, judges who won't show up on any ''top 10'' list for putting a thumb on the scales in favor of big business. We can fight back tomorrow by passing legislation to overturn this terrible Supreme Court decision.

The proposed law, called the Protect Women's Health From Corporate Interference Act is simple. It does not require any person, any church, any house of worship, any faith or any religious nonprofit to endorse or provide insurance coverage for contraception. It does just one thing: It prevents ordinary for-profit corporations from ignoring the law and imposing their own religious beliefs on their employees by refusing to provide basic health benefits that are legally required. That was the law before Hobby Lobby, and it should be the law again.

Senators will have a chance to vote tomorrow, and I urge every Senator to do the right thing. But whatever happens, we have won this fight many times before, and I am confident that sooner or later we will win it again, because no matter how many resources the other side pours into this battle, they will never convince Americans that their bosses should be in charge of their most intimate health care decisions, and they will never convince Americans that corporations are people whose imagined rights are somehow more important than the health of real living, breathing people.

I have a daughter, I have granddaughters, and I will never stop fighting the efforts of backward-looking ideologues who want to cut women's access to birth control. We have lived in that world, and we are not going back—not ever.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Arizona.

BORDER SECURITY

Mr. FLAKE. Mr. President, according to the Border Patrol, more than 57,000 unaccompanied children have entered the United States illegally this year. That number is expected to grow to 90,000 by the end of the year and 140,000 by the end of next year. These startling facts speak for themselves. Swift and dramatic action, both on the part of Congress and the administration is needed.

We know why most children are coming. America offers more opportunity than the country from which they are fleeing. Most of these children hope to be reunited with a parent or a relative. Many just hope to blend into the United States and to stay for an indefinite period of time. I understand that.

I understand the incentive to be in the United States, but we cannot simply allow this to continue. According to reports about a recent White House meeting the President had with some people concerned about this wave of people coming from Central America, the President said that sometimes there is an inherent injustice in where you are born, and no President can solve that. He reportedly said that Presidents must send the message that you just cannot show up at the border, plead for asylum or refugee status and hope to get it.

The President is quoted as saying:

> . . . then anyone can come in, and it means that, effectively, we don't have any kind of system. We are a Nation with borders that must be enforced.

The President is right. If the reckless journey from Central America or Mexico or any other country to the United States is met with, at worst, long stays in the United States and, at best, long stays coupled with family reunification, these crossings will continue. It is just human nature. Even if every child and every adult is ultimately deported 6 months or a year from now, it will be too late, for in the intervening months the message is: Make it to the United States and you can stay.

The incentives must change. When planes full of those who crossed are returned, people in those countries will stop paying smugglers thousands of dollars to take their children north. Incentives work, and in this case it may be the only way.

So what are we to do? At one point the President asked Congress for some legal authority. Congress should give it to him. In addition, Senator MCCAIN and I will offer a bill that will hinge U.S. foreign aid to Central American countries on their response to this situation, providing for refugee processing in those countries. They will heighten penalties for human trafficking and it will expedite the removal of those who are here without a legitimate claim.

The President did ask for funds to deal with the crisis, although he asked for those funds without reforms. I am pleased to say that there appears to be a growing consensus that any funding request in a supplemental bill should include substantive reforms that deal with the existing circumstances that we are in as well as heading off future impacts. In the meantime the administration has at its discretion the ability to dramatically stem this wave of crossings.

I will talk about a few of the options that the President clearly has right now. First and foremost, the Department of Homeland Security is not required to release unaccompanied children after they have been apprehended. While requiring DHS to transfer them to Health and Human Services within 72 hours, the 2008 trafficking law provides flexibility in ''exceptional circumstances.''

Second, the administration has at its discretion the ability to expedite or trim the timelines of hearings for unaccompanied children. For example, the President can direct the Department of Justice to not agree to continuances for these hearings. He should do that as well.

Third, for children already released to HHS, the President can direct HHS to not place children automatically with their parents or family members. The 2008 trafficking protection law requires the administration to place children in the ''least restrictive setting'' in their best interest. The administration has discretion as to what constitutes least restrictive setting. If we acknowledge, as the President has, that most of these children will not be able to stay in the United States, why would we place them with a parent or a guardian only to take them from that parent or guardian months or years later? That, I would submit, is not in their best interest.

I am certain that there are those who will object to these actions if taken by the President, but I will submit that we should do everything we can to ensure that another 30,000 or 60,000 or 100,000 children do not stream north on this dangerous journey. The real question is, What wouldn't we do to prevent that from happening? The current situation is not humane at all. It is not humane to allow these children to come forward this way.

Let me be clear. For those seeking asylum, there will be many who will have a legitimate claim of persecution. Nobody is talking about shutting down the avenues to submit or to have such a claim. There will still be protections for genuine asylum seekers. It is best for those who seek refuge to do so in their own home country at an American embassy or consulate. That should, at best, be done in their own country. The legislation we will put forward will provide more resources for that to happen.

Earlier this month the President's spokesman indicated that ''it's unlikely that most of the kids who go through this process will qualify for humanitarian relief, which is to say that most of them will not have a legal basis . . . to remain in the country.''

Cecilia Munoz, the Director of the White House Domestic Policy Council, made it clear: ''If you look at the history of these kinds of cases and apply them to the situation, it seems very unlikely that the majority of these children are going to have the ability to stay in the United States.''

Here is my primary concern: Despite discretion to do otherwise, the administration continues to provide precisely the goal of those crossing illegally—being allowed to enter the United States, reuniting with their families, and staying for an extended period of time. They are allowing these incentives to continue. Despite firm quotes and statements otherwise, the administration's response to the crisis is a case study in sending the wrong message.

In his July 8 request for $3.7 billion in supplemental spending related to this crisis, the President stated that his administration would work with Congress to ''ensure that [they] have the legal authority'' they need, including ''providing the Secretary of Homeland Security additional authority to exercise discretion in processing the return and removal of unaccompanied children from these Central American countries.'' More than a week later, with the wave of children crossing illegally every day and increased anger pointed at the issue, it remains anyone's guess as to what the President is actually seeking. He didn't ask for any new authority in the funding request that was just sent up. In the days after the supplemental request was made, it became clear that nearly $2 billion of the funding request is for the Department of Health and Human Services—a department that plays no role in deportation and a department that the administration permits to place those who cross illegally with families inside the United States.

Congress needs to do what it can to provide the statutory tools to address this crisis. As I mentioned earlier, the senior Senator from Arizona and I will offer a bill in the coming days to do that. In the meantime, the President has the discretion and the authority to act within the law, follow the law, and offer the right incentives so we don't have this situation continuing as it is today. I encourage the President to do so.

With that, I yield back.

The PRESIDING OFFICER (Ms. WARREN). The senior Senator from New Jersey.

IRAN NEGOTIATIONS

Mr. MENENDEZ. Madam President, I come again to the floor to speak about one of our greatest national security challenges, which is a nuclear-armed Iran and the latest conflicting remarks coming from Iran's leaders.

I will say at the outset, as I have said in the past, I support the administration's diplomatic efforts. I have always supported a bipartisan, two-track policy of diplomacy and sanctions. At the same time, I am convinced that we should only relieve pressure on Iran in exchange for very verifiable concessions that will fundamentally dismantle Iran's illicit nuclear program and that any deal be structured in such a way that alarm bells will sound from Vienna to Washington to Moscow and Beijing should Iran restart its program anytime in the next 20 or 30 years.

I am gravely concerned by the recent remarks of Iran's Supreme Leader, the Ayatollah, whose views about what Iran is willing to give up in a deal seem to deliberately undermine the positions of Iran's negotiators in Vienna and clearly curtail their flexibility as we enter into a critical stage of the talks.

Yesterday, Foreign Minister Zarif gave an interview that went public with Iran's negotiating position. Let's break down exactly what it is he offered. He said Iran will freeze its nuclear fuel program for several years in exchange for being treated like other peaceful nuclear nations and for sanctions relief. Let's be clear. This will leave 19,000 centrifuges spinning in Iran. It would not, from what I can tell, require Iran to dismantle anything. In my view, that is not a starting place for an end game. It is the same obfuscation and the same Iranian tactics we have seen for years and decades. Iran puts offers on the table that appear to be concessions but in reality are designed to preserve Iranian illicit nuclear infrastructure and enrichment so that the capacity to break out and rush toward a nuclear weapon is still very much within reach. That is not an end game; it is a nonstarter.

Essentially what Zarif is offering is the same concessions as what Iran made for the interim agreement over 6 months ago. In exchange, Iran gets sanction relief—except we know Iran is not like any other nation, and its history of cheating, lying, and evading inspections proves it.

One commentator said this morning: ''So it seems that Iran is trying to protect its nuclear breakout capacity while trying to appear moderate.''

Zarif's proposal last night is nothing more than smoke and mirrors. It is more moderate than the Ayatollah's outlandish demand for 190,000 centrifuges last week, but at its core it is an offer to not give anything in terms of enrichment capacity and in exchange receive sanctions relief, and that is unacceptable.

The Zarif proposal will extend the joint plan of action, allowing Iran's nuclear program to run in place subject to inspections but will not make a single concession—none—that would demonstrably set back Iran's nuclear ambitions in the long term, including no concessions on the number of centrifuges in the secret Fordow enrichment facility. Iran would get the relief it wants while retaining the infrastructure to quickly rebuild its stockpile of highly enriched uranium. That is straight out of the North Korea handbook—freeze and preserve your ability for a future date.

I remind my colleagues in the Senate that in October of 1994, the United States and North Korea signed an agreed framework which the international community hoped would end the ongoing crisis over North Korea's nuclear program. The agreement froze the operation and construction of North Korea's nuclear reactors which were part of its covert nuclear weapons program. In exchange, the United States agreed to provide two proliferation-resistant nuclear power reactors. There were high hopes for the agreement. Many called it a first step in the full normalization of political and economic relations with North Korea.

While North Korea carried out some of the measures in the agreement, it simultaneously continued its ballistic missile program by improving the range and accuracy of its missiles, and it secretly began to pursue a clandestine program to enrich uranium for nuclear weapons separate from the plutonium program which the agreement had frozen.

Once again, international tensions came to a head in January of 2003 when North Korea withdrew from the Nuclear Non-Proliferation Treaty, and following its withdrawal from the NPT, North Korea kicked out IAEA inspectors, restarted the nuclear reactor that had been frozen under the 1994 agreed framework, and began moving spent fuel rods to a reprocessing center that could produce plutonium.

At the time of its withdrawal, North Korea, like Iran, said it ''had no intention of making nuclear weapons'' and that its nuclear activities ''would be confined only to power production and other peaceful purposes.'' Of course, as

we know now, North Korea would conduct a nuclear test establishing its potential to build nuclear weapons.

This history should serve as a warning about what could happen if we allow Iran to maintain a robust nuclear infrastructure.

The fact is that Iran is simply agreeing to freeze and to temporarily lock the door on its nuclear weapons program as is and walk away. Should they later walk away from the deal, as they have in the past, they can simply unlock the door and continue their nuclear weapons program from where they are today. That is exactly what the talks—in my mind—were intended to avoid.

As I stand here, there is a rush for our negotiators in Vienna and Secretary Kerry to go and try to save the essence of what seems to be a significant distance between the parties. I know our side is working in good faith to reach an agreement. Our terms have been on the table for months, and now, at the critical hour, the Supreme Leader throws a monkey wrench into the negotiations and even surprises his own negotiating team by demanding that 190,000 centrifuges remain for any final deal.

At this point it is our obligation to ask some very pointed questions. Are Zarif and President Ruhani truly empowered to make this deal? Even though Zarif and Ruhani's intentions seem sincere, can we say the same about the ultimate decisionmaker in Tehran, Supreme Leader Khamenei? Does the Supreme Leader truly want a deal or are his redlines an attempt to undermine the negotiations?

Secretary Kerry said this morning that ''the U.S. believes Iran has the right to a peaceful nuclear program under the NPT.''

Let's remind ourselves of first principles. No country has a right to enrichment. They may have the ability to enrichment or a desire to enrich, but they do not have the right to enrich, and certainly not Iran given its past behavior.

Let's remember how we reached this point. Over a period of decades, Iran has deceived the international community about its nuclear program, breaching its international commitment in what everyone agrees was an attempt to make Iran a nuclear weapons state or at least a threshold state. Experts such as those at the Institute for Science and International Security believe that Iran began building a secret uranium enrichment centrifuge facility underground at Fordow in 2006—3 years—3 years—before it was declared to the International Atomic Energy Administration. Now Iran is seeking to turn the tables on the negotiation to again convince the international community—through words rather than deeds—that it seeks a peaceful nuclear energy program. The Supreme Leader called the idea of closing Fordow ''laughable.'' For my colleagues, this is a facility built under a mountain, declared only after Iran was caught cheating, and designed to withstand a military strike. It does not take a nuclear expert to draw the obvious conclusion about Iran's intentions.

If Iran can't even agree to close the facility that is at the heart of its covert enrichment program, what concessions can it possibly make that would address international concerns? Are we supposed to take Iran at its word when its actions have demonstrated over years that it is not a good-faith actor? Are we supposed to believe that Iran wants 190,000 centrifuges—about 171,000 more than it has right now—for peaceful purposes? That is truly laughable.

Even for a country that doesn't have the world's third largest oil reserves—which Iran does—that would be an absurd position. Iran can—and in fact already does—get cheaper and better nuclear fuel for the Bushehr reactor from Russia than it could make at home. Let me repeat that. It gets cheaper and better fuel from Russia for its nuclear reactor at the Bushehr facility than what it can make at home.

Experts agree that centrifuges must be a part of the deal. David Albright, a respected former International Atomic Energy Administration inspector, has said for Iran's move from an interim to a final agreement, it would have to close the Fordow facility and remove between 15,000 and 16,000 of its existing 20,000 centrifuges. Even then, we are looking at a breakout time of about 6 to 8 months, depending on whether Iran has access to uranium enriched to just 3.5 percent or access to 20-percent enriched uranium.

Dennis Ross, one of America's preeminent diplomats and foreign policy analysts, who has served under both Democratic and Republican Presidents, has said Iran should retain no more than 10 percent of its centrifuges. That is no more than 2,000.

So maybe the comments we have heard from the Supreme Leader were, as some analysts have suggested, an effort by the Supreme Leader to superimpose limitations on the negotiating team so at some point they would be free to say these issues are out of their hands, in the hope of somehow forcing a better deal this week in Vienna. So I suggest that we are either seeing a not so clever game of good cop-bad cop or Iran's negotiators in Vienna have done a poor job of communicating what their boss believes is the bottom line at the negotiating table or maybe we just haven't been listening to what we don't want to hear. From the onset of the talks, Iran's Foreign Minister Zarif and President Rouhani have said they would not dismantle any centrifuges. President Rouhani was adamant in an interview on CNN that Iran would not be dismantling its centrifuges.

Let me quote from that interview with Mr. Zakaria.

President Rouhani:

> We are determined to provide for the nuclear fuel of such plants inside the country, at the hands of local Iranian scientists. We are going to follow on this path.

Zakaria said:

> So there will be no destruction of centrifuges, of existing centrifuges?

President Rouhani said:

> No, no, not at all.

Let's remember that the onus in these talks is on Iran, not the P5+1. Iran is the party at fault. Iran is the party that came to these talks with unclean hands. Iran is the party that has been consistently and overwhelmingly rebuffed by the United Nations and the international community for its nuclear ambitions and support for terrorism, the subject of six U.N. Security Council resolutions and a multitude of sanctions regimes.

Just last week the U.S. courts agreed to a landmark payment of $1.7 billion to the families of Iranian terror victims, including families of the 241 servicemembers who died in the bombing of the Marine Corps barracks bombing in Lebanon in 1983—31 years ago—and 19 who died in the Khobar Towers bombing in eastern Saudi Arabia in 1996—both bombings perpetrated by Iran. Iran's duplicity has been going on for decades.

So who is the bad guy here? Now commentators may choose to see the U.S. Congress as the antagonist here, but I suggest they look across the table and decide whether they want to take a deal with Iran on a nod and a handshake. In my view, through its history, through its actions, through its false words and deeds for decades, Iran has forgone the ability for us to shake on a deal that freezes their program. The only option on the table can be a long-term deal that dismantles Iran's illicit nuclear weapons program—a deal that clearly provides for a long-term verification, inspection, and enforcement regime, and incentives for compliance in the form of sanctions relief—based on Iranian actions that are verifiable, not on what Iran claims to be the truth.

The fact is, from my perspective, there is no sanctions relief signing bonus. If Iran wants relief from sanctions, then it needs to tangibly demonstrate to the world it is giving up its quest for nuclear weapons—period.

Let's remember that, although none of us in this Chamber are at the negotiating table, we have a tremendous stake in the outcome. Without Congress's bipartisan action on a clear sanctions regime, there would have been no talks and we would not even have had the hope of ending Iran's nuclear weapons ambitions. As a separate and coequal branch of government representing the American people, Congress has an obligation to provide oversight and a duty to express our views of what a comprehensive deal should look like. I will continue to come to this floor to express my views and my concerns given what we have heard and seen in the past from Iran.

Iran has a history of duplicity with respect to its nuclear program, using past negotiations to cover advances in its nuclear program. And let's not forget that President Rouhani, as the

former negotiator for Iran, said, in no uncertain terms:

> The day that we invited the three European ministers to the talks, only 10 centrifuges were spinning at Natanz. We could not produce one gram of U4 or U6. We did not have the heavy water production. We could not produce yellowcake. Our total production of centrifuges inside the country was 150. We wanted to complete all of these. We needed time. We did not stop. We completed the program.

That is his quote.

The simple truth is he admitted to deceiving the West.

Everyone knows my history on this issue. Everyone knows where I stand. It is the same place I have always stood. For 20 years I have worked on Iran's nuclear issues, starting when I was a junior Member of the House, pressing for sanctions to prevent Iran from building the Bushehr nuclear powerplant and to halt IAEA support for Iranian mining and enrichment programs. For a decade I was told that my concern had no basis, that Iran would never be able to bring the Bushehr plant on line, and that Iran's activities were not a concern.

Well, history has shown those assessments about Iran's abilities and intentions were simply wrong. The fact is Iran's nuclear aspirations have been a long and deliberate process. They did not materialize overnight, and they will not end simply with a good word and a handshake. We need verification.

If Iran's nuclear weapons capability is frozen rather than largely dismantled, they will remain at the threshold of becoming a declared nuclear State should they choose to start again, because nothing will have changed if nothing is dismantled.

Make no mistake. Iran views developing a nuclear capability as fundamental to its existence. It has seen the development of nuclear weapons as part of a regional hegemonic strategy to make Tehran the center of power throughout the region. That is why our allies and partners in the region—not just Israelis, but the Emiratis and the Saudis—are so skeptical and so concerned about having a leak-proof deal. Quite simply, our allies and partners do not trust Iranian leaders, nor do they believe that Iran has any intention of verifiably ending its nuclear weapons program.

So while I welcome diplomatic efforts as what we have worked toward and I share the hope that the administration can achieve a final comprehensive agreement that eliminates this threat to global peace and security, for the U.S. Congress to support the relief that Iran is looking for, we will need a deal that doesn't just freeze Iran's nuclear weapons program, but a deal—demonstrated through verifiable action by Iran over years—that in fact turns back the clock and makes the world a safer place.

Let me say the fact is there are those who have created a false narrative over the last 6 months that now seems to be self-perpetuating, that anyone who expresses an opinion different than the desire to have a deal—almost a deal at any cost—is a warmonger. For those who now say, Well, if we don't have a deal, then what? I would remind them of what the administration has said time and time again: No deal is better than a bad deal. I agree with that sentiment. But I am concerned that there are forces that would accept a deal even if it is a bad deal. This doesn't serve the interests of the negotiators at the table in Vienna, and it doesn't serve the interests of the American people who want to ensure that Iran doesn't get a nuclear weapon, and that any deal permanently eliminates the possibility that Iran could develop a nuclear weapon that threatens the international order. One mistake is all it takes.

At the end of the day, keeping the pressure on Iran to completely satisfy the United Nations and the international community's demands to halt and reverse its illicit nuclear activities is the best way to avoid war in the first place.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I wish to commend the senior Senator from New Jersey for the powerful remarks he has just given about the threat posed both to the United States and to the world of Iran acquiring nuclear weapons capabilities. I wish to commend the Senator from New Jersey for his leadership, along with Senator MARK KIRK, on Iran sanctions legislation—legislation that enjoys wide bipartisan support—and indeed that would have passed into law months ago were it not for the majority leader of this Chamber refusing to allow a vote on it. Even to this day, we should vote on Kirk-Menendez, because a substantial majority of Members of this body and of the House of Representatives would pass this legislation to make clear what the senior Senator from New Jersey just made clear: that no deal is not nearly as bad as a bad deal, which all of us fear we are on the verge of entering into in Vienna.

ISRAELI-PALESTINIAN CONFLICT

I rise today to address the misguided foreign policy of the Obama administration, which is wreaking catastrophic consequences across the globe. The Obama-Clinton-Kerry foreign policy has profoundly undermined our national security, along with that of our friend and ally, the Nation of Israel.

Just last week the White House coordinator for the Middle East, Phillip Gordon, gave an astonishing speech at an international conference from Tel Aviv to try yet again to revive the Israeli-Palestinian peace process. In his remarks, Mr. Gordon criticized Israel for the failure of the most recent round of attacks, urging yet further concessions to the Palestinians. He asserted that the United States, as Israel's ''greatest defender and closest friend,'' had the obligation to ask ''fundamental questions'' about Israel's very viability as a democratic Jewish State after the breakdown of negotiations.

I am not sure about the role Mr. Gordon suggests friends should play, but undermining our allies is not one of them.

Mr. Gordon threatened that America would not be able to prevent the international isolation of Israel—what Secretary of State John Kerry shockingly recently referred to as Israel becoming an ''apartheid'' state—if Israel did not return to the table on terms he found acceptable.

Mr. Gordon warned that the clock is ticking and that Israel should not take for granted the Palestinian Authority's willingness to negotiate. He claimed that the administration's negotiations with Iran had halted that country's nuclear program and made Israel safer.

Mr. Gordon's comments are belied by the facts given that, No. 1, this conference took place under the direct threat of rocket attack from the Palestinian-sanctioned terrorist group Hamas—indeed, delegates literally had to, at one point, scatter for shelter—given that, No. 2, these rockets were fired by the very same terrorist actors who abducted and then brutally murdered three Jewish boys 3 weeks ago near Hebron, and given that, No. 3, Hamas spokesman Osama Hamdan announced just days later that it was working closely with Iran in its attacks on Israel, declaring Hamas's ''connection with Hezbollah and Iran is much stronger today than what people tend to think.''

Given these facts, Mr. Gordon's remarks seem utterly detached from reality.

Even more disturbing, the speech did not take place in a vacuum but, rather, was part of a coordinated messaging effort. It was accompanied by an op-ed by President Obama in Ha'aretz, which sponsored the conference, repeating Mr. Gordon's main themes. Taken as a whole, these statements demonstrate that the administration's longstanding policy of pressuring Israel into a peace deal with the Palestinians remains unchanged by the harsh reality in which Israel finds herself.

In the hopes of demonstrating that there are some in the U.S. Government who do not share this policy, I would like to offer an alternative approach.

As Israel's greatest partner and ally, the United States has weathered with Israel relentless attacks from terrorist organizations like Hamas and Hezbollah, belligerents from rogue nations like Iran, and unremitting hostility from international organizations like the United Nations.

As such, we are veritable brothers in arms—and who better than a brother to tell the truth about you?

The truth is that Israel is the one country in the Middle East that fully shares America's fundamental values and interests.

The truth is that Israel is a vibrant, inclusive democracy that respects the

rights of its citizens—Jewish and Arab alike.

The truth is that Israel has for more than six decades wanted nothing more than peace and has repeatedly made significant concessions to achieve it.

The truth is that Israel can never be isolated on the international stage because the United States, with or without the President, will continue to stand with Israel.

And the truth is that for the United States to abandon Israel would be to abandon the very moral principles that have made our Nation exceptional.

These basic truths should inform any discussion of the current conflict taking place between Israel and the Palestinians.

We also need to recognize that the circumstances leading to the 2012 cease-fire between Hamas and Israel are not the circumstances in which we find ourselves today, and that the terms of that agreement have proven inadequate to the current reality. Both Israel and the United States had hoped that the relative calm following the 2012 cease-fire would lead to peace and that the increasing prosperity of the West Bank would lead the Palestinians to renounce war. Sadly, those hopes proved illusory. That cease-fire did not change the fact that the Palestinians have remained implacably hostile and, indeed, their government is actively indoctrinating yet another generation in vicious genocidal hatred toward Israel and the West.

That simmering hatred burst into flame last month when three innocent teenagers—Naftali Fraenkel, Gilad Shaar, and Eyal Yifrah—were kidnapped and murdered by Hamas agents. In a stark reminder of how intertwined our nations are, Naftali was a duel Israel-American citizen. This was a vicious attack against innocent Jews, regardless of their nationality, and Americans as well as Israelis were considered legitimate targets.

There is a temptation to refer to the murder of three teenagers as a senseless tragedy that should be handled by law enforcement. But this attack was nothing of the sort. It was a terrorist atrocity coldly plotted and executed by vicious killers whose only motivation was to murder teenage Jews regardless of their citizenship, and whose larger mission is the annihilation first of Israel and then of the United States.

It was therefore my privilege last week to file S. 2577, a bill that would direct the Secretary of State to offer a reward of up to $5 million for the capture or killing of Naftali's killers—and by extension those of Gilad and Eyal as well.

No one doubts Israel's ability to handle this matter on her own, but the Hamas terrorists need to be perfectly clear that the United States understands that kidnapping and murdering a U.S. citizen is an attack on us as well and we will actively support Israel's response to this atrocity.

I am gratified by the support this bill has gotten in the Senate from both sides of the aisle and, in particular, I am gratified that this bill is cosponsored by the senior Senator from New Jersey, the chairman of the Foreign Relations Committee, and I look forward to that committee's markup of the bill this week and then, hopefully, to its passage through both Houses of Congress. There is also a bipartisan version of this bill in the House of Representatives led by Representative DOUG LAMBORN of Colorado and Representative BRAD SHERMAN of California.

Following the discovery of the murdered teens, the Israeli Government has moved decisively against Hamas in a just and appropriate action to both bring the terrorists responsible to justice and to degrade Hamas's capability to launch further attacks.

Now is not the moment to suggest that Israel open itself to further terrorist attack by, for example, withdrawing from the West Bank.

Now is not the moment to urge restraint or to try to broker yet another temporary cease-fire that does not stop the threat of Hamas murdering innocent civilians. Now is the moment to support Israel in the effort to eliminate the intolerable threat of Hamas, and given Hamas's commitment to terrorist violence, the Israeli response is by necessity military and it must be decisive.

This conflict is not of Israel's choice; it is Hamas's choice, and to argue that there is some sort of viable diplomatic alternative, as Mr. Gordon and President Obama did last week, is denying the truth.

In addition to the current military offensive, there are a number of important long-term steps that the Government of Israel has taken to reduce the threat of terrorist attacks and so to secure the civilian population. One is the security barrier in the West Bank initiated by Prime Minister Ariel Sharon during the second intifada. Necessitated by waves of Palestinian suicide bombers targeting Israel, this fence was immediately decried as an abuse of the Palestinian people and, indeed, declared illegal by the International Court of Justice. But since the fencing began, attacks have declined by 90 percent—90 percent. No apology should be required for securing a nation's border and for saving innocent civilian lives.

The Israeli missile defense system that protects against short-range rockets coming out of Gaza is an equally remarkable success story. In partnership with the United States, Israel has conceived, designed, and implemented Iron Dome, which enjoyed a remarkable 87 percent success rate during the 2012 operation Pillar of Defense and to all appearances is exceeding that performance in this most recent action. Iron Dome has dramatically changed Israel's ability to determine the future on its own terms, not because the Palestinians have in any way modified their eagerness to fire rockets at their neighbors in an attempt to murder innocent civilians but, rather, because the Israelis now have a system capable of neutralizing the vast majority of those rockets and protecting the hospitals and schools and homes that the Palestinians seek to destroy.

President Obama wrote in his Ha'aretz op-ed that ''[w]hile walls and missile defense systems can help protect against some threats, true safety will only come with a comprehensive negotiated settlement.'' But that can only be true when both sides genuinely seek peaceful coexistence, which at this time, sadly, the Palestinians do not. Projects like the security barrier and Iron Dome may well be, both practically and philosophically, Israel's only real option. That the Israel response to hostility out of the territories has been primarily defensive is an important illustration of their preferred approach to this problem, which is not to attack or destroy but, rather, to protect and defend.

This posture illustrates the fundamental difference between the Israelis, who have pledged they will stop fighting when the Palestinians stop fighting, and the Palestinians who swear they will stop fighting only when Israel ceases to exist. As Prime Minister Netanyahu recently said: Israel uses missiles to protect its citizens; whereas Hamas uses its citizens to protect its missiles.

We must reject any assertion of moral equivalence between the Palestinians who seek to attack Israel and the Israelis who are trying to defend themselves from terrorist attack.

Nowhere was the contrast between these two sides more clear than in the two investigations that are taking place into the murders that occurred in Israel in recent weeks. After the bodies of Naftali, Gilad, and Eyal were discovered, an Arab teen, Mohammed Abu Khdeir, was tragically, savagely murdered by Jewish extremists in a perverted attempt at retribution. Prime Minister Netanyahu rightly, quickly, and emphatically condemned this act and he called the victim's father personally to offer condolences. Naftali's mother Rachael stated her sympathy publicly saying:

> No mother or father [should] go through what we are going through now. We share the pain of the parents of Muhammad Abu Khdeir. . . . Even in the depth of the mourning over our son, it is hard for me to describe how distressed we were over the outrage that happened in Jerusalem—the shedding of innocent blood is against morality, it is against the Torah and Judaism, it is against the basis of our life in this country. The murderers of our children, who ever sent them, who ever helped them and who ever incited toward that murder—will all be brought to justice, but it will be them, and no innocent people, it will be done [by] the government, the police, the justice department and not by vigilantes.

Contrast Racheal Fraenkel's powerful statement with that of the mother of one of the Hamas suspects in Naftali's abduction and murder, who while the boys were still missing and before their executed bodies had been

discovered, publicly announced: ''They're throwing the guilt on him by accusing him of kidnapping. If he truly did it—I'll be proud of him until my final day . . . If he did the kidnapping, I'll be proud of him. I raised my children on the knees of the religion, they are religious guys, honest and clean-handed, and their goal is to bring the victory of Islam.''

Contrast those two statements. One is serious law enforcement responding to the wrongful murder of a teenager. The other is a society that celebrates, that glorifies, that lionizes vicious criminals who kidnap and murder innocent teenagers. Further highlighting the contrast is the fact that the murderers of Mohammed Abu Khdeir were apprehended in less than a week. The Israeli police moved and moved expeditiously.

Almost a month after the abduction of Naftali, Gilad and Eyal, their Hamas murderers are still at large because they are being protected by those who consider them heroes rather than terrorists. When Mr. Gordon asserted in his speech that Israel's ''military control of another people,'' for ''recurring instability,'' and for ''embolden[ing] extremists'' were to blame for the regions problems, he ignored the facts that the Palestinian Authority bears the real responsibility for the crisis by including Hamas in their so-called ''unity government,'' and then urging the international community to officially sanction this deal with the devil.

This should not be surprising as the PA is headed by Mahmoud Abbas, a Holocaust denier who was Yasser Arafat's right-hand man for 3 decades. Ever since Arafat and Abbas were given autonomy to run the Palestinian territories 20 years ago through the Oslo Accords, they have used that power to radicalize their population and to harden opposition to the very idea of peaceful existence with the Jewish State of Israel.

Palestinian children are bombarded with heavy-handed propaganda praising the virtues of suicide bombers and other mass murderers. Sesame Street-style puppets and cartoon characters are horrifically used to encourage children to grow up to become terrorists. Yet President Obama hails President Abbas as a man who can help broker a peace deal. Phillip Gordon called him in his speech last week a ''reliable partner'' for peace. Holocaust deniers are not reliable partners. Leaders who incite hatred and bigotry and the murder of innocent children are not reliable partners.

Just 2 months ago I was back in the nation of Israel. I traveled to the north of Israel, to the Ziv hospital, a hospital in the north of Israel that has treated over 1,000 Syrians wounded in the horrific civil war waging in that country. I met with those Israeli physicians and nurses as they described how they have given over $8 million in free medical care, uncompensated.

One person in particular I spoke with there was a social worker who described the shock and trauma of young children. Imagine, you are a little boy, you are a little girl in Syria. You go to bed in your bedroom. A bomb, a missile, a mortar comes through the ceiling and explodes. When you awake, you have been horrifically wounded. You find yourself in the nation of Israel in a hospital surrounded by Israeli doctors and nurses.

What this social worker told us was that as horrifying as being the victim of terrorism, as horrifying as some of these little boys or girls discovering limbs of their body had been blown off, that consistently the greatest terror of these children was finding themselves in Israel because their entire time they had been told that Israel was the devil. This social worker who is fluent in Arabic would spend time talking and reassuring these children and comforting them, because they were sure horrible things would happen to them.

Why were they sure of this? Because they had been taught those lies from the moment they could learn. One Israeli physician described to me a comment that a Syrian woman made to her. She said: My entire life the Army that I had been told was there to protect me—now they are trying to kill me. My entire life the Army I had been told wanted to kill me—now they are the only people protecting me and my family.

We will not see peace between Israel and the Palestinians until the Palestinian Government stops incitement, stops systematically training its children to hate and to kill. Neither Hamas nor its partner, the Palestinian Authority, has displayed any interest in peace. The so-called Hamas-affiliated technocrats that Abbas has embraced have done nothing to curb Hamas's violence, as missiles continue to rain down on innocent civilians in Israel or even to express sympathy for the murdered Jewish teenagers. Even that is a bridge too far given the hatred that the Palestinian Government promotes.

The incessant campaign of incitement carried but out by the PA lays bear the myth that Abbas is in any way a moderate or possesses any real desire for peace with the Jewish state. In his speech, Mr. Gordon asserted that ''Israel should not take for granted the opportunity to negotiate peace with President Abbas, who has shown time and again that he is committed to nonviolence and coexistence with Israel.'' How can any rational sentient person utter that sentence—that Mr. Abbas has shown time and again that he is committed to nonviolence and coexistence with Israel, while he partners with Hamas, a terrorist organization that is raining rockets on Israel as we speak, when he is directly responsible for a pattern of incitement that is training young Palestinians in vicious, racial bigotry and hatred, that is celebrating murderers and kidnappers as heroes and martyrs?

Anyone who utters a statement like Mr. Gordon uttered is being willfully blind to the facts on the ground. Given that it was Mr. Abbas, not Israel, who accepted Hamas into the PA's Government, the burden should be on the PA, not Israel, to unequivocally condemn not only Hamas but also their fellow terrorist groups, the Islamic Jihad and Abbas' own Al Aqsa Martyrs Brigade.

The PA should not take for granted the limitless patience, not only of Israel but also the United States, and, indeed, any responsible members of the civilized world for the legitimization of these terrorist groups.

While the PA harbors Hamas, Islamic Jihad, the Al Aqsa Martyrs Brigade or any other terrorist group and supports their vicious activity, it should forfeit its position as a legitimate negotiating partner with Israel. It is the height of delusion to suggest that Israel should accommodate the Palestinian Authority with any further security concessions until this activity stops.

While the PA harbors Hamas, Islamic Jihad, the Al Aqsa Martyrs Brigade or any other terrorist groups, and supports their vicious activity, it should forfeit any and all material support from the taxpayers of the United States—not one penny. Only when the PA takes significant and affirmative steps to stop the incitement, eradicate terrorism, and demonstrate its leadership ability to honor their pledged commitments in the past, including the Oslo Accords, and affirms Israel's right to exist as a Jewish state should this aid be reconsidered.

It must also be recognized that Hamas is not acting alone in the current crisis. In an alarming escalation of the rocket attacks out of Gaza, Hamas militants recently fired an M–302 type rocket an unprecedented 70 miles north, some 30 miles north of Tel Aviv, meaning that now 6 million Israelis are vulnerable to the rocket attacks.

Israel has intercepted a shipment of these weapons bound for Gaza from Iran earlier this year. It now appears that some of them have gotten through by other means. As Osama Hamdan's celebrating their close collaboration demonstrates, neither Hamas nor Iran is even trying to hide the connection. In the face of this blatant hostility from the Islamic Republic of Iran, it seems the height of foolishness for the United States to be participating in nuclear negotiations with Tehran at this time. Iran's leaders are actively engaged in inciting and supplying violent terrorists. Indeed, Iran is the chief state sponsor of terrorism on the globe today.

Our focus should be on thwarting Iran's behavior in Gaza and across the world, not in engaging in diplomatic niceties over Chardonnay in Vienna. Given Iran's ongoing pattern of arming Hamas with increasingly sophisticated weapons, it is simply unacceptable to risk their achieving nuclear capability by exploiting the eagerness—the utterly unexplainable eagerness—of the Obama administration to get a deal—

any deal—any deal at all it seems—by the July 20, 2014, deadline.

We need to recognize that the arbitrary decision to relax sanctions and to engage in 6 months of negotiations under the joint plan of action last year was a historic mistake. We need to dramatically reverse course, and we should immediately reimpose sanctions until Iran makes fundamental concessions by ceasing all uranium enrichment, handing over its stockpiles of enriched uranium, and destroying its 19,000 centrifuges.

The Obama, Clinton, Kerry foreign policy is setting the stage for Iran to acquire nuclear weapon capability. If Iran acquires that capability, it will pose a grave if not mortal threat to the nation of Israel and to the United States. The strategy of the Obama administration—relaxing sanctions first and then hoping to get some concessions later—is putting the proverbial cart before the horse.

You do not negotiate with bullies and tyrants by conceding everything at the outset and then hoping for good faith. Instead, we should reimpose those sanctions and additionally, as a further condition, we should demand that Iran stop its state sponsorship of terrorist attacks against our allies. Only then should Iran see a relaxation of sanctions.

In the coming days, I will be filing legislation which will do exactly that: reimpose strong sanctions on Iran immediately, strengthen those sanctions, include an enforcement mechanism to ensure that these measures are implemented, and call for the dismantling of Iran's nuclear program, which should be the only path to relaxing sanctions in the future.

This legislation will lay out a clear path that Iran can follow to evade the sanctions: Simply behave in good faith and stop its relentless march towards acquiring nuclear weapons capability.

The connection between Hamas and Iran is a sobering reminder of a larger context in which the events of the past month have taken place. They are not an isolated local issue that could be managed if only Israel would act with restraint. Both the United States and Israel want the Palestinian people to have a secure and prosperous future free from the corrosive hatred that has so far prevented them from thriving. But as has been demonstrated time and time again, the simple truth is that concessions from Israel are not going to alleviate that hatred. The truth is that aid from the United States is not going to alleviate that hatred. The truth is that even the establishment of a Palestinian State would not alleviate that hatred while the avowed policy of the Palestinian Government is the destruction of Israel.

Only when the Palestinians take it upon themselves to embrace their neighbors and to eradicate terrorist violence from their society can a real and just peace be possible. Until then, there should be no question of the firm solidarity of the United States with Israel in the mutual defense of our fundamental values and interests. This is nothing less than the defense of our very exceptionalism as a nation—that same exceptionalism fueled by those God-given rights of life, liberty, and the pursuit of happiness to which Israel aspires.

Writing in the New York Times last September, Russian President Vladimir Putin warned that it is ''extremely dangerous to encourage people to see themselves as exceptional.''

In a very odd echo of President Putin's sentiment, Secretary Kerry said just today, in Vienna, that hearing politicians talk about American exceptionalism makes him quite uptight because it is ''in-your-face'' and so might offend other nations. Secretary Kerry should know, as President Putin clearly fears, it is indeed discomforting for bullies and tyrants such as Hamas and their Iranian sponsors to see free people boldly assert their exceptionalism. Indeed, in modern history it has been dangerous for totalitarian despots when the American people rise and defend our exceptionalism.

I would encourage Secretary Kerry to unambiguously explain American exceptionalism to his colleagues across the negotiating table. They might benefit from hearing that one of the most exceptional things about America is that we will robustly support our allies when they are engaged with the radical terrorist enemy that targets us both.

It is not enough, as Mr. Gordon seems to think sufficient, to ''fight for it [Israel] every day in the United Nations.'' We shouldn't just ''have Israel's back.'' We should be proud to stand beside Israel, to make sure that both Hamas and Iran know that the United States is ready to provide whatever moral support or military resupply Israel might need.

It is true we might risk a little of the criticism from the international community that seems to be of such concern to Mr. Gordon and to President Obama, but the United Nations should be the least of our worries at this point.

In any event, threats of Israel finding herself isolated—threats sadly emanating, in part, from the administration of this government—appear empty, as many of our closest friends, including Canada, Great Britain, France, and Germany, have spoken out in the strongest of terms supporting Israel's right to self-defense.

I add my voice to theirs and urge President Obama to reconsider the counterproductive policies laid out by Mr. Gordon last week. The White House should explicitly disavow Mr. Gordon's misguided speech, haranguing, and attacking our friend and ally in the nation of Israel.

A negotiated settlement is not an absolute prerequisite to Israel's security, as the administration has claimed but, rather, establishing Israel's security may be the only way to eventually reach any such settlement. Israel's fight against radical Islamic terrorism and by extension the radical Iranian regime that supports it is our fight as well.

There is a reason they call Israel the little Satan and America the great Satan. This menace does not discriminate between Israelis and Americans, and it cannot be placated or appeased even by the deftist diplomacy. It must be diligently defended against and at times, when necessary, it must be directly confronted.

This is difficult, dangerous work that Israel's Government and the brave men and women who serve in its Armed Forces are doing right now for the sake of both nations. I hope and I pray for their continuing success as America stands, unashamedly, alongside the nation of Israel.

Thank you.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. I rise to describe my concerns with the recent U.S. Supreme Court ruling of the Hobby Lobby case and also to describe my support for the Murray-Udall legislation which I am cosponsoring and which we will act on later this week.

First, just a word about one item in the case that is not my main concern but is worthy of a passing comment; that is, whether a corporation can have religious rights.

Of course, individuals can have religious rights. Churches can have religious rights. Religiously affiliated organizations have religious rights. That has been recognized often. But do corporations have religious rights?

I would argue that the Supreme Court's decision in Hobby Lobby that they do is sort of fundamentally at odds with what notion a corporation is. Corporations exist for many reasons, but fundamentally the core of a corporation is the creation of a fictional entity that is supposed to stand apart from the individual owners. That fictional entity has rights and responsibilities that are different than the rights and responsibilities of the owners. In fact, we create the corporate forum to protect the individual owners. The individual owners, once a corporate forum is created, as you know, are generally protected against legal liability. A corporation's actions, if they are illegal, can only be held against the corporation and except in very rare instances the individuals who own the corporation are free from the liability that might flow from a corporation's acts.

So the basic question is, if individuals decide to form a corporation to distance themselves and to protect themselves from liability for a cooperation's acts, how can they also presume to exercise their religious viewpoints—their personal, intimate, religious viewpoints—through the very form of the corporation? It is allowing the owners to have it both ways—complete protection from legal liability

but continued ability to exercise their personal and intimate religious viewpoints through the corporate forum.

I think the notion of corporate religious freedom is almost an oxymoron. The statute at question in the Supreme Court case, the RFRA statute, refers to the sincerely held religious beliefs of a person.

What are the sincerely held religious beliefs of a person of the corporation under the corporate charter that would be granted by the States? In order to determine that, should we inquire in this instance, for example, whether the families of the owners ever use contraception? If in fact they did, would that undermine a claim that they have a sincerely held religious belief against contraception?

What if it could be shown that the owners invested in stocks in companies that produced contraception, would that undermine the claim that a corporation has a sincerely held religious belief against contraception? I don't know the answers to these questions, but I think the mere raising of the questions demonstrates again that the notion of a corporation exercising religious beliefs is highly suspect.

But I don't think the Hobby Lobby case was about religious freedom. I read the opinion. I practiced law, including constitutional law for 17 years. I have read the opinion. I don't think this is a case about religious freedom.

I think the opinion in the Hobby Lobby case is, instead, part of an anticontraception movement where the political goal is not just to encourage women or families to not use contraception but instead it is geared toward the reduction of social access to contraception for all.

This isn't a case about religious freedom. It is a case that is very focused on attempts to reduce access to contraception throughout American society.

The Court does something in the opinion that is fascinating. There is a phrase—I am not a poker player, but there is a phrase that if you play a lot of poker, a poker player should watch for their tell. If they reveal by knocking on the table or something that, oh, well, they are bluffing now, you watch for the tell. I think the Hobby Lobby majority opinion has a tell that tells us this case is not about religious freedom.

In response to a notion raised in the dissent: Well, hold on a second. If you allow this corporation to deny coverage for contraception because it has a sincerely held religious belief against contraception, there are other religions and other corporations that might have a sincerely held religious belief against transfusion. That is a sincere belief of certain religions commonly practiced in America; against vaccination, that is a sincerely held religious belief in certain religions in America. There are other sincerely held religious beliefs, but the majority in this opinion says: Oh, don't worry. This is just about contraception. You don't need to worry that the rationale in this case would be used to allow an employer to exclude vaccination or to exclude transfusions.

If those are religious beliefs every bit as sincere as some who think contraception is bad, why wouldn't this ruling apply to those kinds of coverage?

The fact that the Supreme Court took such care in the majority opinion to say: Don't worry. It is not going to apply to that, tells me this is not a case about religious freedom. Because if it were a case about religious freedom, a sincerely held religious belief about transfusions or vaccinations would be equally implicated by this case. The Court instead is very clearly telling people: Don't worry. You don't need to worry about this stuff.

So it is not about religious freedom. I read this case as a very candid admission that what the case is truly about is contraception access.

There is an unfortunate legal movement in this country—that is kind of surprising—where the focus is to deny women access to contraception, even though access to contraception has been constitutionally protected in this country since 1967, nearly 50 years.

I am stunned. I am reluctant as a lawyer to criticize court opinions. Lawyers always have different points of view. You always have to give some latitude that the court might decide something in a different way than you think. But I am stunned to see in the rationale expressed by the majority that the Court is joining an ideological, anti-access movement.

Contraception access is important to women, it is important to families, and it is important to society. For women, contraception is important not only surrounding the planning of pregnancy but the hormones in contraception are often prescribed for all manner of other conditions, some related to pregnancy and reproduction and some unconnected to pregnancy and reproduction. The access to contraception is critically important, and that is why the panel that looked at implementing the Affordable Care Act found that contraception was an important active goal of prevention. Prevention is good. Contraception is part of prevention.

Contraception is also costly. So when a company strips that coverage from employees and says, ''You can just buy it yourself if you want,'' let's be clear. That is not a minor expense, especially in a time where wages have been stagnant. It is a significant expense, and the notion that coverage would be stripped away from thousands and thousands of employees is not a minor burden at all, it is a significant burden on their lives.

Contraception is not only important for women, it is important for society. Contraception and the access to contraception are achieving important social goals. From 2008 to 2011, in 3 years, the number of abortions in the United States fell by 13 percent, and teen pregnancy in this Nation has been falling steadily since 1991. Why are both of these things happening? Those who study these laudable trends conclude that access to contraception is one of the main reasons abortion is falling and that teen pregnancy is falling.

It would seem those are laudable trends that we would want to continue and that access to contraception therefore is very important, but the Court instead finds otherwise.

I want to conclude and say I don't think this is a case about religious freedom. I think the Court has strangely joined an anticontraception ideological crusade. But I want to say a word about religious freedom. It is critically important. I am a lifelong Catholic. I served as a missionary with Jesuit missionaries in 1981. I am a Virginian, and it was a Virginian, James Madison, who wrote the draft of the Constitution, including the First Amendment, the Bill of Rights that protects our rights to religious freedom.

Gary Wills, the great American historian, said, ''Every wonderful idea in the American Constitution was already part of somebody else's Constitution or laws.'' Our drafters did a great job of finding the best and putting it in. But there was only one unique provision in the American Constitution that wasn't part of any organic law before us and that was freedom of religion. Jefferson wrote it into Virginia law, the Statute of Religious Freedom, in 1780. The basic idea was no one can be punished or preferred for their choice of worship or for their choice not to worship. That has been a critical component of American life for a very long time. So religious freedom is incredibly important.

There was nothing about the bill we will take up on the floor tomorrow that impinges upon religious freedom because, as you know, if a church or a religiously affiliated institution or an individual or even a corporation has as their view that contraception is wrong, they can take to the airways. They can run a newspaper ad. They can go stand on a street corner. They can encourage anyone they want by explaining the merits of their view and hoping to persuade someone that they are right, and they are protected in doing that. They are protected in their religious liberty to try to encourage people to follow their points of view. But when these entities try to go beyond that, and in this case corporations, and use legal mechanisms not just to encourage people but whether it is lawsuits or personhood amendments or other things that we see popping up in States and here in this body, not just to discourage use of contraception but instead to reduce access to contraception for women—even women who do not share their moral point of view, who do not share their particular religion—then I view that as extremely troubling and actually contrary to the notion of religious freedom that is established in the First Amendment. Advocate your moral position, but don't force it onto people who have a different moral viewpoint.

In conclusion, I support the bill we will debate tomorrow because it will protect the access to contraception. Whether people choose to use contraception or not will be up to them and to their own medical and their own moral calculation, and that is as it should be in a society that is supposed to protect the rights of all.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, thank you.

Before I get into the business I have come to address, let me thank the distinguished Senator from Virginia for his remarks. I was a lawyer at a time when the previous case on this subject came out of the Supreme Court that said something very different. It said if you were a Native American and if as a Native American you had a sincerely held religious belief that peyote was actually a part of your religion's sacrament, that in pursuing that ritual and that tradition you could utilize peyote notwithstanding the laws of the State to the contrary. That was the argument they made. It was protected by the free exercise of religion. The Supreme Court said absolutely not. No way. If you are a Native American, your sincerely held belief that peyote is an appropriate part of your religious sacrament is overruled because of society's interest in enforcing the law generally.

Now if you are a corporate CEO, a completely different set of rules applies. Remember, in the case of the Native Americans the question was whether that individual could ingest the peyote themselves and they were told no, the interest of the State prevailed. In this case, if you are a corporate CEO, you are being told that you are free to exercise a right to control what other people do. And in this case the Supreme Court completely reversed itself and said no, the State has to back off if you are a corporate CEO telling other people what they have to do. But if you are a Native American seeking to honor your own tradition, well, there the State can butt in and move around.

So in addition to the distinctions the Senator so eloquently and properly described, certain of this might have been influential with the Court in the fact that these were corporate CEOs, and there is very little the corporate CEO can do that the five activists on the conservative side of this Court won't encourage them to do and let them do.

I will reserve for another day statistics of how this Court has over and over again turned itself over to corporate interests and over and over again ruled in favor of corporate interests and over and over again reversed precedent to give precedence to corporate interests in this country.

I thank the Senator.

CLIMATE CHANGE

My original topic of being here before I got into the subject is this is my 74th visit to the floor to urge my colleagues that it is truly time to wake up to the threats of climate change.

The reports keep rolling in. The latest one for coastal States such as ours is a study called ''Risky Business'' that was commissioned by former New York City Mayor Michael Bloomberg, who knows something about coastal issues, having been flooded by Sandy, former George W. Bush Treasury Secretary Hank Paulson, and former hedge fund manager Tom Steyer. This report calculated the economic effects of climate change throughout the United States and it found that along our coast between $66 billion and $106 billion worth of existing property—property that Americans own right now—will likely be below sea level by 2050. By 2100, $238 billion to $507 billion worth of Americans' hard-earned property will be underwater.

Now, everything doesn't happen just as you guess. Sometimes you get bad news that there are long odds and you need to be prepared for those long odds. The report found there are 1 in 20 odds that by 2100, the end of this century, there would be around $700 billion of infrastructure below sea level and nearly $730 billion more of infrastructure that would be potentially in trouble during high tides. So our landlocked colleagues may laugh this off, but if a similar threat were looming at their State's door, they would, I submit, be paying attention. For coastal States such as ours, this is deadly serious. The Atlantic coast, including Rhode Island—a coastal State named the Ocean State, the second most heavily populated State in terms of population density in the country—we have a lot of people living along that coastline. Our coast will see the worst of it.

Climate change, unfortunately, has become, mostly since Citizens United for reasons I have elaborated on before, a taboo subject now for Republicans in Congress. So the discussion here of climate change is somewhat one-sided, but Americans who are witnessing climate change's effects firsthand in every State around the country know—and if they don't know they are learning—that climate change is a real problem.

I have discussed my travels to Florida, to Iowa, to North and South Carolina, to Georgia, to New Hampshire, and of the actions these people are taking in their home States to stave off the worst effects of their changing oceans and climate. But at the local level folks truly aren't denying climate change. That is something that is unique to Congress and the peculiar world we inhabit. They are not denying, they are paying attention. And it is not just in coastal States that people are paying attention.

This week I am going to look at Utah. Utah is right here on this section of the map of the southwest corridor of our country. This is a map of temperature trends. Temperature is not complicated. It is not some difficult theory that people have to try to get their minds around. We measure it with thermometers. It is pretty straightforward stuff.

On this chart we see that average temperatures over the last 13 years compared to the long-term average over a century show there has been an increase in temperature across the entire State of Utah. Down here, this region, the average has increased 2 full degrees Fahrenheit. In the southeastern part of the State there are actually spots where the temperature has risen as much as 4.5 degrees Fahrenheit.

Southern Utah is home to iconic national parks including Zion, Bryce Canyon, and Arches National Park. In Utah, park officials aren't denying climate change. Just last week the Park Service released a report called ''Climate Exposure of U.S. National Parks in a New Era of Change.'' This report studied dozens of climate variables in 289 national parks. In Bryce, Zion, and Arches, the report shows higher year-round temperatures, hotter summers and warmer winters. Such significant shifts in temperature can mean less snowpack, worse wildfire seasons, and abnormal conditions for the plants and animals that reside in those parks.

Utah is getting warmer and it is getting drier. The U.S. Geological Survey shows a significant drop in the size and scope of floods in rivers and streams all across the Southwest in this area from 1920 to 2008, and that of course includes southern Utah.

Indeed, here are the symbols for the negative trends, and the biggest symbol for a negative trend in river and stream flooding is this one. If you cannot see the map very clearly, that is southern Utah. Here is the State of Utah right here and there is the location where the highest drying trend in streams is taking place—again, not complicated. This isn't a theory, this is based on simple rainfall measurements and simple flooding measurement.

If you look at it, you will see another place that is going up a lot. We New Englanders are seeing an increase, although in the Southwest they are seeing a substantial decrease. So when those characters come into our hearings and give testimony saying, oh, you don't have to worry about this because there isn't an overall increase in flooding or anything, yeah, because they offset each other—but go to Utah and you see a very distinct trend and it is drier. Other factors, such as population growth and water management policies, play a role, but Lake Powell in Utah is about half full right now. Lake Mead, farther down the Colorado River in Nevada, has drained down to just 39 percent of its capacity. That is the lowest level Lake Mead has ever been since it was first filled behind the Hoover Dam. Scientists at Colorado State University, at Princeton, and at the U.S. Forest Service predict that unless we take major action climate change may lead to water shortages so

severe that Lake Powell and Lake Mead dry up completely.

The drying of the Western United States and of southern Utah means less water for drinking, fighting fires, farming, wildlife, and recreation. Salt Lake City gets 80 percent of its water supply from snowpack in the Uinta and Wasatch Mountains. If predictions hold true, local water managers in Utah will no longer be able to depend on historical data to predict and manage how much water the mountains will yield. Utah will be in a brave new world—a dry new world.

The prolonged drought conditions in the Western United States, compared to the last century, make it ripe for forest fires, and indeed a recent study of western wildfire trends—led by Dr. Philip Dennison of the University of Utah—from 1984 to 2011, fires have become larger and more frequent. The total area burned by these fires is increasing over this time period at roughly 90,000 acres burned per year. That is the rate of increase.

The recent National Climate Assessment similarly shows that ''between 1970 and 2003, warmer and drier conditions increased burned area in western U.S. mid-elevation conifer forests by 650 percent.'' That report is quite clear about the link between climate change and these forest fires in the region, noting that ''climate outweighed other factors in determining burned area in the western U.S.''

These changes in temperature and precipitation are putting Utah's iconic desert sagebrush at risk, according to Peter Alder, an ecologist at Utah State University. Sagebrush is grazed by livestock, and it is important to Utah's ranching industry. Dr. Alder is working with faculty and students from seven area universities to better understand the vulnerability of sagebrush ecosystems to climate change.

These Utah scientists are not denying climate change, and neither is, for instance, Utah State University. Utah State has entire new courses of study to train the next generation of students to predict and combat climate change. Utah State has its own climate action plan. Utah State has an active climate center, and it is not the only one. The University of Utah has an active sustainability center and an army of students and researchers working on addressing climate change. Each year, the University of Utah publishes an annual report on climate change.

Members of Utah's delegation may be pretending climate change is not real, but Utah's universities are not. They are not denying. They are acting. Utah's capital city is not denying climate change.

There may be a barricade of polluter influence around Congress, but mayors all across the country are taking action, including in Utah, as we saw with the unanimous resolution of the Conference of Mayors recently. The United States Conference of Mayors ranked Salt Lake City, UT, and its mayor Ralph Becker first place in the Mayors Climate Protection Center rankings because of the impressive work being done in Salt Lake City. For example, the Salt Lake City Public Safety Building will be the first public safety building in the Nation to achieve a net zero rating, which means it generates as much electricity as it uses.

Utah also has energy investors who are wide awake, building a growing number of solar installations. Community Solar has a pilot project in Salt Lake that allows homeowner groups to purchase solar energy. It is estimated that over its 25-year lifetime, this installation will avoid 5,500 tons of carbon dioxide pollution.

Renewable energy is integral in Utah's energy portfolio moving forward. In this chart, we can see this display showing that by 2050, Utah will rely mostly on wind, solar, geothermal, and natural gas to achieve carbon dioxide emission reductions of 80 percent compared to 1990 levels. As we can see, the yellow is solar. Solar is projected to account for more than half of this shift.

Utah-based businesses, such as EBay, are enhancing renewable energy. EBay built a data center in South Jordan, UT, and wanted to make sure it used only clean energy to run that facility. To accomplish this, EBay worked with GOP State senator Mark Madsen, Rocky Mountain Power—the State's largest electric utility—and a local renewable energy generator on legislation to make renewable energy available to Utah electricity consumers. None of them were denying climate change. The renewable energy bill was unanimously passed by the Utah State Senate and House of Representatives and signed into law by Republican Governor Gary Herbert. EBay employs 1,500 people in Utah, including its 400-member group in Salt Lake City known as the Green Team, dedicated to making the company environmentally responsible. They are not denying climate change in Utah. EBay is actually looking to add another data facility and more jobs using that same clean energy framework.

The faith community in Utah is taking action as well. Utah Interfaith Power and Light is a network of nearly 30 Christian, Jewish, and nondenominational congregations, representing thousands of Utahans seeking ''to promote earth stewardship, clean energy, and climate justice.'' In addition to conducting free energy audits for new-member churches and offering plans to increase energy efficiency in their buildings, Utah Interfaith Power and Light also works to educate its members about climate change and advocates at the local and State level for moral and responsible climate policy.

Then, of course, there is the famous Utah ski industry. The operators of Utah's great ski resorts have been outspoken about the threat climate change poses to their business. Five of them—Alta Ski Area, Canyons Resort, Deer Crest Private Trails, Deer Valley, and Park City Mountain Resort—signed the BICEP coalition's Climate Declaration in support of national action on climate change. They are not denying climate change.

Indeed, the Park City Foundation in Utah issued a report explaining that as drought and increasing temperatures reduced the snowpack in the Cascade Range and the Rocky Mountains, the future of skiing and snowboarding in those ranges is at risk. This Utah report predicts a local temperature increase of 6.8 degrees Fahrenheit by 2075, which could cause a total loss of snowpack in the lower Park City resort area. Beyond the loss to the skiing tradition in Park City, this will result in thousands of lost jobs, tens of millions in lost earnings, and hundreds of millions in lost economic output, and that is according this Utah report.

In Utah as in other States there is a groundswell coming from local communities asking for action on climate change. There are scientists, public health advocates, business owners and corporate leaders, outdoorsmen, faith leaders, State and local officials, and countless others demanding action on climate change and leading the charge.

David Folland is a retired pediatrician, and he is the co-leader of the Salt Lake City Citizens Climate Lobby, which recently joined 7 other Utahans and 600 volunteers from around the country to come to Congress to push us for swift passage of a proper carbon fee. In a Salt Lake City Tribune op-ed last week, Dr. Folland wrote: ''[p]lacing a fee on carbon sources and returning the proceeds to households would create jobs, build the economy, improve public health, and help stabilize the climate.''

Madam President, I ask unanimous consent to have Dr. Folland's op-ed printed in the RECORD at the conclusion of my remarks.

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

Mr. WHITEHOUSE. Outside these walls, climate change is an issue Republicans can actually discuss. Outside these walls, 2012 Republican Presidential candidate John Huntsman, who won reelection as Utah's Republican Governor in 2008 with almost 80 percent of the vote—this is a popular guy in Utah—wrote a New York Times op-ed this year entitled ''The G.O.P. Can't Ignore Climate Change.'' That is the title of Governor Huntsman's article.

He wrote:

> While there is room for some skepticism given the uncertainty about the magnitude of climate change, the fact is that the planet is warming, and failing to deal with this reality will leave us vulnerable—and possibly worse. Hedging against risk is an enduring theme of conservative thought. It is also a concept diverse groups can embrace.

That is from Utah's former Governor.

By the way, when he ran for reelection and won by that near 80-percent margin, he was running on a pretty good environmental platform. He was

not denying. But in Congress there is silence from the Republican Party—except those who come and say that climate change is just a big old hoax. It would have to be the most complicated hoax in the world, with most of our corporations, the Conference of Catholic Bishops, the National Aeronautics and Space Administration—NOAA—and innumerable other groups involved in it, and it would be pretty impressive to actually raise the level of the seas 8 to 10 inches as a part of that complicated hoax, but I guess that is their notion of why that is happening.

Here, other than that hoax argument, there is silence. No Republican comes to the floor to say: You are right. This is a problem. We should do something about it. Let's work together. We may not agree on the solution right now, but let's at least work on it as a serious problem.

They won't do that. The Republican Party has taken the position and followed the direction of the polluters. It is as simple as that. I, for one, believe they will be judged very harshly for that choice because Americans know better. Utahns know better. More and more people across America see what is happening before them, and they are no longer fooled by the phony campaign of denial.

I hope this Congress will listen to the people in our home States and the people across this country and wake up to what has now become a clear and present danger. We need to do what the people who elected us sent us here to do, which is face reality, make sensible choices, work together, and solve problems, not stick our heads in the sand and pretend problems don't exist.

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

[From The Salt Lake Tribune, July 11, 2014]

OP-ED: CARBON TAX PROVIDES MARKET-BASED SOLUTION TO CLIMATE CHANGE

(By David Folland)

Imagine receiving a check for $390 each month, deposited directly into your checking account, through no effort of yours except that you had previously voted for visionary members of Congress. Indeed that is what a family of 4 would receive if carbon fee and dividend legislation were to be enacted by the Congress, according to a new study by the highly-respected economic analysis firm REMI (Regional Economic Models, Inc.). The study was commissioned by Citizens' Climate Lobby (CCL).

Last week I joined 7 other CCL volunteers from Utah in Washington, D.C., to ask our federal elected officials to support such a carbon fee and dividend (F&D) policy. We were among 600 other volunteers who together visited over 500 members of Congress or their aides. Our visits were all part of actions by the non-partisan, non-profit Citizens Climate Lobby, a rapidly growing organization of committed volunteers who are creating the political will for a stable climate. We are taking democracy into our own hands and not leaving our future to the paid lobbyists and special interest groups.

The REMI study modeled the effect of a fee and dividend policy. In this plan, a fee would be charged on the carbon-based fuels (coal, oil, and natural gas) at the point they enter the economy (the mine well head, or port of entry) based on the amount of carbon dioxide they produce when burned. The fee would increase by a defined amount yearly for 20 years. The revenues would be distributed to households equally.

The results after 20 years are striking: 2.8 million jobs would be created; the economy would grow by $1.375 trillion more than the economy with no carbon fee; 227,000 lives would be spared due to reduced air pollution; and carbon dioxide emissions would be reduced by 52 percent.

Sound too good to be true? Not really. By returning all revenues to households, consumers would spend their dividend, adding to demand for goods and services. And energy prices actually decrease after the uth year, as less-expensive energy sources come on line. Americans would enjoy better health as coal-fired power plants and other dirty energy sources are phased out and their toxic fumes eliminated.

This market-based solution contrasts quite markedly to the EPA regulations proposed by President Obama. The EPA regulations pertain only to coal-fired power plants. By contrast, F&D's effects would ripple through the entire economy. Also, the elevated cost of electricity from EPA regulations would affect the poorest citizens most severely. By returning the dividend to households, two thirds of people would receive more in their dividend checks than they would pay for the increased cost of energy and goods, and that would include the poorest among us. Also our proposal would not grow government, thus could appeal to both political parties.

After a long day of lobbying, Rhode Island Sen. Sheldon Whitehouse addressed the CCL volunteers. He suggested that the tipping point that will lead to action and policy on global warming is probably closer than most people think Many who attended the conference have the same feeling. Our members of Congress and/or their aides listened carefully and responded thoughtfully to our proposal.

There is ample reason for our elected federal officials to support carbon fee and dividend legislation whether or not they are concerned about the threats of global warming. Placing a fee on carbon sources and returning the proceeds to households would create jobs, build the economy, improve public health, and help stabilize the climate.

Mr. WHITEHOUSE. I yield the floor, and I note the absence after quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION CRISIS

Mr. DURBIN. Madam President, yesterday I went to Chicago to a residential neighborhood, and I went into a building and saw a piece of American history and an American humanitarian challenge, the likes of which we have seldom seen. In this building were 70 children. They were children who just hours and days ago were at the border of the United States in Mexico. They had turned themselves in to the border officials and they were being processed. Our law says that within 72 hours they need to be moved from the law enforcement world to the world of protection or at least a secure environment. That is the right thing to do. It was a law passed years ago when President Bush was in the White House, signed by him, and I believe unanimously passed by at least one of the Chambers, so it was not controversial at the time. It was thoughtful. It basically said if it is an unaccompanied child at the border, within 72 hours put them in a safe place.

This is one of the safe places across America. It is a shelter in the city of Chicago. It is not the only one. It is protected from the public. If someone went by it in a car, they wouldn't even know it was a shelter with 70 children inside, in a residential neighborhood where for 19 years the shelter has been welcome, because it is clear, secure—no problems.

But now we face a challenge because the number of children unaccompanied coming into the United States is reaching recordbreaking proportions.

America, primarily because of location and other circumstances, seldom has faced anything like a refugee crisis. We can remember efforts by the Haitians or the Cubans, maybe the Vietnamese, the Hmong people, to come to the United States, but our experience pales in comparison to countries such as Jordan. Ten percent of the population of Jordan today is refugees who come to that country from all over the Middle East. With Syria collapsed under the weight of war and all of the horrors that it brought, 2.3 million, maybe 3 million left Syria for countries such as Jordan and Turkey and Lebanon. For these countries, refugees are part of their daily lives. For the United States, it is rare. It is rare to see one. It is rare to speak to one.

That is why yesterday's experience for me was so important. I had heard all of these stories about these children and a lot of speculation about why they are here and what we should do with them, and I wanted to see them firsthand.

Let me tell my colleagues, of the 70 children, there were some who were newborns, babies being held by their mothers. I have reached a point where it is hard for me to guess anyone's age, particularly young people. It is harder still when they are from countries in Central America because they are smaller in stature, many of them malnourished, and they are usually a little older than one might think. They look younger. But five women walked into this dining hall carrying their babies, and I don't believe a single one of them was 15 years old. They had brought these babies, many of them on buses, for 8 days to the border of the United States to try to escape. Cases of rape and assault had led to these pregnancies and these babies, and they were trying to get away from drug gangs and threats on their lives. And here they were, in this neighborhood in Chicago, in a safe place, with others just like them.

Then I went among the children—90 percent of them from Central America;

some from Africa, some from China; 90 percent of them from Central America—and I would speak to them and hear their stories. For many of them, there was a relative in the United States they were hoping to find so they could finally find a safe place. This situation is a terrible humanitarian crisis involving vulnerable children.

The United States is about to be tested. We are going to be tested as a people—our generation—as to how we respond. I hope we pass that test.

Remember, our country—the United States—issues a report card every year. The State Department issues a human rights report card on the world. The United States stands in judgment of the world and their record on human rights, and we take into consideration the way they treat women, how other countries treat children, how they treat refugees, and we grade them. That is a pretty bold position for us to stand in judgment of other countries, but we do, hoping we can set a standard they will follow and hoping we can hold them to those standards. Now we are going to be graded. The United States will be graded as to how we respond to this crisis.

The President has sent a bill to Congress. He is asking for a substantial sum of money so we can not only deal with this issue at the border but beyond, in places such as the shelter I visited in Chicago.

There is a lot of speculation among Senators and Congressmen about how our laws are going to deal with this current flood of children coming into the United States. We know why they are coming. Many are being pushed out of their country by drug gangs and violence—girls who are threatened with sexual assault if they don't give in to a gang leader and then, if they do, killed and left in plastic bags by the side of the road. Young boys are drafted into these gangs at the point of a gun; they are going to comply or be shot and killed. That is the reality, not to mention the horrible poverty which is endemic to these three countries—Honduras, El Salvador, and Guatemala.

So now we have to decide what we will do. There are several things that are obvious. First, I am glad President Obama and Vice President BIDEN are going to Central America and telling these families: Please, do not send any more children. It is just too dangerous. They don't automatically come into the United States and receive citizenship. If people have heard that, it is wrong.

We have told these countries, begged their leaders to help us in discouraging these children from coming. But in many cases desperate parents, desperate families are doing desperate things.

I asked yesterday at the shelter: Is it true that some of the teenage girls who arrive here—and they all go through a physical exam—are on birth control pills? They said: Yes. Before they start the journey, their families will give the girls birth control pills as a protection from pregnancy because they fear they will be assaulted and raped. I can't imagine—I cannot imagine a family situation so desperate where they would make that decision, but it is happening.

I looked too at some of the comments that have been made. There are people who have said we need to flood the border of the United States with National Guard troops. It doesn't make sense because these children are not trying to sneak past border guards; they are turning themselves in as soon as they cross the border because they have a little piece of paper with the name of someone in the United States to contact. So more troops and guards on the border won't change those desperate children.

One of them I saw from Guatemala with his little sister. She is a cute little thing but too shy to say anything to me. He, through a translator, said a few words, and he carried her on his shoulders across the Rio Grande River. That is what his responsibility was, and he was going to get across that river with his little sister. He did. That is why we need to look at this in human terms as well.

Before I came to Congress, I used to be a lawyer in Central Illinois, the small town of Springfield. It is not a big city, I guess, by our State's terms, but we are proud of our population—but not a major city. I practiced law there, and I knew what it was like in a small town to practice law. I also knew this: No one in good conscience with an ethical bone in their body would put a 6-year-old kid in a courtroom and say: Good luck. We never did that. It was inconceivable. If there was a child whose fate was going to be decided in a courtroom, there was a guardian ad litem appointed to represent that child's interests—not the interests of any other party, just that child. There may have been an attorney appointed in addition to represent that child because we realize they cannot make decisions for themselves.

Now we are faced with a suggestion by some that when it comes to these children, within a few days after their arrival in the United States, they will be put in a courtroom. If Members of the U.S. Senate and the House of Representatives came to that shelter in Chicago and saw those little children sitting at the table, they would be embarrassed by that suggestion. We can't do that. It isn't fair to them, and it doesn't reflect well on our values if it is even suggested. We have to have a process that is fair and one that reflects our values in the United States.

This is a human tragedy. These children have made it through this death-defying journey. I can tell my colleagues it broke my heart when I heard them tell their stories. A little girl—she was there with her little brother. She was 12; her little brother was 6. He had Down syndrome, and she brought him from Honduras to the United States. She said she came by bus and she was on that bus for 6 or 7 days before she made it to the border. Can my colleagues imagine turning a child loose to catch a bus ride that would last 6 or 7 days to go to a country in the hopes they might be safer and also take their disabled little brother with her? Every time that little boy would get up and scramble around the room, she was right after him. She wasn't going to let him out of her sight. That is what her life is and what it has been, and it is an indication of the kind of children we are now facing and need to deal with.

This is not a political issue, although politics are involved. It is much more. It is humanitarian—testing who we are, what we believe. It is a challenge to us to deal with immigration in the 21st century. It is a challenge to us as well to make sure that at the end of the day, history writes this chapter about the American people and says they were good and caring people, compassionate and caring people.

Today I received a press release that was put out by a religious group, the Evangelical Leaders of America. This is not my religion, but I respect very much what they had to say. I would like to read what one of the ministers said:

> As a former Texan, my heart goes to the border of Texas. As a born-again Christian, the Gospel of Jesus Christ calls me to compassionate action for those who are suffering right now as a result of the immigration crisis, especially the children.

This was written by Ronnie Floyd, president of the Southern Baptist Convention and pastor of the multicampus Cross Church in northwest Arkansas. His Friday Baptist Press op-ed continues:

> This is an emergency situation that requires the best of each of us in America . . . The gospel of Jesus Christ moves me to call on all of us to demonstrate compassionate action toward the immigrant.

As I said, he is not a member of my religion, but I respect very much that he would stand up and speak out and remind people that this really is a test. Regardless of whether one is a Christian or some other denomination or one has no religion, it is a test of who we are and our human values.

When I read the suggestion that these young children need to be placed in a hearing room or a courtroom within a few days with the possibility of someone standing by their side—that is wrong. That is just wrong. We can't let that happen.

Many years ago we signed a refugee convention saying that when it came to refugees, countries in the world should accept and adopt the same humane standards.

Now we are facing our refugee crisis here in the United States. We need to make it clear to these countries that these children are not coming in to be citizens of the United States. That is not in the cards. But we never want to be in a position where these children

are returned to dangerous situations, harmed, and it is on our conscience, on our watch. That is unacceptable.

I want to say one thing in closing. We need to solve this problem, but God forbid that is the end of the conversation. We passed an immigration bill, a comprehensive immigration bill, to clean up this broken immigration system over a year ago on the Senate floor. Democrats and Republicans agreed on it, and we sent it to the House of Representatives. But for over a year they have refused to even call the bill, refused to even debate the bill, refused to even come up with a substitute to the bill. They are ignoring the broken immigration system in America and criticizing this President when the breakdown is obvious.

The President is ready. He has said over and over he will step aside and let them work it out and come up with a congressional answer. But there is no excuse for this. For Congress to refuse to accept its responsibility when it comes to immigration reform is just wrong. I am glad the Senate met its responsibility, and now I call on my colleagues over in the House to do the same.

(Mr. DONNELLY assumed the Chair.)

Mr. President, on June 30, five conservative Justices of the Supreme Court held that certain for-profit corporations—closely held corporations—could refuse to provide their female employees with coverage for health care benefits that are guaranteed by law. This Hobby Lobby decision, some estimates suggest, would apply to as many as 90 percent of American businesses, depending on what the courts define as a ''closely held'' corporation.

This was an activist decision by an activist Supreme Court. Congress never intended for for-profit corporate entities to claim religious beliefs or to use religious objections to deny their employees rights guaranteed by law.

For-profit corporations, for the record, are not people, and they are not created for a religious or charitable purpose. They are created to make a profit while giving their owners protections from liability under the law. I have been to a lot of churches. I have yet to see a corporation in a pew in a church.

Moreover, previous cases ruled on by the Supreme Court have established a tradition of privacy—one that permits women, not the government or their employers, to make their own decisions about birth control and family planning.

The ruling in Hobby Lobby violates that tradition by empowering for-profit corporations to claim religious objections to a law that guarantees access to cost-free contraceptive coverage. As a result of this decision, women across America are at risk of losing access to elements of their health care coverage, including coverage for prescription birth control pills and more.

Birth control is an important part of a woman's health care, and millions—99 percent of child-bearing-age women—rely on these benefits.

The Affordable Care Act and its regulations provide for insurance coverage for birth control, allowing for a woman, her family, and her doctor to decide what is best. As a result, about 30 million women have gained access to cost-free insurance coverage for contraceptive services, including 1.1 million in my State of Illinois—almost 10 percent of the population.

This is coverage that nearly all women use. In 2013 the Centers for Disease Control reported that 99 percent of sexually active women between the ages of 15 and 44 have used birth control at some point in their lives.

So here is the bottom line: No for-profit corporate entity should be allowed to discriminate against women and take away an insurance benefit that a woman is entitled to just because the owner of the company does not agree with it. A woman's personal health choices are none of her boss's business.

Last week my colleagues and I introduced legislation that would ensure that women affected by this decision can continue to get contraceptive coverage they need and that the law provides regardless of who signs their paycheck.

Importantly, this bill being offered by Senators PATTY MURRAY and MARK UDALL prevents any corporation from using the Supreme Court decision to deny women access to services guaranteed to them under Federal law.

Although the Supreme Court ruling focused primarily on contraceptive coverage, it left the door open for future litigation challenging other basic health care benefits—vaccines, blood transfusions. This is unacceptable, and the legislation before us would stop this discrimination once and for all.

This legislation is not about overriding the religious beliefs of any living person or any nonprofit charity. Our legislation respects and accommodates the beliefs of individuals and nonprofits. Remember, the Hobby Lobby case involved for-profit companies which are not human beings but are legal entities that are incorporated for a profit-making purpose.

When people decide to incorporate a for-profit entity, they agree that the entity will be subject to basic laws that protect the rights of their employees, including laws that prevent discrimination and laws that enable women who work for them to access adequate health care.

The decision of the activist Hobby Lobby majority suddenly allows these for-profit corporations to declare themselves exempt from these basic laws and discriminate against women's health care coverage. That is a significant change in the law and, as a result, untold thousands of American women will end up losing access to affordable health care that they had been guaranteed.

This is a problem, and it is a challenge. We need to protect women's access to affordable prescription contraception and prevent corporate entities—for-profit corporations—from interfering with their employees' health care decisions.

This week in the Senate my colleagues and I will have a chance to vote on it. I think it is a critical vote. I might add another element here. Many people want to discuss the issue of birth control in the context of abortion, a hot-button issue, and it has been for years across America. The record is pretty clear. If there are more unplanned pregnancies, there are more likely more abortions. Reducing the number of unplanned pregnancies reduces the number of abortions. It is simple math. There are some who disagree on theological grounds. They cannot disagree on biological grounds. So standing up for family planning and birth control to avoid unplanned and unwanted pregnancies is going to reduce the incidence of abortion in this country—something I hope all of us feel would be a positive development. I certainly do.

So I hope we can stand together this week on a bipartisan basis and tell the Supreme Court they are wrong and pass this new law that takes away the power of bosses to determine the health care of the women who work for them.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. DURBIN. I do. I am sorry; I did not see my colleague.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Thank you, Mr. President.

I am honored to follow those eloquent and powerful remarks by my friend and colleague from Illinois, and I am particularly impressed and moved by his comments on young people coming across the border that deserve better from this Nation—better in the care they receive when they are here, better in the due process and the justice this country gives them once they have arrived. But I am here to talk about the Hobby Lobby decision by the Supreme Court and to second in every single respect the remarks that Senator DURBIN has just made.

I went to the site of a new Hobby Lobby store in the State of Connecticut, being built in Manchester—the second in Connecticut—where its goods and services will be available to consumers in Connecticut. It is an impressive new structure. But it was not a groundbreaking or ribbon cutting. I went there to call on Hobby Lobby to do right for its employees and for its customers in the State of Connecticut.

I went there to make public a letter that I have written to the chief executive of Hobby Lobby, asking that he and his company respect the law, history, and policy of our State and also of the United States.

The U.S. Supreme Court has made its decision interpreting the Religious

Freedom Restoration Act in giving this corporation—a for-profit entity—the right to tell its women employees that they have no access to certain kinds of contraceptive care approved by the FDA. That is a legal decision that cannot be overturned by my speaking on the floor of the Senate or in my writing to the CEO of Hobby Lobby. But it can be overturned by a law that changes that opinion—changes the opinion, in effect, by overruling it.

That is the purpose of the Not My Boss's Business Act, as well as the Protect Women's Health From Corporate Interference Act, and that is the reason I am going to vote for it because I feel that women should be making these decisions with their doctors, and that neither politicians nor business executives nor their corporate entities should be interfering and intruding in that decision.

We can debate whether corporations ought to have these rights under the law, whether they are entitled to use the law, in effect, to assert legal claims, whether to the First Amendment or to the Religious Freedom Restoration Act. This decision was a statutory one. We can disagree with it all we want. But the way to overturn it is to legally adopt a new statute here.

That is why I am so strongly supporting this change in the law that I hope will be adopted on a bipartisan basis, because there ought to be nothing partisan about women's health care, about preventing unnecessary abortion, as Senator DURBIN has said so well, and about providing a form of health care that really is in the interests of families as well as women. It is in all of our interests.

I called on Hobby Lobby to put aside the technical distinctions that it can assert and the legal principles that it may invoke because it is a self-funded plan under the law, but simply do the right thing and follow Connecticut's law, policy, and history.

Connecticut has a law. It is a State statute that was adopted in 1999. I vigorously advocated for it. It requires that contraceptive care be covered by insurance plans—any contraceptive method approved by the FDA. That is the law of Connecticut—well established, long accepted, and strongly supported, and Hobby Lobby is flouting it. Maybe in letter it has a leg to stand on, but in spirit it is thumbing its nose at the people of the State of Connecticut. My message to Hobby Lobby is, if you want Connecticut customers, respect Connecticut's law.

Now, this principle of privacy—of women following their conscience and their conviction, making these decisions on their own, one way or the other, to use contraceptives or not, after consulting with their doctor or other medical experts and their family, their clergy, personal advisors—this principle of personal privacy is enshrined not only in Connecticut law but in our history. In fact, Connecticut has led the Nation in asserting and respecting the right of privacy. Griswold v. Connecticut, which struck down a prohibition on the sale of contraceptives, arose in Connecticut, argued by a great renowned Connecticut lawyer Catherine Roraback.

The right of privacy, as one of our Supreme Court Justices said, is essentially and fundamentally the right to be let alone. It is the right to be let alone from unwarranted government interference and intrusion. This interpretation of the Religious Freedom Restoration Act by the Supreme Court contravenes that basic principle embodied and enshrined in Connecticut history as well as law.

I call on Hobby Lobby to respect that law and our policy of respecting that right of privacy that is embedded and respected in the way that law enforcement as well as our statutes and our courts interpret their role in Connecticut, and their authorities and their powers. The fundamental principle here is that religious liberty should be respected.

It is the religious liberty of those executives at Hobby Lobby, its owners and private corporation shareholders, for-profit entity owners. They deserve respect for their religious liberty. But religious liberty is about the right to practice your religion; it is not the right to impose your religion on someone else. This country was founded on that fundamental principle of religious liberty and the right of privacy, the right to be let alone from unnecessary and unwarranted interference. It is the right of privacy and religious liberty that is at stake here in this activist, erroneous Supreme Court decision, which we have the power to overturn here, and to restore religious freedom, truly restore the liberty of conscience and conviction that is so fundamental to American life and American exceptionalism.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING DRESS FOR SUCCESS LEXINGTON

Mr. MCCONNELL. Mr. President, I rise today to honor Dress for Success Lexington and its Kentucky co-founders, Analisa Wagoner and Jennifer Monarch. It was my distinct pleasure to help these women secure 501(c)(3) nonprofit status from the IRS for their business, and I am honored to know that I have played a role, albeit a minor one, in all the good that will continue to come of Wagoner and Monarch's venture.

Dress for Success was founded in New York City in 1997. Since then the organization had expanded into 128 cities around the world, including locations in Louisville and Lexington, KY.

As its name suggests, Dress for Success provides gently used, professional clothes to disadvantaged women. This is not, however, the totality of the organization's services. Looking the part is indeed a piece of the equation, but to ensure success they also provide counseling and training as their clients navigate the jobs market and begin work.

Jennifer and Analisa opened the doors to Dress for Success Lexington over a year ago. In the intervening time, they were inundated with enough clothing donations to render their initial location inoperable. Theirs is a business model that does not work unless people are willing to give. Fortunately, helping others in need is second nature for the people of Lexington, KY.

Last September, Dress for Success Lexington moved into a newer, much larger location in the Eastland Shopping Center. And with its newly acquired non-profit status, which makes the organization eligible for certain grants, donations, and a tax-exempt status, the future looks decidedly bright for Dress for Success Lexington.

Dress for Success Lexington is a model for serving the community. They are not just helping people—more importantly they are providing the tools and training for women to help themselves, and in turn do the same for others.

Therefore, I ask that my Senate colleagues join me in paying tribute to these exemplary citizens and Dress for Success Lexington.

Mr. President, the Lexington Herald-Leader recently published an article profiling Analisa Wagoner and Jennifer Monarch, and their work with Dress for Success Lexington. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Lexington Herald-Leader, Aug. 21, 2013]

DRESS FOR SUCCESS LEXINGTON HAS FOUND A HOME, PLANS TO OPEN IN LATE SEPTEMBER

(By Merlene Davis)

I wrote about Analisa Wagoner and Jennifer Monarch in April as they were being overrun by mounds of gently worn clothing.

They had run out of room for the generous donations from Lexington women who were more than willing to help their less fortunate sisters get on their feet.

A bit overwhelmed but definitely not discouraged, Wagoner and Monarch had been approved to start a local affiliate of the

international Dress for Success program which provides professional attire, a support network and career development tools to help women become economically independent.

Now I am writing about them because they have secured a permanent home for Dress for Success Lexington in the Eastland Shopping Center. It will open in late September. The non-profit will be the second such program in Kentucky. Louisville's affiliate was established in 2000.

Wagoner said the new location is getting spruced up and painted, the furnace is being replaced and a dressing room is being added.

''We are still in that process,'' she said. ''In the ideal, fingers-crossed time line, we may get the keys by the end of the week.''

That will be followed by the addition of furniture and clothing racks.

Meanwhile, the women have scheduled the first of many mandatory orientation and training sessions for volunteers. People are needed in administration, inventory, fundraising, outreach, and technical and graphic areas. Soon, there will be a need for volunteers in the career center to conduct mock interviews, offer job search tips and edit résumés and cover letters. The training session will be held at the Central Library downtown.

''That is where we held our start-up meeting in May,'' Wagoner said. ''We have come so far since then. We've come full circle.''

The sessions are geared to get everyone on the same page, she said. A video provided by the worldwide organization will be shown, featuring Joi Gordon, chief executive officer, who will talk about the program.

Those in attendance will be able to select their preferred area in which to help.

The Eastland site has more than 2,000 square feet of space and was the ''last missing piece of the puzzle,'' Monarch said. It will be enough space for organized racks of professional clothing, two dressing rooms, an area with computers, and office space.

''With the space, we have everything we need to start helping women, which is our No. 1 and only goal,'' she said.

Clients are helped through referral only, Wagoner said, and after completing a job training program through a government or social services agency.

The client then works with a volunteer personal shopper who helps her select appropriate attire and also provides support and encouragement as she prepares for job interviews.

After landing a job, the client can then return for more clothing and support.

On Sept. 19, referral agencies will be invited to an open house to learn about the program's mission. But that's not all the events being planned. On Oct. 1, Mayor Jim Gray will be on hand for the official opening.

And on Oct. 17, local designers, who have been given outfits that aren't suited for the workplace, will show off their skills in a Recycle the Runway fundraiser and fashion show at The Grand Reserve on Manchester Street.

Wagoner and Monarch are determined to see this program flourish. Considering where they started and where they are now, I wouldn't advise anyone to stand in their way.

It will be better for us to just get onboard.

REMEMBERING GEORGE CARNES, JR.

Mr. MCCONNELL. Mr. President, it is with a heavy heart that I rise today to report some sad news to my Senate colleagues. On June 29, 2014, Mr. George Carnes Jr. of Walker, KY, passed away at the age of 87.

George was born on November 3, 1926, to George and Mossie Bargo Carnes. In the aftermath of the Second World War, he served his country as a part of the U.S. Army's German occupation force.

Upon returning from Germany, George married Lena Shelton on a summer day in 1953. Family was paramount in George's life, and the two were happily married for 52 years until Lena's passing. Together they had, and are survived by, three children Alene Foley, Sandra Howard, and George Carnes III.

I am fortunate to know well one of his four grandchildren, Andrew Howard, who is on my staff, and to see firsthand the product of George's influence. George loved most of all spending time with his family, whether it was discussing the latest Kentucky basketball and Cincinnati Reds news, passing down his farming techniques, or simply playing with his two great-grandchildren.

George was also a man of great faith. As an ordained Baptist minister, he was a member of the Salt Gum Baptist Church and former pastor of the Moore's Creek Baptist Church.

George was an exemplary citizen who served his country honorably, was devoted to his church and community, and loved his family. I ask that my Senate colleagues join me in paying tribute to George Carnes Jr.

Mr. President, Hopper Funeral Home, Inc. recently published in area newspapers an obituary for Mr. Carnes. I ask unanimous consent that it be printed in the RECORD.

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

[From Hopper Funeral Home, Inc.]

GEORGE CARNES JR.

George Carnes Jr. (Junior) age 87, of Walker, Kentucky, was born there on November 3, 1926, to the late George and Mossie Bargo Carnes. Junior died Sunday, June 29, 2014, in the Pineville Community Hospital. On July 7, 1953, he united in marriage to Lena Shelton and they were married for 52 years before her passing and were loving parents to Alene Foley of Barbourville, Kentucky; Sandra Howard and husband, Rev. Rondald Howard, Pineville, Kentucky, George Carnes III, of Walker, Kentucky. Along with his parents and wife, Lena, George was preceded in death by his brothers; Alonzo, Cloyd, McCoy, LeeRoy, Raymond, Flem D. and sisters; Dorothy Carnes and Edna Carnes Messer.

In addition to his three children, Junior is survived by his sister, Evelyn Carnes Warren of Arjay, Kentucky; four grandchildren and two great-grandchildren who he loved dearly. His grandchildren include granddaughter Beth Howard; three grandsons; Michael Foley and wife, Jennifer; Jason Foley and wife, Codi; and Andrew Howard. Junior's favorite times were spent with his two great-grandchildren; Connor Foley and Grace Foley, having tea parties, watching dance performances, playing baseball and passing on his love for farming. He also loved Kentucky basketball and the Cincinnati Reds and would chat with anyone on any given day about the Wildcats or the Reds.

Junior was a member of the Salt Gum Baptist Church and an ordained Baptist Minister and former pastor of the Moore's Creek Baptist Church. He served in the United States Army as part of the German occupation force and was an employee of McCracken-McCall Lumber Company, Viall Lumber Company, Marshall Lumber Company and Forest Products.

Funeral Services for George Carnes Jr. will be conducted at the Chapel of the Hopper Funeral Home on Thursday, July 3, 2014, at 1:00 pm, with Rev. Rondald Howard and Bro. Terry Joe Messer officiating and special music by Rev. and Mrs. Ricky Broughton. Burial will follow in the George Carnes Cemetery at Walker. Pallbearers will be grandsons, nephews, family and friends. Friends will be received at the Hopper Funeral Home, Wednesday after 6:00 pm and Thursday after 10:00 am until the funeral hour at 1:00 pm.

REMEMBERING KEN GRAY

Mr. DURBIN. Today, we mourn the loss of a Southern Illinois legend, Congressman Ken Gray. Kenny had many roles in his lifetime. He was a licensed auctioneer, a pilot, and a magician. But he made his greatest mark serving the people of Southern Illinois in the U.S. House of Representatives for nearly a quarter of a century.

Kenny was a World War II veteran who served with the Army and Air Force in North Africa, Italy, Southern France and Central Europe. After the war he operated an air service in Benton, IL.

He was elected to Congress in 1954 at the age of 30 and went on to serve 10 consecutive terms. When he first went to Washington, Southern Illinois was an impoverished, rural area. Congressman Gray took great pride in the regional improvements he helped steer to his region. His work made a real difference in the daily lives of Southern Illinoisans.

His constituents loved him and the House entrusted him with increasing responsibilities. Speakers of the House Sam Rayburn and Tip O'Neil regularly called on him to preside over the chamber.

You could never forget Kenny Gray. With his rainbow of sport coats and personal helicopter, Kenny was a legend. He even had a pink Cadillac. His repertoire of jokes borrowed heavily from Red Skelton and hometown stories from Little Egypt.

Among his notable achievements in Congress: Ken helped write the 1956 Federal-Aid Highway Act, which created America's interstate highway system. Kenny kept the pen that President Dwight D. Eisenhower used to sign the historic legislation.

With president Deltye Morris, Kenny Gray helped to put Southern Illinois University Carbondale on the map as a leading university in America.

Today the section of Interstate 57 between milepost 0, at the Illinois State line, to milepost 106, at the Marion/Jefferson County line, is known as Ken Gray Expressway in honor of his role in the creation of America's highway system.

You can also see Kenny Gray's legacy in Rend Lake, which was created by the Army Corps of Engineers and supplies 15 million gallons of water per day to 300,000 people in more than 60 Southern Illinois communities. Rend Lake has saved more than $100 million worth of property downstream during flood years and it would not exist without Kenny Gray's leadership.

Congressman Gray stepped away from Congress in 1974. My mentor Paul Simon succeeded him in Congress. When Paul ran for the Senate in 1984, Kenny Gray returned to Congress to serve two more terms. In 1988, Kenny left Congress for the last time to come home after developing a muscular disorder caused by a tick bite on a congressional visit to Brazil.

Ken Gray passed away just days after we lost another Illinois political giant with whom he served in Congress, Senator Alan Dixon.

Alan Dixon once said of Kenny Gray, ''A true political legend, Gray never was defeated. He just quit.''

Congressman Gray remained a voice in the community after leaving Congress. We will miss that voice, but we won't forget his achievements.

I want to express my condolences to Kenny's family, especially his wife Margaret ''Toedy'' Holley-Gray, his daughters: Diann, Becky and Candy, and his grandchildren and great-grandchildren.

CYPRUS

Mr. DURBIN. Mr. President, I rise today to mark a troubling anniversary—that of the 40th year of the division of the island of Cyprus.

U.N. peacekeepers first came to Cyprus in 1964 due to intercommunal fighting.

Since 1974, Cyprus has been divided into the government-controlled two-thirds of the island and the remaining one-third of the island which is administered by Turkish Cypriots and occupied by Turkish military forces. The Republic of Cyprus, which joined the European Union in 2004, continues to be the only internationally recognized government on the island.

Tragically, Cyprus has been divided now for four decades, with a U.N. buffer zone separating the entire island—the so-called green line. Violence today is rare, but the long-term impacts of the separation are stark—displaced people, memories of family members killed in earlier violence, and lost property rights. Quite simply, a people who share a common island have been unnecessarily divided for far too long.

Over the last decade there have been signs of hope that the island would be reunified and the Turkish occupation brought to an end. In 2009, for example, I visited Cyprus and met with then Cypriot President Demetris Christofias and Turkish Cypriot leader Mehmet Ali Talat. Christofias and Talat, at considerable political risk, had undertaken negotiations that showed real promise—talks that I and the international community hoped would succeed. Unfortunately, they did not, and several years have passed without a resolution.

Meanwhile, the situation in Cyprus has left an island and a region divided. People have died. Families have been separated. An entire coastal area, Varosha, remains an occupied ghost town. There has been a great deal of pain inflicted on the people of this island.

While I am saddened by this 40th anniversary, I am also encouraged that a new group of leaders in Cyprus has undertaken talks that show some promise. After Vice President JOE BIDEN visited Cyprus in May, Cypriot President Nicos Anastasiades and Turkish Cypriot leader Dervis Eroglu agreed to meet at least twice a month and undertake confidence building measures aimed at easing the many years of mistrust between the two sides.

I hope the leaders of Turkey will also step forward and bring an end to the military occupation of a third of the island. Such military seizure of territory has no place in today's modern Europe.

While this is a Cypriot-led process and negotiation, I wish to express my strong hope and support for the current negotiations to bring peaceful and enduring settlement to the island.

Mr. JOHNSON of South Dakota. Mr. President, I wish to speak about the situation in Cyprus. Forty years ago this week, military forces from Turkey invaded Cyprus, eventually taking control of 38 percent of the island. Cyprus has remained divided ever since. As we observe this solemn occasion, I call on all parties to find a peaceful negotiated settlement in Cyprus.

Cyprus is an important partner to the United States, and I appreciate the recent attention given to Cyprus reunification by the Obama administration. In May 2014, Vice President BIDEN visited the island and met with President Anastasiades and Dr. Eroglu. Vice President BIDEN personally conveyed our country's support for reunification of Cyprus as a bizonal, bicommunal federation. However, as Vice President BIDEN said, ''. . . ultimately, the solution cannot come from the outside. It cannot come from the United States or anywhere else; it has to come from the leaders of the two communities, and from the compelling voices of the civil society leaders . . .''

In February 2014, Cypriot leaders issued a joint statement, prompting the formal resumption of unification talks. I was encouraged by this step but have followed this issue long enough to know that negotiators face a difficult, though not insurmountable, task. I wish them well in their negotiations and hope we can soon see progress towards a peaceful reunification in Cyprus.

MOUNT CHASE SESQUICENTENNIAL

Ms. COLLINS. Mr. President, I wish to commemorate the 150th anniversary of the Town of Mount Chase, ME. Mount Chase was built with a spirit of determination and resiliency that still guides the community today, and this is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

While this sesquicentennial marks Mount Chase's incorporation, the year 1864 was but one milestone in a long journey of progress. For thousands of years, the land surrounding Mount Katahdin, Maine's highest peak, was the hunting and fishing grounds of the Penobscot and Maliseet tribes. In the 1830s, the first White settlers were drawn by the fertile soil, vast stands of timber, and fast-moving streams, and the young village became a center of the Maine North Woods' lumber industry. The wealth produced by the forests and saw mills was invested in schools and churches to create a true community. The incorporated town that followed was named for the prominent mountain peak, Mount Chase, which towers more than a half-mile above the farms and forests below.

The arrival of the railroads in the aftermath of the Civil War further secured Mount Chase's prominence in the lumber industry, and the town was home to the largest cold-storage plant on the line for wild game and other perishable food products. By the end of the 19th century, modern transportation and the region's spectacular scenery and abundant wildlife combined to create a new economic opportunity—great sporting camps and lodges that drew outdoor enthusiasts from around the world. Today, the people of Mount Chase continue to honor the strong land use traditions and love of the outdoors that have helped make such places as Shin Pond a favorite recreation destination for residents and visitors.

In the early 20th century, the history, industry, and beauty of the Mount Chase region were made immortal by the great Swedish-born artist Carl Sprinchorn, who spent many years at Shin Pond. From his paintings of the strenuous daily life of lumberjacks to his evocative landscapes, the artist recorded a very special time in Maine history and a place that remains special today.

This 150th anniversary is not just about something that is measured in calendar years. It is about human accomplishment, an occasion to celebrate the people who for generations have pulled together, cared for one another, and built a community. Thanks to those who came before, Mount Chase has a wonderful history. Thanks to those who are there today, it has a bright future.

HAMTRAMCK FIRE DEPARTMENT BICENTENNIAL

Mr. LEVIN. Mr. President, our Nation's first responders are in many ways our everyday heroes. Always

ready when we need them most, they risk their lives to ensure our safety. To do this, they spend long hours away from their families on grueling shifts and make countless other sacrifices. For the last century, the Hamtramck Fire Department has been a part of this distinguished tradition.

The Hamtramck Fire Department was established in its current form in 1914, but the department's roots run deeper. The Hamtramck Spouters, the first organized firefighting unit in the area, was founded in February 1857. From its inception, the department has sought to improve with each passing year, which has led to many advances, including updated technology, lowered response times, and fewer fires through prevention efforts. The department has served Hamtramck citizens with distinction, even as tough economic times have made the job harder. Their mission to protect the residents of Hamtramck is as vital today as it was 100 years ago.

Today, the fire department tackles a heavy load, making more than 3,100 runs each year. In the process, they have saved countless lives and property, often at great personal risk. Their courageous service is remarkable, and their reputation within the community is impeccable.

The Hamtramck Fire Department also has sought to make an impact in the community outside of the fire hall. From organizing park cleanups, to buying uniforms for Hamtramck High School's women's basketball team, the fire department has provided valuable services to the community.

Just this year, the fire department won a fireworks display for the city in the national Red, White & You contest. They were chosen from a group of more than 2,500 entries. Because of their efforts, the city hosted its first Fourth of July fireworks display in more than three decades. Announcing the fireworks display, Fire Chief Paul Wilk noted, ''We are a very diverse city that's fallen on hard times—we need a boost like this.''

The pride in their city and sense of service the department displayed in their application to the Red, White & You contest bears repeating. Firefighter John Dropchuck, who has been with the department for 15 years, wrote, ''Cultural diversity and a strong blue collar work ethic make up the backbone of our town. There is no better representation of the pursuit of the 'American Dream' than Hamtramck. . . The Hamtramck Fire Department is entering this contest on behalf of our residents, who we feel deserve this celebration.'' The commitment of Hamtramck's firefighters to going above and beyond for their city and its citizens is an example for all of us.

On May 3, 2014, the Hamtramck Fire Department celebrated its 100th anniversary with the annual St. Florian March and Mass. It was a fitting way to mark this historic milestone, giving the community an opportunity to offer their thanks. On July 5, the celebrations continued with an impressive fireworks display, another opportunity to come together in fellowship and thanksgiving.

We owe our Nation's firefighters and first responders a huge debt of gratitude. Their bravery and willingness to serve provides families across Michigan with a measure of security. I know my colleagues join me in congratulating the Hamtramck Fire Department on a century of service and a job well done. They are a wonderful example of public service, and I wish them much success as they continue their mission to protect the public.

HONORING OUR ARMED FORCES

SPECIALIST FRANCISCO J. BRISENO-ALVAREZ

Mr. INHOFE. Mr. President, I wish to pay tribute to a true American hero, Army SPC Francisco Briseno-Alvarez who died on September 25, 2011 serving our Nation in Laghman Province, Afghanistan. Specialist Briseno-Alvarez was assigned to Headquarters Company, 1st Battalion, 279th Infantry Regiment, 45th Infantry Brigade Combat Team, Oklahoma Army National Guard.

SPC Briseno-Alvarez died of injuries sustained when the vehicle in which he was riding was attacked with an improvised explosive device in Laghman Province while conducting combat operations. He was 27 years old.

Our thoughts and prayers go out to those in his family he left behind: his father Javier Briseno, mother Lurdes Alvarez, and siblings Adrian and Diana Briseno.

Francisco graduated from U.S. Grant High School in Oklahoma City in 2003. He enlisted in the Oklahoma National Guard on September 11, 2010 and served as a motor transport operator in the 700th Brigade Support Battalion and then with the 1–279th Infantry Regiment.

As evident from reading through quotes from friends and family, Francisco touched people's lives in remarkable ways:

Brenda Fetzko, a neighbor said, ''I know he loved his mother very much so'' and was a good man and had a strong connection to his family. ''He was a very good person and was just getting his life going.''

Ruben Gonzalez, a friend said, ''Paco was a very nice man, and I am proud to say that he was my friend from high school and after. . . . I'm very proud of you Francisco.''

Juan Cerano, a cousin said, ''He died doing the right thing. He died serving and protecting his country. He was like the brother I never had. There's always going to be a part of him in our hearts.''

MG Myles Deering, the Oklahoma Adjutant General said, ''My thoughts and prayers are with the Briseno-Alvarez family and those of our wounded heroes. SPC Briseno-Alvarez answered the call to serve this great Nation and help defend it. His loyalty and ultimate sacrifice for the sake of our Country will never be forgotten.''

A true warrior, Francisco died while participating in tough and demanding combat operations. This fight took Francisco from us prematurely, but make no mistake; it is a fight we will win. We must continue our unwavering support for the men and women protecting our Nation and allies.

I extend our deepest gratitude and condolences to Francisco's family and friends. Francisco lived a life of love for his family and country. He will be remembered for his commitment to and belief in the greatness of our Nation. I am honored to pay tribute to this true American hero who volunteered to go into the fight and made the ultimate sacrifice for our protection and freedom.

ARMY SPECIALIST CHRISTOPHER D. GAILEY

Mr. President, it is my honor to also remember Army SPC Christopher D. Gailey. Chris and PFC Sarina N. Butcher, 19, of Checotah, OK, lost their lives November 1, 2011, in Laja Ahmad Khel, Paktia province of Afghanistan, when an improvised explosive device detonated near their military vehicle during a supply mission.

Born September 15, 1985, in Bartlesville, OK, Chris attended Wentworth Military Academy in Lexington, MO, before returning and graduating with the class of 2005 from Caney Valley High School in Ramona, OK.

Those who knew Chris said he was a man who ''loved his country, loved America and loved his family.''

Eager to join the National Guard, he enlisted in June 2004 before graduating high school and was assigned to the 700th Brigade Support Battalion, 45th Infantry Brigade Combat Team, Oklahoma National Guard, Tulsa, OK. Previously deployed to Iraq in 2007 to 2008 as a motor vehicle operator, he departed for Afghanistan in June 2011.

The Oklahoma National Guard family is deeply saddened by the loss of these two outstanding citizen-soldiers,'' MG Myles L. Deering, the Adjutant General for Oklahoma, said in a news release. ''Their commitment and willingness to serve our nation during a time of war is indicative of their tremendous character and courage. Our thoughts and prayers are with their families, friends and those that continue to serve our country in Afghanistan.''

Survivors include his parents Shan and Tammy Gailey of Ochelata, OK, his daughter Allison Marie Gailey of Bartlesville, one brother Beau Dugan of Merriam, KS, two sisters Angelina Janelle Niko of Bartlesville and Kristina Jeanette Gailey of Stillwater, OK, his paternal grandmother Lela Belle Gailey of Marshfield, MO, his maternal grandparents Carl Eugene Maples and his wife Carol of Joplin, MO, one uncle Jesse Robert Gailey, four aunts: Barbara Jane Foster, Shawn Dee Adams, Manya Alice Maples, and Sonya Jolene Hamblin,

and several nieces, nephews and cousins.

''Keep good memories of him,'' his father Shan Gailey said. ''Keep him in your heart.''

Funeral services were held on November 12, 2011 in the Bartlesville Church of Jesus Christ of Latter Day Saints. Full military rites were conducted by the Oklahoma National Guard and interment was in the Ochelata Cemetery in Ocheleta, OK.

Today we remember Army SPC Christopher D. Gailey, a young man who loved his family and country and gave his life as a sacrifice for freedom.

ARMY STAFF SERGEANT ALLEN R. MCKENNA, JR.

Mr. President, I also wish to remember a remarkable young man, Army SSG Allen R. McKenna, Jr. Robby died February 21, 2012 in Kandahar province, Afghanistan, in support of Operation Enduring Freedom.

Robby was born July 17, 1983 in Oklahoma City, OK and graduated from Noble High School, where he met his wife Lindsey. He enlisted in the Army in September 2004 and was assigned to the 1st Squadron, 10th Cavalry Regiment, 2nd Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

The military was a natural choice for him, and he took college courses to advance his military career, his mother said. ''He had his clothes ironed by 5 a.m. That boy loved it,'' she said. ''He just always had a love for the military, the discipline and the way they hold their head high.''

His second tour of duty to Afghanistan began on September 6, 2011. While deployed he was able to come home in December 2011 to witness the birth of his youngest child Waylon.

''He was the greatest father my boys could ask for. He was a great husband who loved us all very much. It makes me sad to know we won't grow old together, but he lived a beautiful life and (he) gave me three of the most beautiful things I could ask for,'' his wife Lindsey said.

His mother said she looked forward to getting calls from her son while he was in Afghanistan. ''I learned very quick when a phone call came in at 3 a.m. to jump up and answer it,'' Mitchell said. ''He would call and play his guitar and sing me a song he had written.''

On March 6, 2012, Robby was laid to rest in Hillside Cemetery in Purcell, OK. Oklahoma Governor, Mary Fallin ordered flags on State property to fly at half-staff on March 6, 2012 in honor of Robby.

Robby is survived by his wife Lindsey McKenna of Purcell, three sons: Allen Robert McKenna III, Michael ''Mickey'' McKenna, and Waylon Roan McKenna, and the only girl in the family, his pet cat ''Scat;'' father and stepmother, Allen and Pam McKenna of Purcell, grandparents Bill and Charlotte McKenna of Alex, Alvie and Cleta Mitchell and Grace Cummins of Noble, OK; three brothers and their families, Billy and Jamie Bingenheimer of Little Axe, OK, Bobby and Charlene Bingenheimer of Purcell, OK, and Scotty and Lenette McKenna of Anchorage, AK, one sister Jessi McKenna of Purcell, OK, stepfather Lamar Bingenheimer, step-grandparents Frankie and Mary Rinehart of Purcell, OK, father-in-law,Donnie Jones of Noble, OK, mother-in-law Donya Jones of Norman, OK, numerous cousins, nieces, nephews and a host of other relatives and friends.

Today we remember Army SSG Allen R. McKenna, Jr., a young man who loved his family and country, and gave his life as a sacrifice for freedom.

ADDITIONAL STATEMENTS

REMEMBERING WALTER PARKER

• Mr. BEGICH. Mr. President, I would like to take the time to recognize the loss of Walter Parker. Walter Parker passed away on June 25, 2014, in Anchorage, AK. Walt Parker was dedicated to our State and he made his mark in many ways.

Walter Parker came up to Alaska in 1946 after serving in World War II and held vital roles in the development of the State of Alaska. From overseeing the construction of the Dalton Highway to being appointed to the Alaska State Pipeline office, Walter Parker helped shape Alaska into what it is today. He was a constant advocate for stronger communities, higher education, parks and trails, safer transportation and better communities. He was a musher, trapper, bush pilot, planner and borough assemblyman who never lost his commitment or faith to help make Alaska a great place to live.

Throughout his life, Walter Parker approached all parts of his life with excitement, passion, idealism and energy—he was a force to be reckoned with. He passed on his knowledge by teaching at the University of Alaska and helped our State after the devastation of the Exxon Valdez oil spill. He served as chairman of the Alaska Oil Spill Commission. Later in his life, he held various government positions and was involved in public interest organizations that helped make Alaska better.

The loss of Walter Parker is sad and all who knew him mourns his loss. The work Walter Parker did for Alaska will never be forgotten, and we are all thankful for his commitment and dedication to the people of Alaska.•

REMEMBERING FRED BROWN

• Mr. BEGICH. Mr. President, I wish to honor and remember long time Alaskan, Mr. Fred Brown. Mr. Brown died in Fairbanks at the Denali Center on Friday, June 27, 2014 at the age of 70.

Fred Brown was a former 4-term Fairbanks legislator who was elected in 1974 served in the Alaska House of Representatives in the 1970s and early 1980s. He was not only an active member of the community, but a man with a passion for contributing to the development of the State of Alaska. With a remarkable passion for music and radio, he enriched the territory and State for decades. He was an avid ham radio operator known by the call sign KL7CUS.

Outside the legislature, Fred Brown played the flute, piccolo and contra bassoon for 50 years with the Fairbanks Symphony Orchestra. He was also an active member at St. Matthew's Episcopal Church where his memory will be honored.

Fred Brown cared deeply about his community and was committed to public service. As a legislator, he carried himself and the State forward with self-determination and dignity. His wife Helen said her husband had three main passions: ''Politics, music and religion were what mattered to him, which is a strange combination, but that really was the triumvirate of his life.'' He was a master of parliamentary procedure and scrupulously ran meetings according to Mason's Rules in the interest of fairness to all.

While we mourn the loss of his presence, the legacy of this remarkable man lives on. He leaves behind many friends who are grateful to have known his exceptional character. The people of Alaska will always owe a debt of gratitude to former Alaska legislator Fred Brown.

On behalf of his family and his many friends, I ask that we honor Fred Brown's memory.•

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13348 ON JULY 22, 2004—PM 50

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 with respect to the former Liberian regime of Charles Taylor declared in Executive Order 13348 of July 22, 2004, is to continue in effect beyond July 22, 2014.

Although Liberia has made significant advances to promote democracy,

and the Special Court for Sierra Leone convicted Charles Taylor for war crimes and crimes against humanity, the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, still challenge Liberia's efforts to strengthen its democracy and the orderly development of its political, administrative, and economic institutions. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.
THE WHITE HOUSE, *July 15, 2014*.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the order of the Senate of January 3, 2013, the Secretary of the Senate, on July 14, 2014, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 255. An act to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes.

H.R. 272. An act to designate the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the ''Major General William H. Gourley VA–DOD Outpatient Clinic''.

H.R. 291. An act to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

H.R. 330. An act to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

H.R. 356. An act to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''.

H.R. 507. An act to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

H.R. 803. An act to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

H.R. 876. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 1158. An act to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

H.R. 1216. An act to designate the Department of Veterans Affairs Vet Center in Prescott, Arizona, as the ''Dr. Cameron McKinley Department of Veterans Affairs Veterans Center''.

H.R. 2337. An act to provide for the conveyance of Forest Service Lake Hill Administrative Site in Summit County, Colorado.

H.R. 3110. An act to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska.

The enrolled bills were subsequently signed during the session of the Senate by the President pro tempore (Mr. LEAHY).

ENROLLED BILLS SIGNED

Under the order of the Senate of January 3, 2013, the Secretary of the Senate, on July 14, 2014, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 1376. An act to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the ''Judge Shirley A. Tolentino Post Office Building''.

H.R. 1813. An act to redesignate the facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, as the ''Lance Corporal Daniel Nathan Deyarmin, Jr., Post Office Building''.

The enrolled bills were subsequently signed during the session of the Senate by the President pro tempore (Mr. LEAHY).

MESSAGES FROM THE HOUSE

At 2:21 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 451. An act to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the ''Richard K. Salick Post Office''.

H.R. 606. An act to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building''.

H.R. 1192. An act to redesignate Mammoth Peak in Yosemite National Park as ''Mount Jessie Benton Fremont''.

H.R. 1786. An act to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

H.R. 2223. An act to designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the ''Elizabeth L. Kinnunen Post Office Building''.

H.R. 2291. An act to designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the ''Vincent R. Sombrotto Post Office''.

H.R. 2802. An act to designate the facility of the United States Postal Service located at 418 Liberty Street in Covington, Indiana, as the ''Fountain County Veterans Memorial Post Office''.

H.R. 3027. An act to designate the facility of the United States Postal Service located at 442 Miller Valley Road in Prescott, Arizona, as the ''Barry M. Goldwater Post Office''.

H.R. 3085. An act to designate the facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, as the ''Captain Herbert Johnson Memorial Post Office Building''.

H.R. 3534. An act to designate the facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, as the ''Officer James Bonneau Memorial Post Office''.

H.R. 4185. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes.

H.R. 4193. An act to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes.

H.R. 4195. An act to amend chapter 15 of title 44, United States Code (commonly known as the Federal Register Act), to modernize the Federal Register, and for other purposes.

H.R. 4197. An act to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

H.R. 4355. An act to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office''.

H.R. 4416. An act to redesignate the facility of the United States Postal Service located at 161 Live Oak Street in Miami, Arizona, as the ''Staff Sergeant Manuel V. Mendoza Post Office Building''.

H.R. 5029. An act to provide for the establishment of a body to identify and coordinate international science and technology cooperation that can strengthen the domestic science and technology enterprise and support United States foreign policy goals.

H.R. 5031. An act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation.

H.R. 5056. An act to improve the efficiency of Federal research and development, and for other purposes.

At 5:23 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. 5021. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, 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. 451. An act to designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the ''Richard K. Salick Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 606. An act to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1192. An act to redesignate Mammoth Peak in Yosemite National Park as ''Mount Jessie Benton Frémont''; to the Committee on Energy and Natural Resources.

H.R. 1786. An act to reauthorize the National Windstorm Impact Reduction Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2223. An act to designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the ''Elizabeth L. Kinnunen Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2291. An act to designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the ''Vincent R. Sombrotto Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2802. An act to designate the facility of the United States Postal Service located at 418 Liberty Street in Covington, Indiana, as the ''Fountain County Veterans Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3027. An act to designate the facility of the United States Postal Service located at 442 Miller Valley Road in Prescott, Arizona, as the ''Barry M. Goldwater Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3085. An act to designate the facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, as the ''Captain Herbert Johnson Memorial Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3534. An act to designate the facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, as the ''Officer James Bonneau Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4195. An act to amend chapter 15 of title 44, United States Code (commonly known as the Federal Register Act), to modernize the Federal Register, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4197. An act to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4355. An act to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the ''Harold George Bennett Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4416. An act to redesignate the facility of the United States Postal Service located at 161 Live Oak Street in Miami, Arizona, as the ''Staff Sergeant Manuel V. Mendoza Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5029. An act to provide for the establishment of a body to identify and coordinate international science and technology cooperation that can strengthen the domestic science and technology enterprise and support United States foreign policy goals; to the Committee on Foreign Relations.

H.R. 5031. An act to define STEM education to include computer science, and to support existing STEM education programs at the National Science Foundation; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5056. An act to improve the efficiency of Federal research and development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2599. A bill to stop exploitation through trafficking.

H.R. 4718. An act to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 5021. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

S. 2609. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment:

S. 1865. A bill to amend the prices set for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users (Rept. No. 113–210).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Joseph P. Mohorovic, of Illinois, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2012.

*Judith M. Davenport, of Pennsylvania, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020.

*Elliot F. Kaye, of New York, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2013.

*Elliot F. Kaye, of New York, to be Chairman of the Consumer Product Safety Commission.

*Elizabeth Sembler, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020.

*Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2014.

*Victor M. Mendez, of Arizona, to be Deputy Secretary of Transportation.

*Peter M. Rogoff, of Virginia, to be Under Secretary of Transportation for Policy.

*Bruce H. Andrews, of New York, to be Deputy Secretary of Commerce.

*Marcus Dwayne Jadotte, of Florida, to be an Assistant Secretary of Commerce.

*Coast Guard nominations beginning with Angela R. Holbrook and ending with Martha A. Rodriguez, which nominations were received by the Senate and appeared in the Congressional Record on June 4, 2014.

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

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. ROBERTS (for himself and Ms. HEITKAMP):

S. 2601. A bill to amend the Commodity Exchange Act to ensure futures commission merchant compliance; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 2602. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2603. A bill to provide for the conveyance of certain National Forest System land in the State of Louisiana; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 2604. A bill to authorize the sale of certain National Forest System land in the State of Georgia; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. AYOTTE (for herself, Mr. MCCONNELL, Mrs. FISCHER, Mr. BURR, Mr. CHAMBLISS, Mr. CORNYN, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. ISAKSON, Mr. MCCAIN, Mr. PORTMAN, Mr. RISCH, Mr. THUNE, Mr. WICKER, and Mr. JOHANNS):

S. 2605. A bill to preserve religious freedom and a woman's access to contraception; to the Committee on Finance.

By Mrs. MCCASKILL:

S. 2606. A bill to require the termination of any employee of the Department of Veterans Affairs who is found to have retaliated against a whistleblower; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself and Mr. HELLER):

S. 2607. A bill to extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI:

S. 2608. A bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Ms. HEITKAMP, Ms. COLLINS, and Mr. PRYOR):

S. 2609. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; read the first time.

By Mr. BROWN:

S. 2610. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of establishing the John P. Parker House in Ripley, Ohio, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. BURR, Mr. ISAKSON, and Mr. WICKER):

S. 2611. A bill to facilitate the expedited processing of minors entering the United States across the southern border and for

other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PORTMAN (for himself, Ms. LANDRIEU, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CHAMBLISS, Mr. COATS, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. INHOFE, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LEVIN, Mr. MARKEY, Mrs. MCCASKILL, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mr. PAUL, Mr. RUBIO, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, and Mr. WICKER):

S. Res. 502. A resolution concerning the suspension of exit permit issuance by the Government of the Democratic Republic of Congo for adopted Congolese children seeking to depart the country with their adoptive parents; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 109

At the request of Mr. VITTER, the names of the Senator from Utah (Mr. LEE) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 398

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 489

At the request of Mr. THUNE, the names of the Senator from Nevada (Mr. HELLER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 864

At the request of Mr. WICKER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 864, a bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

S. 1249

At the request of Mr. BLUMENTHAL, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1251

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1251, a bill to establish programs with respect to childhood, adolescent, and young adult cancer.

S. 1505

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1505, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from definition under that Act.

S. 1803

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1803, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 2013

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2103

At the request of Mr. BOOZMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2103, a bill to direct the Administrator of the Federal Aviation Administration to issue or revise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes.

S. 2188

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2188, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 2244

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2244, a bill to extend the termination date of the Terrorism Insurance Program established under the Terrorism Risk Insurance Act of 2002, and for other purposes.

S. 2323

At the request of Mr. BROWN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2323, a bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

S. 2329

At the request of Mrs. SHAHEEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2335

At the request of Mr. RISCH, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2335, a bill to exempt certain 16 and 17 year-old children employed in logging or mechanized operations from child labor laws.

S. 2340

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2481

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2481, a bill to amend the Small Business Act to provide authority for sole source contracts for certain small business concerns owned and controlled by women, and for other purposes.

S. 2498

At the request of Mr. MURPHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2498, a bill to clarify the definition of general solicitation under Federal securities law.

S. 2529

At the request of Mrs. SHAHEEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2529, a bill to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act.

S. 2543

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 2543, a bill to support afterschool and out-of-school-time science, technology, engineering, and mathematics programs, and for other purposes.

S. 2563

At the request of Ms. KLOBUCHAR, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2563, a bill to amend title 23, United States Code, to improve highway safety and for other purposes.

S. 2577

At the request of Mr. CRUZ, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2577, a bill to require the Secretary of State to offer rewards totaling up to $5,000,000 for information on the kidnapping and murder of Naftali Fraenkel, a dual United States-Israeli citizen, that began on June 12, 2014.

S. 2578

At the request of Mrs. MURRAY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2578, a bill to ensure that employers cannot interfere in their employees' birth control and other health care decisions.

S. 2585

At the request of Mr. KIRK, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2585, a bill to impose additional sanctions with respect to Iran to protect against human rights abuses in Iran, and for other purposes.

S.J. RES. 19

At the request of Mr. NELSON, his name was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 498

At the request of Mr. GRAHAM, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. HEINRICH), the Senator from Michigan (Mr. LEVIN), the Senator from Indiana (Mr. DONNELLY), the Senator from Colorado (Mr. BENNET), the Senator from Colorado (Mr. UDALL) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. Res. 498, a resolution expressing the sense of the Senate regarding United States support for the State of Israel as it defends itself against unprovoked rocket attacks from the Hamas terrorist organization.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOKER (for himself and Mr. HELLER):

S. 2607. A bill to extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BOOKER. Mr. President, I rise today to introduce with my colleague Senator DEAN HELLER, legislation that would extend a critical and innovative program for our nation's veterans. Senator HELLER and I urge our colleagues to consider The Assisted Living Program for Veterans with Traumatic Brain Injury Extension, AL–TBI, Act which authorizes the continuation of a Veterans Health Administration program that provides intensive care and rehabilitation to veterans with severe brain injuries.

Thanks to this program, veterans with traumatic brain injuries more quickly re-adjust to their day-to-day lives—from making dinner for others, to fixing a faucet, to doing yard work. AL–TBI consists of privately run group homes around the country where veterans are immersed in therapies for movement, memory, speech, and gradual community reintegration. Veterans in these homes benefit from 24-hour team-based care. There are about twenty of these homes in New Jersey that have yielded impressive results. Nationally, several dozen veterans have been rehabilitated from severe injuries that are notoriously difficult to treat.

This program is working to help a generation of veterans with traumatic brain injuries and so many older veterans that have been suffering for decades. Since 2001, more than 265,000 U.S. troops suffered traumatic brain injuries, according to the Defense and Veterans Brain Injury Center. While most were mild concussions, over 26,000 men and women veterans suffered from moderate or severe head wounds. Advances in medicine keep alive soldiers with head wounds that might have killed them in previous conflicts. However, the ability to cure these injuries has not kept pace. Innovative, effective programs must be supported by Congress in order to give our veterans the care they need and deserve.

But unfortunately, as the program nears the end of its 5-year authorization, veterans across the country are being told that they need to prepare to move out of the facilities in September. I have heard from a veteran in New Jersey, who was told he will need to be out of the program on September 15 and worries he will be out on the street. He has made tremendous gains with the AL–TBI program. He has rekindled his relationship with his son. He is able to do basic math again. But, he has a lot more to do to get his independence back. We cannot leave him and other veterans like him out in the cold.

The VA offers no alternative program that replicates the comprehensiveness of the rehabilitative care, the benefit of providing care in a residential setting, and the positive impact on veterans of sustained, longer-term care.

This is a proven program that does not require new funds, and I urge my colleagues in the Senate to join Senator HELLER and myself in supporting this critical piece of legislation for our Nation's veterans.

By Mr. CORNYN (for himself, Mr. BURR, Mr. ISAKSON, and Mr. WICKER):

S. 2611. A bill to facilitate the expedited processing of minors entering the United States across the southern border and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. 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. 2611

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 ''Helping Unaccompanied Minors and Alleviating National Emergency Act'' or the ''HUMANE Act''.

TITLE I—PROTECTING CHILDREN

SEC. 101. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

Section 235(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)) is amended—

(1) in paragraph (2)—

(A) by amending the paragraph heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN'';

(B) in subparagraph (A), in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States''; and

(C) in subparagraph (C)—

(i) by amending the subparagraph heading to read as follows: ''AGREEMENTS WITH FOREIGN COUNTRIES''; and

(ii) in the matter preceding clause (i), by striking ''countries contiguous to the United States'' and inserting ''Canada, El Salvador, Guatemala, Honduras, Mexico, and any other foreign country that the Secretary determines appropriate''; and

(2) in paragraph (5)(D)—

(A) in the subparagraph heading, by striking ''PLACEMENT IN REMOVAL PROCEEDINGS'' and inserting ''EXPEDITED DUE PROCESS AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN'';

(B) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2), shall be—'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)—'';

(C) by striking clause (i) and inserting the following:

''(i) shall be placed in a proceeding in accordance with section 235B of the Immigration and Nationality Act, which shall commence not later than 7 days after the screening of an unaccompanied alien child described in paragraph (4);'';

(D) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(E) by inserting after clause (i) the following:

''(ii) may not be placed in the custody of a nongovernmental sponsor or otherwise released from the custody of the United States Government until the child is repatriated unless the child is the subject of an order under section 235B(e)(1) of the Immigration and Nationality Act;'';

(F) in clause (iii), as redesignated, by inserting ''is'' before ''eligible''; and

(G) in clause (iv), as redesignated, by inserting ''shall be'' before ''provided''.

SEC. 102. EXPEDITED DUE PROCESS AND SCREENING OF UNACCOMPANIED ALIEN CHILDREN.

(a) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—

(1) IN GENERAL.—Chapter 4 of the Immigration and Nationality Act is amended by inserting after section 235A the following:

''SEC. 235B. HUMANE AND EXPEDITED INSPECTION AND SCREENING FOR UNACCOMPANIED ALIEN CHILDREN.

''(a) DEFINED TERM.—In this section, the term 'asylum officer' means an immigration officer who—

''(1) has had professional training in country conditions, asylum law, and interview techniques comparable to that provided to full-time adjudicators of applications under section 208, and

''(2) is supervised by an officer who—

''(A) meets the condition described in paragraph (1); and

''(B) has had substantial experience adjudicating asylum applications.

''(b) PROCEEDING.—

''(1) IN GENERAL.—Not later than 7 days after the screening of an unaccompanied alien child under section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4)), an immigration judge shall conduct a proceeding to inspect, screen, and determine the status of an unaccompanied alien child who is an applicant for admission to the United States.

''(2) TIME LIMIT.—Not later than 72 hours after the conclusion of a proceeding with respect to an unaccompanied alien child under this section, the immigration judge who conducted such proceeding shall issue an order pursuant to subsection (e).

''(c) CONDUCT OF PROCEEDING.—

''(1) AUTHORITY OF IMMIGRATION JUDGE.—The immigration judge conducting a proceeding under this section—

''(A) shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the alien and any witnesses;

''(B) may issue subpoenas for the attendance of witnesses and presentation of evidence; and

''(C) is authorized to sanction by civil money penalty any action (or inaction) in contempt of the judge's proper exercise of authority under this Act.

''(2) FORM OF PROCEEDING.—A proceeding under this section may take place—

''(A) in person;

''(B) at a location agreed to by the parties, in the absence of the alien;

''(C) through video conference; or

''(D) through telephone conference.

''(3) PRESENCE OF ALIEN.—If it is impracticable by reason of an alien's mental incompetency for the alien to be present at the proceeding, the Attorney General shall prescribe safeguards to protect the rights and privileges of the alien.

''(4) RIGHTS OF THE ALIEN.—In a proceeding under this section—

''(A) the alien shall be given the privilege of being represented, at no expense to the Government, by counsel of the alien's choosing who is authorized to practice in such proceedings;

''(B) the alien shall be given a reasonable opportunity—

''(i) to examine the evidence against the alien;

''(ii) to present evidence on the alien's own behalf; and

''(iii) to cross-examine witnesses presented by the Government;

''(C) the rights set forth in subparagraph (B) shall not entitle the alien—

''(i) to examine such national security information as the Government may proffer in opposition to the alien's admission to the United States; or

''(ii) to an application by the alien for discretionary relief under this Act; and

''(D) a complete record shall be kept of all testimony and evidence produced at the proceeding.

''(5) WITHDRAWAL OF APPLICATION FOR ADMISSION.—In the discretion of the Attorney General, an alien applying for admission to the United States may, and at any time, be permitted to withdraw such application and immediately be returned to the alien's country of nationality or country of last habitual residence.

''(d) DECISION AND BURDEN OF PROOF.—

''(1) DECISION.—

''(A) IN GENERAL.—At the conclusion of a proceeding under this section, the immigration judge shall determine whether an unaccompanied alien child is likely to be—

''(i) admissible to the United States; or

''(ii) eligible for any form of relief from removal under this Act.

''(B) EVIDENCE.—The determination of the immigration judge under subparagraph (A) shall be based only on the evidence produced at the hearing.

''(2) BURDEN OF PROOF.—

''(A) IN GENERAL.—In a proceeding under this section, an alien who is an applicant for admission has the burden of establishing, by a preponderance of the evidence, that the alien—

''(i) is likely to be entitled to be lawfully admitted to the United States or eligible for any form of relief from removal under this Act; or

''(ii) is lawfully present in the United States pursuant to a prior admission.

''(B) ACCESS TO DOCUMENTS.—In meeting the burden of proof under subparagraph (A)(ii), the alien shall be given access to—

''(i) the alien's visa or other entry document, if any; and

''(ii) any other records and documents, not considered by the Attorney General to be confidential, pertaining to the alien's admission or presence in the United States.

''(e) ORDERS.—

''(1) PLACEMENT IN FURTHER PROCEEDINGS.—If an immigration judge determines that the unaccompanied alien child has met the burden of proof under subsection (d)(2), the judge shall order the alien to be placed in further proceedings in accordance with section 240.

''(2) ORDERS OF REMOVAL.—If an immigration judge determines that the unaccompanied alien child has not met the burden of proof required under subsection (d)(2), the judge shall order the alien removed from the United States without further hearing or review unless the alien claims—

''(A) an intention to apply for asylum under section 208; or

''(B) a fear of persecution.

''(3) CLAIMS FOR ASYLUM.—If an unaccompanied alien child described in paragraph (2) claims an intention to apply for asylum under section 208 or a fear of persecution, the officer shall order the alien referred for an interview by an asylum officer under subsection (f).

''(f) ASYLUM INTERVIEWS.—

''(1) DEFINED TERM.—In this subsection, the term 'credible fear of persecution' means, after taking into account the credibility of the statements made by the alien in support of the alien's claim and such other facts as are known to the officer, there is a significant possibility that the alien could establish eligibility for asylum under section 208.

''(2) CONDUCT BY ASYLUM OFFICER.—An asylum officer shall conduct interviews of aliens referred under subsection (e)(3).

''(3) REFERRAL OF CERTAIN ALIENS.—If the officer determines at the time of the interview that an alien has a credible fear of persecution, the alien shall be held in the custody of the Secretary for Health and Human Services pursuant to section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) during further consideration of the application for asylum.

''(4) REMOVAL WITHOUT FURTHER REVIEW IF NO CREDIBLE FEAR OF PERSECUTION.—

''(A) IN GENERAL.—Subject to subparagraph (C), if the asylum officer determines that an alien does not have a credible fear of persecution, the officer shall order the alien removed from the United States without further hearing or review.

''(B) RECORD OF DETERMINATION.—The officer shall prepare a written record of a determination under subparagraph (A), which shall include—

''(i) a summary of the material facts as stated by the applicant;

''(ii) such additional facts (if any) relied upon by the officer;

''(iii) the officer's analysis of why, in light of such facts, the alien has not established a credible fear of persecution; and

''(iv) a copy of the officer's interview notes.

''(C) REVIEW OF DETERMINATION.—

''(i) RULEMAKING.—The Attorney General shall establish, by regulation, a process by which an immigration judge will conduct a prompt review, upon the alien's request, of a determination under subparagraph (A) that the alien does not have a credible fear of persecution.

''(ii) MANDATORY COMPONENTS.—The review described in clause (i)—

''(I) shall include an opportunity for the alien to be heard and questioned by the immigration judge, either in person or by telephonic or video connection; and

''(II) shall be conducted—

''(aa) as expeditiously as possible;

''(bb) within the 24-hour period beginning at the time the asylum officer makes a determination under subparagraph (A), to the maximum extent practicable; and

''(cc) in no case later than 7 days after such determination.

''(D) MANDATORY PROTECTIVE CUSTODY.—Any alien subject to the procedures under this paragraph shall be held in the custody of the Secretary of Health and Human Services pursuant to Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b))—

''(i) pending a final determination of credible fear of persecution; and

''(ii) after a determination that the alien does not such a fear, until the alien is removed.

''(g) LIMITATION ON ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Except as provided in subsection (f)(4)(C) and paragraph (2), a removal order entered in accordance with subsection (e)(2) or (f)(4)(A) is not subject to administrative appeal.

''(2) RULEMAKING.—The Attorney General shall establish, by regulation, a process for the prompt review of an order under subsection (e)(2) against an alien who claims under oath, or as permitted under penalty of perjury under section 1746 of title 28, United States Code, after having been warned of the penal ties for falsely making such claim under such conditions to have been—

''(A) lawfully admitted for permanent residence;

''(B) admitted as a refugee under section 207; or

''(C) granted asylum under section 208.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amendment by inserting after the item relating to section 235A the following:

''Sec. 235B. Humane and expedited inspection and screening for unaccompanied alien children.''.

(b) JUDICIAL REVIEW OF ORDERS OF REMOVAL.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', or an order of removal issued to an unaccompanied alien child after proceedings under section 235B'' after ''section 235(b)(1)''; and

(B) in paragraph (2)—

(i) by inserting ''or section 235B'' after ''section 235(b)(1)'' each place it appears; and

(ii) in subparagraph (A)—

(I) in the subparagraph heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)''; and

(II) in clause (iii), by striking ''section 235(b)(1)(B),'' and inserting ''section 235(b)(1)(B) or 235B(f);''; and

(2) in subsection (e)—

(A) in the subsection heading, by inserting ''OR 235B'' after ''SECTION 235(B)(1)'';

(B) by inserting ''or section 235B'' after ''section 235(b)(1)'' in each place it appears;

(C) in subparagraph (2)(C), by inserting ''or section 235B(g)'' after ''section 235(b)(1)(C)''; and

(D) in subparagraph (3)(A), by inserting ''or section 235B'' after ''section 235(b).

SEC. 103. DUE PROCESS PROTECTIONS FOR UNACCOMPANIED ALIEN CHILDREN PRESENT IN THE UNITED STATES.

(a) SPECIAL MOTIONS FOR UNACCOMPANIED ALIEN CHILDREN.—

(1) FILING AUTHORIZED.—Beginning on the date that is 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, notwithstanding any other provision of law, may, at the sole and unreviewable discretion of the Secretary, permit an unaccompanied alien child who was issued a Notice to Appear under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229) during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act—

(A) to appear, in-person, before an immigration judge who has been authorized by the Attorney General to conduct proceedings under section 235B of the Immigration and Nationality Act, as added by section 102;

(B) to attest to their desire to apply for admission to the United States; and

(C) to file a motion—

(i) to expunge—

(I) any final order of removal issued against them between January 1, 2013 and the date of the enactment of this Act under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); or

(II) any Notice to Appear issued between January 1, 2013 and the date of the enactment of this Act under section 239 of the Immigration and Nationality Act (8 U.S.C. 1229); and

(ii) to apply for admission to the United States by being placed in proceedings under section 235B of the Immigration and Nationality Act.

(2) MOTION GRANTED.—An immigration judge may, at the sole and unreviewable discretion of the judge, grant a motion filed under paragraph (1)(C) upon a finding that—

(A) the petitioner was an unaccompanied alien child (as defined in section 235 of the William Wilberforce Trafficking Victims Protection Act of 2008 (8 U.S.C. 1232)) on the date on which a Notice to Appear described in paragraph (1) was issued to the alien;

(B) the Notice to Appear was issued during the period beginning on January 1, 2013, and ending on the date of the enactment of this Act;

(C) the unaccompanied alien child is applying for admission to the United States; and

(D) the granting of such motion would not be manifestly unjust.

(3) EFFECT OF MOTION.—Notwithstanding any other provision of law, upon the granting of a motion to expunge under paragraph (2)—

(A) the Secretary of Homeland Security shall immediately expunge any final order of removal resulting from a proceeding initiated by any Notice to Appear described in paragraph (1), and such Notice to Appear; and

(B) the immigration judge who granted such motion shall, while the petitioner remains in-person, immediately inspect and screen the petitioner for admission to the United States by conducting a proceeding under section 235B of the Immigration and Nationality Act.

(4) PROTECTIVE CUSTODY.—An unaccompanied alien child who has been granted a motion under paragraph (2) shall be held in the custody of the Secretary of Health and Human Services pursuant to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232).

SEC. 104. EMERGENCY IMMIGRATION JUDGE RESOURCES.

(a) DESIGNATION.—Not later than 14 days after the date of the enactment of this Act, the Attorney General shall designate up to 40 immigration judges, including through the hiring of retired immigration judges or magistrate judges, or the reassignment of current immigration judges, that are dedicated to conducting humane and expedited inspection and screening for unaccompanied alien children under section 235B of the Immigration and Nationality Act, as added by section 102.

(b) REQUIREMENT.—The Attorney General shall ensure that sufficient immigration judge resources are dedicated to the purpose described in subsection (a) to comply with the requirement under section 235B(b)(1) of the Immigration and Nationality Act.

SEC. 105. PROTECTING CHILDREN FROM HUMAN TRAFFICKERS, SEX OFFENDERS, AND OTHER CRIMINALS.

Section 235(c)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(3)) is amended—

(1) in subparagraph (A), by inserting '', including a mandatory biometric criminal history check'' before the period at the end; and

(2) by adding at the end the following—

''(D) PROHIBITION ON PLACEMENT WITH SEX OFFENDERS AND HUMAN TRAFFICKERS.—

''(i) IN GENERAL.—The Secretary of Health and Human Services may not place an unaccompanied alien child in the custody of an individual who has been convicted of—

''(I) a sex offense, (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S. 16911); or

''(II) a crime involving a severe form of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

''(ii) REQUIREMENTS OF CRIMINAL BACKGROUND CHECK.—A biometric criminal history check under subparagraph (A) shall be based on a set of fingerprints or other biometric identifiers and conducted through—

''(I) the Identification Division of the Federal Bureau of Investigation; and

''(II) criminal history repositories of all States that the individual lists as current or former residences.''.

TITLE II—BORDER SECURITY AND TRADE FACILITATION

SEC. 201. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(2) COCAINE REMOVAL EFFECTIVENESS RATE.—The term ''cocaine removal effectiveness rate'' means the percentage that results from dividing the amount of cocaine removed by the Department of Homeland Security's maritime security components inside or outside a transit zone, as the case may be, by the total documented cocaine flow rate as contained in Federal drug databases.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means the series of consequences applied to persons illegally entering the United States by the Border Patrol to prevent illegal border crossing recidivism.

(4) GOT AWAY.—The term ''got away'' means an illegal border crosser who, after making an illegal entry into the United States, is not turned back or apprehended.

(5) HIGH TRAFFIC AREAS.—The term ''high traffic areas'' means sectors along the northern and southern borders of the United States that are within the responsibility of the Border Patrol that have the most illicit cross-border activity, informed through situational awareness.

(6) ILLEGAL BORDER CROSSING EFFECTIVENESS RATE.—The term ''illegal border crossing effectiveness rate'' means the percentage that results from dividing the number of apprehensions and turn backs by the number of apprehensions, turn backs, and got aways. The data used by the Secretary of Homeland Security to determine such rate shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors.

(7) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any land, air, or sea port of entry, including possession of illicit drugs, smuggling of prohibited products, human smuggling, weapons possession, use of fraudulent United States documents, or other offenses serious enough to result in arrest.

(8) OPERATIONAL CONTROL.—The term ''operational control'' means a condition in which there is a not lower than 90 percent illegal border crossing effectiveness rate, informed by situational awareness, and a significant reduction in the movement of illicit drugs and other contraband through such areas is being achieved.

(9) SITUATIONAL AWARENESS.—The term ''situational awareness'' means knowledge and an understanding of current illicit cross-border activity, including cross-border threats and trends concerning illicit trafficking and unlawful crossings along the international borders of the United States and in the maritime environment, and the ability to forecast future shifts in such threats and trends.

(10) TRANSIT ZONE.—The term ''transit zone'' means the sea corridors of the western Atlantic Ocean, the Gulf of Mexico, the Caribbean Sea, and the eastern Pacific Ocean through which undocumented migrants and illicit drugs transit, either directly or indirectly, to the United States.

(11) TURN BACK.—The term ''turn back'' means an illegal border crosser who, after making an illegal entry into the United States, returns to the country from which such crosser entered.

SEC. 202. BORDER SECURITY RESULTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, every 180 days thereafter until the Comptroller General of the United States reports on the results of the review described in section 203(k)(2)(B), and annually after the date of such report, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees and the Government Accountability Office that—

(1) assesses and describes the state of situational awareness and operational control; and

(2) identifies the high traffic areas and the illegal border crossing effectiveness rate for each sector along the northern and southern borders of the United States that are within the responsibility of the Border Patrol.

(b) GAO REPORT.—Not later than 90 days after receiving the initial report required under subsection (a), the Comptroller General of the United States shall submit a report to the appropriate congressional committees regarding the verification of the data and methodology used to determine high traffic areas and the illegal border crossing effectiveness rate.

SEC. 203. STRATEGY TO ACHIEVE SITUATIONAL AWARENESS AND OPERATIONAL CONTROL OF THE BORDER.

(a) STRATEGY TO SECURE THE BORDER.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit, to the appropriate congressional committees, a comprehensive strategy for—

(1) gaining and maintaining situational awareness and operational control of high traffic areas not later than 2 years after the date of the submission of the implementation plan required under subsection (c); and

(2) gaining and maintaining operational control along the Southwest border of the United States not later than 5 years after such date of submission.

(b) CONTENTS OF STRATEGY.—The strategy required under subsection (a) shall include a consideration of the following:

(1) An assessment of principal border security threats, including threats relating to the smuggling and trafficking of humans, weapons, and illicit drugs.

(2) Efforts to analyze and disseminate border security and border threat information between the border security components of the Department of Homeland Security and with other appropriate Federal departments and agencies with missions associated with the border.

(3) Efforts to increase situational awareness, in accordance with privacy, civil liberties, and civil rights protections, including—

(A) surveillance capabilities developed or utilized by the Department of Defense, including any technology determined to be excess by the Department of Defense; and

(B) use of manned aircraft and unmanned aerial systems, including camera and sensor technology deployed on such assets.

(4) Efforts to detect and prevent terrorists and instruments of terrorism from entering the United States.

(5) Efforts to ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department of Homeland Security.

(6) An assessment of existing efforts and technologies used for border security and the effect of such efforts and technologies on civil rights, private property rights, privacy rights, and civil liberties.

(7) Technology required to maintain, support, and enhance security and facilitate trade at ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, surveillance systems, and other sensors and technology that the Secretary of Homeland Security determines to be necessary.

(8) Operational coordination of the border security components of the Department of Homeland Security.

(9) Lessons learned from Operation Jumpstart and Operation Phalanx.

(10) Cooperative agreements and information sharing with State, local, tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the northern or southern borders, or in the maritime environment.

(11) Border security information received from consultation with—

(A) State, local, tribal, and Federal law enforcement agencies that have jurisdiction on the northern or southern border, or in the maritime environment; and

(B) border community stakeholders (including through public meetings with such stakeholders), including representatives from border agricultural and ranching organizations and representatives from business and civic organizations along the northern or southern border.

(12) Agreements with foreign governments that support the border security efforts of the United States, including coordinated installation of standardized land border inspection technology, such as license plate readers and RFID readers.

(13) Staffing requirements for all border security functions.

(14) A prioritized list of research and development objectives to enhance the security of the international land and maritime borders of the United States.

(15) An assessment of training programs, including training programs regarding—

(A) identifying and detecting fraudulent documents;

(B) protecting the civil, constitutional, human, and privacy rights of individuals;

(C) understanding the scope of enforcement authorities and the use of force policies;

(D) screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking; and

(E) social and cultural sensitivity toward border communities.

(16) Local crime indices of municipalities and counties along the southern border.

(17) An assessment of how border security operations affect crossing times.

(18) Resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times of commercial and passenger vehicles at international land ports of entry along the southern border and the northern border.

(19) Metrics required under subsections (e), (f), and (g).

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the submission of the strategy required under subsection (a), the Secretary of Homeland Security shall submit, to the appropriate congressional committees and to the Government Accountability Office, an implementation plan for each of the border security components of the Department of Homeland Security to carry out such strategy.

(2) CONTENTS OF PLAN.—The implementation plan required under paragraph (1) shall—

(A) specify what protections will be put in place to ensure that staffing and resources necessary for the maintenance of operations at ports of entry are not diverted to the detriment of such operations in favor of operations between ports of entry; and

(B) include—

(i) an integrated master schedule and cost estimate, including lifecycle costs, for the activities contained in such implementation plan; and

(ii) a comprehensive border security technology plan to improve surveillance capabilities that includes—

(I) a documented justification and rationale for technology choices;

(II) deployment locations;

(III) fixed versus mobile assets;

(IV) a timetable for procurement and deployment;

(V) estimates of operation and maintenance costs;

(VI) an identification of any impediments to the deployment of such technologies; and

(VII) estimates of the relative cost effectiveness of various border security strategies and operations, including—

(aa) the deployment of personnel and technology; and

(bb) the construction of new physical and virtual barriers.

(3) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 90 days after receiving the implementation plan in accordance with paragraph (1), the Comptroller General of the United States shall submit an assessment of such plan to the appropriate congressional committees a report on such plan.

(d) PERIODIC UPDATES.—Not later than 180 days after the submission of each Quadrennial Homeland Security Review required under section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) beginning with the first such Review that is due after the implementation plan is submitted under subsection (c), the Secretary of Homeland Security shall submit, to the appropriate congressional committees, an updated—

(1) strategy under subsection (a); and

(2) implementation plan under subsection (c).

(e) METRICS FOR SECURING THE BORDER BETWEEN PORTS OF ENTRY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall implement metrics, informed by situational awareness, to measure the effectiveness of security between ports of entry, including—

(1) an illegal border crossing effectiveness rate, informed by situational awareness;

(2) an illicit drugs seizure rate, which measures the amount and type of illicit drugs seized by the Border Patrol in any fiscal year compared to an average of the amount and type of illicit drugs seized by the Border Patrol for the immediately preceding 5 fiscal years;

(3) a cocaine seizure effectiveness rate, which shall be measured by calculating the percentage of the total documented cocaine flow rate (as contained in Federal drug databases) that is seized by the Border Patrol.

(4) estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and technologically-measured data, of—

(A) total attempted illegal border crossings;

(B) total deaths and injuries resulting from such attempted illegal border crossings;

(C) the rate of apprehension of attempted illegal border crossers; and

(D) the inflow into the United States of illegal border crossers who evade apprehension; and

(5) estimates of the impact of the Border Patrol's Consequence Delivery System on the rate of recidivism of illegal border crossers.

(f) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall implement metrics, informed by situational awareness, to measure the effectiveness of security at ports of entry, which shall include—

(A) an inadmissible border crossing rate, which measures the number of known inadmissible border crossers who are apprehended, excluding those border crossers who voluntarily withdraw their applications for admission, against the total estimated number of inadmissible border crossers U.S. Customs and Border Protection fails to apprehend;

(B) an illicit drugs seizure rate, which measures the amount and type of illicit drugs seized by U.S. Customs and Border Protection in any fiscal year compared to an average of the amount and type of illicit drugs seized by U.S. Customs and Border Protection for the immediately preceding 5 fiscal years;

(C) a cocaine seizure effectiveness rate, which shall be measured by calculating the percentage of the total documented cocaine flow rate (as contained in Federal drug databases) that is seized by U.S. Customs and Border Protection;

(D) estimates, using alternative methodologies, including survey data and randomized secondary screening data, of—

(i) total attempted inadmissible border crossers;

(ii) the rate of apprehension of attempted inadmissible border crossers; and

(iii) the inflow into the United States of inadmissible border crossers who evade apprehension;

(E) the number of infractions related to personnel and cargo committed by major violators who are apprehended by U.S. Customs and Border Protection at ports of entry, and the estimated number of such infractions committed by major violators who are not so apprehended; and

(F) a measurement of how border security operations affect crossing times.

(2) COVERT TESTING.—The Inspector General of the Department of Homeland Security shall carry out covert testing at ports of entry and submit to the Secretary of Homeland Security and the appropriate congressional committees a report that contains the results of such testing. The Secretary shall use such results to inform activities under this subsection.

(g) METRICS FOR SECURING THE MARITIME BORDER.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall implement metrics, informed by situational awareness, to measure the effectiveness of security in the maritime environment, which shall include—

(1) an estimate of the total number of undocumented migrants the Department of Homeland Security's maritime security components fail to interdict;

(2) an undocumented migrant interdiction rate, which measures the number of undocumented migrants interdicted against the total estimated number of undocumented migrants the Department of Homeland Security's maritime security components fail to interdict;

(3) an illicit drugs removal rate, which measures the amount and type of illicit drugs removed by the maritime security components of the Department of Homeland Security inside a transit zone in any fiscal year compared to an average of the amount and type of illicit drugs removed by such components inside a transit zone for the immediately preceding 5 fiscal years;

(4) an illicit drugs removal rate, which measures the amount of illicit drugs removed by the maritime security components of the Department of Homeland Security outside a transit zone in any fiscal year compared to an average of the amount of illicit drugs removed by such components outside a transit zone for the immediately preceding 5 fiscal years;

(5) a cocaine removal effectiveness rate inside a transit zone;

(6) a cocaine removal effectiveness rate outside a transit zone; and

(7) a response rate which measures the Department of Homeland Security's ability to respond to and resolve known maritime threats, both inside and outside a transit zone, by placing assets on-scene, compared to the total number of events with respect to which the Department has known threat information.

(h) COLLABORATION AND CONSULTATION.—

(1) IN GENERAL.—The Secretary of Homeland Security shall collaborate with the head of a national laboratory within the Department of Homeland Security laboratory network with expertise in border security and the head of a border security university-based center within the Department of Homeland Security centers of excellence network to develop, and ensure the suitability and statistical validity of, the metrics required under subsections (e), (f), and (g).

(2) RECOMMENDATIONS RELATING TO CERTAIN OTHER METRICS.—In carrying out paragraph (1), the head of the national laboratory and the head of a border security university-based center shall make recommendations to the Secretary of Homeland Security for other suitable metrics that may be used to measure the effectiveness of border security.

(3) CONSULTATION.—In addition to the collaboration described in paragraph (1), the Secretary shall also consult with the Governors of every border State and the representatives of the Border Patrol and U.S. Customs and Border Protection regarding the development of the metrics required under subsections (e), (f), and (g).

(i) EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) IN GENERAL.—The Secretary of Homeland Security shall provide the Government Accountability Office with the data and methodology used to develop the metrics implemented under subsections (e), (f), and (g).

(2) REPORT.—Not later than 270 days after receiving the data and methodology referred to in paragraph (1), the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the suitability and statistical validity of such data and methodology.

(j) CERTIFICATIONS AND REPORTS RELATING TO OPERATIONAL CONTROL.—

(1) BY THE SECRETARY OF HOMELAND SECURITY.—

(A) TWO YEARS.—If the Secretary of Homeland Security determines that situational awareness and operational control of high traffic areas have been achieved not later than 2 years after the date of the submission of the implementation plan required under subsection (c), the Secretary shall submit an attestation of such achievement to the appropriate congressional committees and the Comptroller General of the United States.

(B) FIVE YEARS.—If the Secretary of Homeland Security determines that operational control along the southwest border of the United States has been achieved not later than 5 years after the date of the submission of the implementation plan required under subsection (c), the Secretary shall submit an attestation of such achievement to the appropriate congressional committees and the Comptroller General of the United States.

(C) ANNUAL UPDATES.—Every year beginning with the year after the Secretary of Homeland Security submits the attestation under subparagraph (B), if the Secretary determines that operational control along the southwest border of the United States is being maintained, the Secretary shall submit an attestation of such maintenance to the appropriate congressional committees and the Comptroller General of the United States.

(2) BY THE COMPTROLLER GENERAL.—

(A) REVIEWS.—The Comptroller General of the United States shall review and assess the attestations of the Secretary of Homeland Security under subparagraphs (A), (B), and (C) of paragraph (1).

(B) REPORTS.—Not later than 120 days after conducting the reviews described in subparagraph (A), the Comptroller General of the United States shall submit a report on the results of each such review to the appropriate congressional committees.

(k) FAILURE TO ACHIEVE SITUATIONAL AWARENESS OR OPERATIONAL CONTROL.—If the Secretary of Homeland Security determines that situational awareness, operational control, or both, as the case may be, has not been achieved by the dates referred to in subparagraphs (A) and (B) of subsection (j)(1), as the case may be, or if the Secretary determines that operational control is not being annually maintained pursuant to subparagraph (C) of such subsection, the Secretary shall, not later than 60 days after such dates, submit a report to the appropriate congressional committees that—

(1) describes why situational awareness or operational control, or both, as the case may be, was not achieved; and

(2) includes a description of impediments incurred, potential remedies, and recommendations to achieve situational awareness, operational control, or both, as the case may be.

(l) GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BORDER SECURITY DUPLICATION AND COST EFFECTIVENESS.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that addresses—

(1) areas of overlap in responsibilities within the border security functions of the Department of Homeland Security; and

(2) the relative cost effectiveness of border security strategies, including deployment of additional personnel and technology, and construction of virtual and physical barriers.

(m) REPORTS.—Not later than 60 days after the date of the enactment of this Act and annually thereafter, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that contains—

(1) a resource allocation model for current and future year staffing requirements that includes—

(A) optimal staffing levels at all land, air, and sea ports of entry; and

(B) an explanation of U.S. Customs and Border Protection methodology for aligning staffing levels and workload to threats and vulnerabilities and their effects on cross border trade and passenger travel across all mission areas;

(2) detailed information on the level of manpower available at all land, air, and sea ports of entry and between ports of entry, including the number of canine and agricultural specialists assigned to each such port of entry;

(3) detailed information that describes the difference between the staffing the model suggests and the actual staffing at each port of entry and between the ports of entry; and

(4) detailed information that examines the security impacts and competitive impacts of entering into a reimbursement agreement with foreign governments for U.S. Customs and Border Protection preclearance facilities.

SEC. 204. PROHIBITION ON LAND BORDER CROSSING FEE STUDY.

The Secretary of Homeland Security may not conduct any study relating to the imposition of a border crossing fee for pedestrians

or passenger vehicles at land ports of entry along the southern border or the northern border of the United States.

SEC. 205. BORDER SECURITY RESOURCES.

(a) EQUIPMENT AND TECHNOLOGY ENHANCEMENTS.—Consistent with the Southern Border Security Strategy required under section 203, the Secretary of Homeland Security, in consultation with the Commissioner of U.S. Customs and Border Protection, shall upgrade existing technological assets and equipment, and procure and deploy additional technological assets and equipment on the southern border.

(b) PHYSICAL AND TACTICAL INFRASTRUCTURE IMPROVEMENTS.—

(1) CONSTRUCTION, UPGRADE, AND ACQUISITION OF BORDER CONTROL FACILITIES.—Consistent with the Southern Border Security Strategy required under section 203, the Secretary, shall upgrade existing physical and tactical infrastructure of the Department of Homeland Security, and construct and acquire additional physical and tactical infrastructure on the Southern Border, including the following:

(A) U.S. Border Patrol stations.

(B) U.S. Border Patrol checkpoints.

(C) Forward operating bases.

(D) Monitoring stations.

(E) Mobile command centers.

(F) Land border port of entry improvements.

(G) Other necessary facilities, structures, and properties.

(c) CUSTOMS AND BORDER PROTECTION PERSONNEL ENHANCEMENTS.—

(1) ADDITIONAL OFFICERS.—Consistent with the Southern Border Security Strategy required under section 203, the Secretary is authorized to increase the number of trained active-duty U.S. Customs and Border Protection officers deployed on the Southern Border, including—

(A) officers serving in the Office of the Border Patrol;

(B) officers serving in the Office of Air and Marine; and

(C) officers serving in the Office of Field Operations, including officers stationed at land border ports of entry.

(2) EXPEDITED TRAINING AND DEPLOYMENT AUTHORITY.—When exercising authority under this section, the Secretary is authorized—

(A) to conduct enhanced recruiting operations for U.S. Customs and Border Protection personnel;

(B) to conduct additional training academies for U.S. Customs and Border Protection personnel; and

(C) to promulgate regulations allowing for the expedited training of U.S. Customs and Border Protection personnel.

(d) NATIONAL GUARD SUPPORT FOR OPERATIONS.—

(1) IN GENERAL.—Amounts authorized to be appropriated under this section may be expended, with the approval of the Secretary of Defense and the Secretary of Homeland Security, for the Governor of a State to order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, on the southern border.

(2) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(A) IN GENERAL.—National Guard units and personnel deployed under paragraph (1) may be assigned such operations, including missions specified in paragraph (3), as may be necessary to provide assistance for operations on the southern border.

(B) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in subparagraph (A) shall be full-time duty under title 32, United States Code.

(3) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under paragraph (2) shall include the temporary authority—

(A) to provide assistance for law enforcement, including the interdiction of human trafficking, illicit drugs, and contraband crossing the border;

(B) to assist in the provision of humanitarian relief;

(C) to increase ground-based mobile surveillance systems;

(D) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the southern border;

(E) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(F) to construct checkpoints along the southern border to bridge the gap to long-term permanent checkpoints;

(G) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection;

(H) to enhance law enforcement rotary wing operations supporting quick reaction forces, medical air evacuations, and incident awareness and assessment operations; and

(I) to provide equipment and training to law enforcement agencies.

(4) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this subsection.

(5) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under paragraph (1) shall not be included in—

(A) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(B) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

(6) FUNDING.—There are authorized to be appropriated for fiscal years 2014 and 2015 such sums as may be necessary to carry out this subsection.

(e) STATE AND LOCAL ASSISTANCE.—

(1) IN GENERAL.—The Federal Emergency Management Agency shall enhance law enforcement preparedness, humanitarian responses, and operational readiness along the Southern border through Operation Stonegarden.

(2) GRANTS AND REIMBURSEMENTS.—

(A) IN GENERAL.—For purposes of paragraph (1), amounts made available under this section shall be allocated for grants and reimbursements to State and local governments in Border Patrol Sectors on the southern border for personnel, overtime, travel, costs related to combating illegal immigration and drug smuggling, and costs related to providing humanitarian relief to unaccompanied alien children who have entered the United States.

(B) FUNDING FOR STATE AND LOCAL GOVERNMENTS.—Allocations for grants and reimbursements to State and local governments under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(3) FUNDING.—There are authorized to be appropriated for fiscal years 2014 and 2015 such sums as may be necessary to carry out this subsection.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 502—CONCERNING THE SUSPENSION OF EXIT PERMIT ISSUANCE BY THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF CONGO FOR ADOPTED CONGOLESE CHILDREN SEEKING TO DEPART THE COUNTRY WITH THEIR ADOPTIVE PARENTS

Mr. PORTMAN (for himself, Ms. LANDRIEU, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CHAMBLISS, Mr. COATS, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. INHOFE, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LEVIN, Mr. MARKEY, Mrs. MCCASKILL, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mr. PAUL, Mr. RUBIO, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 502

Whereas according to UNICEF, over 4,000,000 orphans are estimated to be living in the Democratic Republic of Congo;

Whereas cyclical and violent conflict has plagued the Democratic Republic of Congo since the mid-1990s;

Whereas the United States has made significant financial investments in the Democratic Republic of Congo, providing an estimated $274,000,000 bilateral aid to the Democratic Republic of Congo in fiscal year 2013 and an additional $165,000,000 in emergency humanitarian assistance;

Whereas the policy of the United States Government toward the Democratic Republic of Congo is ''focused on helping the country become a nation that . . . provides for the basic needs of its citizens'';

Whereas the United Nations, the Hague Conference on Private International Law, and other international organizations have recognized a child's right to a family as a basic human right worthy of protection;

Whereas adoption, both domestic and international, is an important child protection tool and an integral part of child welfare best practices around the world, along with family reunification and prevention of abandonment;

Whereas, on September 27, 2013, the Congolese Ministry of Interior and Security, General Direction of Migration, informed the United States Embassy in Kinshasa that effective September 25, 2013, they had suspended issuance of exit permits to adopted Congolese children seeking to depart the country with their adoptive parents;

Whereas there are United States families with finalized adoptions in the Democratic Republic of the Congo and the necessary legal paperwork and visas ready to travel home with these children but are currently unable to do so; and

Whereas, on December 19, 2013, the Congolese Minister of Justice, Minister of Interior

and Security, and the General Direction of Migration confirmed to members of the United States Department of State that the current suspension on the issuance of exit permits continues: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that all children deserve a safe, loving, and permanent family;

(2) recognizes the importance of ensuring that international adoptions of all children are conducted in an ethical and transparent manner;

(3) expresses concern over the impact on children and families caused by the current suspension of exit permit issuance within the Democratic Republic of Congo;

(4) respectfully requests that the Government of the Democratic Republic of Congo—

(A) resume processing adoption cases and issuing exit permits via the Ministry of Gender and Family's Interministerial Adoption Committee and Directorate of General Migration;

(B) prioritize the processing of intercountry adoptions which were initiated before the suspension; and

(C) expedite the processing of those adoptions which involve medically fragile children; and

(5) encourages continued dialogue and cooperation between the United States Department of State and the Democratic Republic of the Congo's Ministry of Foreign Affairs to improve the intercountry adoption process and ensure the welfare of all children adopted from the Democratic Republic of Congo.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3557. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3557. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1069. ANNUAL REPORT ON DEPARTMENT OF DEFENSE GREENHOUSE GAS EMISSIONS.

Not later than June 30, 2015, and annually thereafter, the Secretary of Defense shall submit to Congress a report on greenhouse gas emissions of the Department of Defense during the previous calendar year. The report shall include a review and description of greenhouse gas emissions by military department, Defense Agency, and type of activity, including electricity consumption, transportation, and heating.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 22, 2014, at 10:30 a.m., in room 366 of the Dirksen Senate Office Building.

The title of the hearing is, ''Leveraging America's Resources as a Revenue Generator and Job Creator: A View from State and Local Partners,'' and the purpose is to focus on the State and local government benefits in terms of revenue generated and jobs created from natural resource production.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510–6150, or by email to Caroline_Bruckner@energy.senate.gov.

For further information, please contact Caroline Bruckner at (202) 224–7556.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 15, 2014, at 10 a.m., to conduct a hearing entitled ''The Semiannual Monetary Policy Report to the Congress.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. KAINE. 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 July 15, 2014, at 12 p.m. in room S–216 of the United States Capitol.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 15, 2014, at 10:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. KAINE. Mr. President, I ask unanimous consent that the Finance Committee be authorized to meet during the session of the Senate on July 15, 2014, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Chronic Illness: Addressing Patients' Unmet Needs.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 15, 2014, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 15, 2014, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''S. 1696, The Women's Health Protection Act: Removing Barriers to Constitutionally Protected Reproductive Rights,''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on July 15, 2014, at 2:30 p.m.

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate on July 15, 2014, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Taking Down Botnets: Public and Private Efforts to Disrupt and Dismantle Cybercriminal Networks.''

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

UNLOCKING CONSUMER CHOICE AND WIRELESS COMPETITION ACT

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 461, S. 517.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 517) to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Unlocking Consumer Choice and Wireless Competition Act''.

SEC. 2. REPEAL OF EXISTING RULE AND ADDITIONAL RULEMAKING BY LIBRARIAN OF CONGRESS.

(a) REPEAL AND REPLACE.—As of the date of the enactment of this Act, paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as amended and revised by the Librarian

of Congress on October 28, 2012, pursuant to the Librarian's authority under section 1201(a) of title 17, United States Code, shall have no force and effect, and such paragraph shall read, and shall be in effect, as such paragraph was in effect on July 27, 2010.

(b) RULEMAKING.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, who shall consult with the Assistant Secretary for Communications and Information of the Department of Commerce and report and comment on his or her views in making such recommendation, shall determine, consistent with the requirements set forth under section 1201(a)(1) of title 17, United States Code, whether to extend the exemption for the class of works described in section 201.40(b)(3) of title 37, Code of Federal Regulations, as amended by subsection (a), to include any other category of wireless devices in addition to wireless telephone handsets. The determination shall be made in the first rulemaking under section 1201(a)(1)(C) of title 17, United States Code, that begins on or after the date of enactment of this Act.

(c) UNLOCKING AT DIRECTION OF OWNER.—Circumvention of a technological measure that restricts wireless telephone handsets or other wireless devices from connecting to a wireless telecommunications network—

(1)(A) as authorized by paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as made effective by subsection (a); and

(B) as may be extended to other wireless devices pursuant to a determination in the rulemaking conducted under subsection (b); or

(2) as authorized by an exemption adopted by the Librarian of Congress pursuant to a determination made on or after the date of enactment of this Act under section 1201(a)(1)(C) of title 17, United States Code,

may be initiated by the owner of any such handset or other device, by another person at the direction of the owner, or by a provider of a commercial mobile radio service or a commercial mobile data service at the direction of such owner or other person, solely in order to enable such owner or a family member of such owner to connect to a wireless telecommunications network, when such connection is authorized by the operator of such network.

(d) RULE OF CONSTRUCTION.—

(1) IN GENERAL.—Except as expressly provided herein, nothing in this Act shall be construed to alter the scope of any party's rights under existing law.

(2) LIBRARIAN OF CONGRESS.—Nothing in this Act alters, or shall be construed to alter, the authority of the Librarian of Congress under section 1201(a)(1) of title 17, United States Code.

(e) DEFINITIONS.—In this Act:

(1) COMMERCIAL MOBILE DATA SERVICE; COMMERCIAL MOBILE RADIO SERVICE.—The terms ''commercial mobile data service'' and ''commercial mobile radio service'' have the respective meanings given those terms in section 20.3 of title 47, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) WIRELESS TELECOMMUNICATIONS NETWORK.—The term ''wireless telecommunications network'' means a network used to provide a commercial mobile radio service or a commercial mobile data service.

(3) WIRELESS TELEPHONE HANDSETS; WIRELESS DEVICES.—The terms ''wireless telephone handset'' and ''wireless device'' mean a handset or other device that operates on a wireless telecommunications network.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The bill (S. 517) was ordered to be engrossed for a third reading, was read the third time, and passed.

MEASURES READ THE FIRST TIME—S. 2609, H.R. 5021

Mr. BLUMENTHAL. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2609) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

A bill (H.R. 5021) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. BLUMENTHAL. I now ask for a second reading en bloc and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read a second time on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 16, 2014

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 16, 2014, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session and resume consideration of Executive Calendar No. 850 with the time until 10:15 a.m. controlled as follows: 10 minutes for Senator GRASSLEY, 10 minutes for Senator CORNYN, 10 minutes for Senator SHAHEEN, and any remaining time under the control of Senator MCCASKILL; further, that at 10:15 a.m., the Senate proceed to vote on the motion to invoke cloture on the nomination; and that if cloture is invoked, the time until 12:20 p.m. be equally divided between the two leaders or their designees; and at 12:20 p.m., all postcloture time be expired, the Senate proceed to vote on confirmation of the nomination; that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; further, that upon disposition of the White nomination, the Senate resume legislative session and the motion to proceed to Calendar No. 459, S. 2578, with the time until 2 p.m. equally divided and controlled between the two leaders or their designees, and the time from 2 p.m. until 2:10 p.m. equally divided between the two leaders or their designees; finally, that at 2:10 p.m., the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to S. 2578.

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

PROGRAM

Mr. BLUMENTHAL. Mr. President, this agreement sets up as many as three rollcall votes tomorrow: at 10:15 a.m. a cloture vote on the White nomination; at 12:20 p.m. a vote on confirmation of the White nomination, if cloture is invoked; and at 2:10 p.m. a cloture vote on the motion to proceed to S. 2578, Protect Women's Health From Corporate Interference Act of 2014.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:24 p.m., adjourned until Wednesday, July 16, 2014, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 15, 2014:

DEPARTMENT OF TRANSPORTATION

PAUL NATHAN JAENICHEN, SR., OF KENTUCKY, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION.

DEPARTMENT OF STATE

ROBERT A. WOOD, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE CONFERENCE ON DISARMAMENT.

FEDERAL ENERGY REGULATORY COMMISSION

NORMAN C. BAY, OF NEW MEXICO, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2018.

CHERYL A. LAFLEUR, OF MASSACHUSETTS, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2019.

DEPARTMENT OF STATE

JAMES D. NEALON, OF NEW HAMPSHIRE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.