

during the session of the Senate on February 24, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Recalibrating Regulation of Colleges and Universities: A Report from the Task Force on Government Regulation of Higher Education.”

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

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 24, 2015, at 10 a.m., to conduct a hearing entitled “Improving the Efficiency, Effectiveness, and Independence of Inspectors General.”

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

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on February 24, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Human Trafficking in the United States: Protecting the Victim.”

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

COMMITTEE ON VETERANS’ AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on February 24, 2015, at 2 p.m., in room SD-G50 of the Dirksen Senate Office Building, to conduct a joint hearing with the House Committee on Veterans’ Affairs.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on February 24, 2015, at 2:30 p.m.

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

**SUPPORTING EFFORTS TO BRING  
AN END TO VIOLENCE PER-  
PETRATED BY BOKO HARAM,  
AND URGING THE GOVERNMENT  
OF NIGERIA TO CONDUCT  
TRANSPARENT, PEACEFUL, AND  
CREDIBLE ELECTIONS**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 65 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 65) supporting efforts to bring an end to violence perpetrated by

Boko Haram, and urging the Government of Nigeria to conduct transparent, peaceful, and credible elections.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask unanimous consent that the Menendez amendment to the resolution be agreed to.

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

The amendment (No. 252) in the nature of a substitute was agreed to, as follows:

(Purpose: To provide a complete substitute)

Strike all after the resolving clause and insert the following: “That the Senate—

(1) condemns Boko Haram for its violent attacks, particularly the indiscriminate targeting of civilians, especially women and girls, and the use of children as fighters and suicide bombers;

(2) stands with—

(A) the people of Nigeria in their right to live free from fear or intimidation by state or nonstate actors, regardless of their ethnic, religious, or regional affiliation;

(B) the people of Cameroon, Chad, and Niger who are increasingly at risk of becoming victims of Boko Haram’s violence; and

(C) the international community in its efforts to defeat Boko Haram;

(3) supports the Abuja Accord, and calls on candidates, party officials, and adherents of all political movements to comply with the code of conduct spelled out therein, by refraining from any rhetoric or action that seeks to demonize or delegitimize opponents, sow division among Nigerians, or otherwise inflame tensions;

(4) condemns any and all abuses of civilians by security forces of the Government of Nigeria;

(5) urges the Government of Nigeria to—

(A) adhere to the new timeline for elections announced by INEC on February 7, 2015;

(B) refrain from using security concerns as a pretext for impeding the democratic process and using the security apparatus for political purposes in connection with the elections;

(C) ensure elections are credible, transparent, and peaceful;

(D) prioritize the safety and security of Nigerians vulnerable to Boko Haram attacks;

(E) implement a comprehensive, civilian security-focused response to defeat Boko Haram that addresses political and economic grievances of citizens in the north;

(F) improve the capacity and conduct of Nigeria’s security forces, including respect for human rights, and take steps to hold accountable through a transparent process those members of the security forces responsible for abuses;

(G) recognize that security forces are intended to protect the safety and security of all citizens equally; and

(H) cooperate with regional and international partners to defeat Boko Haram;

(6) urges all Nigerians to engage in the electoral process, to insist on full enfranchisement, and to reject inflammatory or divisive rhetoric or actions; and

(7) reaffirms that the people of the United States will continue to stand with the people of Nigeria in support of peace and democracy.

Mr. McCONNELL. I know of no further debate on this measure.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the question is on agreeing to the resolution.

The resolution (S. Res. 65), as amended, was agreed to.

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the Menendez substitute amendment to the preamble be considered; that the Rubio amendment to the Menendez amendment to the preamble be considered and agreed to; that the Menendez substitute, as amended, be agreed to; that the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 253) is as follows:

(Purpose: To amend the preamble)

Amend the preamble to read as follows:

Whereas Nigeria is the most populous nation in Africa, with the largest economy;

Whereas the Governments of the United States and Nigeria have had a strong bilateral relationship, and Nigeria has been a valued partner of the United States since its transition to civilian rule;

Whereas the Government of Nigeria is currently confronted with threats to internal security by terrorists, insurgents, and communal violence that have caused considerable population displacement, and at the same time must administer transparent and peaceful elections with a credible outcome;

Whereas the government and those who aspire to hold office in Nigeria must demonstrate the political will to address both of these challenges in a responsible way, including by ensuring full enfranchisement, with particular emphasis on developing a means for enfranchisement for the hundreds of thousands displaced by violence;

Whereas the members of Jama’atu Ahlis Sunna Lidda’awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries;

Whereas the Department of State named several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization (FTO) in November 2013;

Whereas, in May 2014, the United Nations Security Council added Boko Haram to its al Qaeda sanctions list, and on January 19, 2015, the United Nations Security Council issued a presidential statement condemning the recent escalation of attacks in northeastern Nigeria and surrounding countries and expressing concern that the situation was undermining peace and security in West and Central Africa;

Whereas the over 200 school girls abducted by Boko Haram on April 14, 2014, from the Government Girls Secondary School in the northeastern state of Borno, whose kidnapping sparked domestic and international outrage spawning the Twitter campaign #BringBackOurGirls, are still missing;

Whereas the militant group is an increasing menace to the countries along Nigeria’s northeastern border, prompting the African Union, the Lake Chad Basin Commission, the European Union, and the United Nations Security Council to recognize that there must be a regional response;

Whereas the United States Government has stepped forward to offer assistance through intelligence sharing, bilateral and international sanctioning of Boko Haram leaders, counterterrorism assistance through the Global Security Contingency Fund program for countries in the region to counter the militant group, and humanitarian services to populations affected by and vulnerable to Boko Haram violence;

Whereas Boko Haram emerged partially as a response to underdevelopment in northeastern Nigeria, and inequality, elite impunity, and alleged human rights abuses by security forces may be fueling anti-government sentiment;

Whereas it is clear that a military approach alone will not eliminate the threat of Boko Haram, and gross human rights abuses and atrocities by security forces causes insecurity and mistrust among the civilian population;

Whereas it is imperative that the Government of Nigeria implement a comprehensive, civilian security focused plan that prioritizes protecting civilians and also addresses legitimate political and economic grievances of citizens in northern Nigeria;

Whereas Nigeria is scheduled to hold national elections in the coming weeks, and the elections appear to be the most closely contested in Nigeria since the return to civilian rule;

Whereas election-related violence has occurred in Nigeria in successive elections, including in 2011, when nearly 800 people died in clashes following the presidential election;

Whereas President Goodluck Ebele Azikiwe Jonathan, General Muhammadu Buhari, and other presidential candidates pledged to reverse this trend by signing the "Abuja Accord" on January 14, 2015, in which they committed themselves and their campaigns to refraining from public statements that incite violence, to running issue-based campaigns that do not seek to divide citizens along religious or ethnic lines, and to supporting the impartial conduct of the electoral commission and the security services;

Whereas Secretary of State John Kerry visited Nigeria on January 25, 2015, to emphasize the importance of ensuring the upcoming elections are peaceful, nonviolent, and credible;

Whereas, despite the Nigerian Independent National Electoral Commission's (INEC) views that preparations were "sufficient to conduct free, fair and credible elections as scheduled," at the repeated urging of security officials, INEC announced on February 7, 2015, the postponement of the elections by six weeks, and elections will now take place on March 28 and April 11, 2015;

Whereas tensions in the country remain high, and either electoral fraud or violence could undermine the credibility of the upcoming election;

Whereas the people of Nigeria aspire for a fair, competently executed, and secure electoral process, as well as an outcome that can be accepted peacefully by all citizens; and

Whereas it is in the best interest of the United States to maintain close ties with a politically stable, democratic and economically sound Nigeria: Now, therefore, be it

The amendment (No. 254) was agreed to, as follows:

(Purpose: To illustrate the extreme degree of religious intolerance demonstrated by Boko Haram)

Insert after the seventh whereas clause of the preamble the following:

Whereas Boko Haram calls for the universal implementation of what it considers "pure" Shari'ah law, has called on all Christians to leave northern Nigeria, and per-

petrates targeted violent attacks against Christians, churches, schools, mosques, and Muslim critics;

The amendment (No. 253) in the nature of a substitute, as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:  
S. RES. 65

Whereas Nigeria is the most populous nation in Africa, with the largest economy;

Whereas the Governments of the United States and Nigeria have had a strong bilateral relationship, and Nigeria has been a valued partner of the United States since its transition to civilian rule;

Whereas the Government of Nigeria is currently confronted with threats to internal security by terrorists, insurgents, and communal violence that have caused considerable population displacement, and at the same time must administer transparent and peaceful elections with a credible outcome;

Whereas the government and those who aspire to hold office in Nigeria must demonstrate the political will to address both of these challenges in a responsible way, including by ensuring full enfranchisement, with particular emphasis on developing a means for enfranchisement for the hundreds of thousands displaced by violence;

Whereas the members of Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries;

Whereas the Department of State named several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization (FTO) in November 2013;

Whereas, in May 2014, the United Nations Security Council added Boko Haram to its al Qaeda sanctions list, and on January 19, 2015, the United Nations Security Council issued a presidential statement condemning the recent escalation of attacks in northeastern Nigeria and surrounding countries and expressing concern that the situation was undermining peace and security in West and Central Africa;

Whereas Boko Haram calls for the universal implementation of what it considers "pure" Shari'ah law, has called on all Christians to leave northern Nigeria, and perpetrates targeted violent attacks against Christians, churches, schools, mosques, and Muslim critics;

Whereas the over 200 school girls abducted by Boko Haram on April 14, 2014, from the Government Girls Secondary School in the northeastern state of Borno, whose kidnapping sparked domestic and international outrage spawning the Twitter campaign #BringBackOurGirls, are still missing;

Whereas the militant group is an increasing menace to the countries along Nigeria's northeastern border, prompting the African Union, the Lake Chad Basin Commission, the European Union, and the United Nations Security Council to recognize that there must be a regional response;

Whereas the United States Government has stepped forward to offer assistance through intelligence sharing, bilateral and international sanctioning of Boko Haram

leaders, counterterrorism assistance through the Global Security Contingency Fund program for countries in the region to counter the militant group, and humanitarian services to populations affected by and vulnerable to Boko Haram violence;

Whereas Boko Haram emerged partially as a response to underdevelopment in northeastern Nigeria, and inequality, elite impunity, and alleged human rights abuses by security forces may be fueling anti-government sentiment;

Whereas it is clear that a military approach alone will not eliminate the threat of Boko Haram, and gross human rights abuses and atrocities by security forces causes insecurity and mistrust among the civilian population;

Whereas it is imperative that the Government of Nigeria implement a comprehensive, civilian security focused plan that prioritizes protecting civilians and also addresses legitimate political and economic grievances of citizens in northern Nigeria;

Whereas Nigeria is scheduled to hold national elections in the coming weeks, and the elections appear to be the most closely contested in Nigeria since the return to civilian rule;

Whereas election-related violence has occurred in Nigeria in successive elections, including in 2011, when nearly 800 people died in clashes following the presidential election;

Whereas President Goodluck Ebele Azikiwe Jonathan, General Muhammadu Buhari, and other presidential candidates pledged to reverse this trend by signing the "Abuja Accord" on January 14, 2015, in which they committed themselves and their campaigns to refraining from public statements that incite violence, to running issue-based campaigns that do not seek to divide citizens along religious or ethnic lines, and to supporting the impartial conduct of the electoral commission and the security services;

Whereas Secretary of State John Kerry visited Nigeria on January 25, 2015, to emphasize the importance of ensuring the upcoming elections are peaceful, nonviolent, and credible;

Whereas despite the Nigerian Independent National Electoral Commission's (INEC) views that preparations were "sufficient to conduct free, fair and credible elections as scheduled," at the repeated urging of security officials, INEC announced on February 7, 2015, the postponement of the elections by six weeks, and elections will now take place on March 28 and April 11, 2015;

Whereas tensions in the country remain high, and either electoral fraud or violence could undermine the credibility of the upcoming election;

Whereas the people of Nigeria aspire for a fair, competently executed, and secure electoral process, as well as an outcome that can be accepted peacefully by all citizens; and

Whereas it is in the best interest of the United States to maintain close ties with a politically stable, democratic and economically sound Nigeria: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns Boko Haram for its violent attacks, particularly the indiscriminate targeting of civilians, especially women and girls, and the use of children as fighters and suicide bombers;

(2) stands with—

(A) the people of Nigeria in their right to live free from fear or intimidation by state or nonstate actors, regardless of their ethnic, religious, or regional affiliation;

(B) the people of Cameroon, Chad, and Niger who are increasingly at risk of becoming victims of Boko Haram's violence; and

(C) the international community in its efforts to defeat Boko Haram;

(3) supports the Abuja Accord, and calls on candidates, party officials, and adherents of all political movements to comply with the code of conduct spelled out therein, by refraining from any rhetoric or action that seeks to demonize or delegitimize opponents, sow division among Nigerians, or otherwise inflame tensions;

(4) condemns any and all abuses of civilians by security forces of the Government of Nigeria;

(5) urges the Government of Nigeria to—

(A) adhere to the new timeline for elections announced by INEC on February 7, 2015;

(B) refrain from using security concerns as a pretext for impeding the democratic process and using the security apparatus for political purposes in connection with the elections;

(C) ensure elections are credible, transparent, and peaceful;

(D) prioritize the safety and security of Nigerians vulnerable to Boko Haram attacks;

(E) implement a comprehensive, civilian security-focused response to defeat Boko Haram that addresses political and economic grievances of citizens in the north;

(F) improve the capacity and conduct of Nigeria's security forces, including respect for human rights, and take steps to hold accountable through a transparent process those members of the security forces responsible for abuses;

(G) recognize that security forces are intended to protect the safety and security of all citizens equally; and

(H) cooperate with regional and international partners to defeat Boko Haram;

(6) urges all Nigerians to engage in the electoral process, to insist on full enfranchisement, and to reject inflammatory or divisive rhetoric or actions; and

(7) reaffirms that the people of the United States will continue to stand with the people of Nigeria in support of peace and democracy.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 114th Congress: MARCO RUBIO of Florida (Republican Administrative Co-Chairman), THAD COCHRAN of Mississippi (Republican Co-Chairman), LINDSEY GRAHAM of South Carolina (Republican Co-Chairman), JEFF SESSIONS of Alabama (Republican Co-Chairman), BOB CORKER of Tennessee, JOHN MCCAIN of Arizona, JAMES RISCH of Idaho, ROY BLUNT of Missouri, and JAMES INHOFE of Oklahoma.

#### ORDERS FOR WEDNESDAY, FEBRUARY 25, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, February 25; 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 leader remarks, the Senate be in a period of morning business for up

to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Democrats controlling the second half.

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

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of my colleague from Iowa, Senator GRASSLEY.

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

The Senator from Iowa.

#### H-1B VISA PROGRAM

Mr. GRASSLEY. Mr. President, many of my colleagues know I have been fighting for years to end the abuse of the H-1B visa program and help disadvantaged U.S. workers who are harmed by that program. Today I wish to draw the attention of my colleagues to a recent incident that highlights how some employers are potentially using legal avenues to import foreign workers, lay off qualified Americans, and then export jobs overseas. I was shocked by the heartless manner in which U.S. workers were injured in the case I am about to describe.

First, I wish to remind my colleagues about how the H-1B program is supposed to work. Under the terms of the H-1B program, U.S. employers may import into the United States each year up to 65,000 so-called specialty occupation workers. The jobs being filled must be a job for which a bachelor's degree is necessary. Even though the annual cap is 65,000, the actual number of foreign workers being imported is much more because of numerous exemptions. In fiscal year 2012, for example, U.S. Citizenship and Immigration Services approved a total of 262,569 H-1B petitions—way above the legal limit of 65,000 or I should say the supposed limit of 65,000.

About 60 percent of H-1B workers come to fill computer-related occupations. Every year the list of the top 10 H-1B employers is dominated by foreign-based companies offering information technology or IT consulting services to the clients.

Under the law, H-1B employers are also required to: No. 1, pay the workers the greater of the prevailing wage for that job in that area or the wage the employer pays to similarly qualified U.S. workers doing the same job and at the same time—or the No. 2 condition—provide working conditions that will not adversely affect other similarly employed U.S. workers.

Additionally, H-1B employers may not displace a U.S. worker within the period beginning 90 days before and ending 90 days after the date of filing any H-1B petition by that employer.

Now I will describe what the program lacks. Most people believe employers try to recruit Americans before they petition for H-1B workers. Yet under the law, not all employers are required to prove to the Department of Labor that they tried to find an American to fill the job first. That is right. American workers do not get the first chance at these jobs in the United States, and if there is an equally or even better qualified U.S. worker, the company does not have to offer him or her that job.

I have pushed for changes in the legislation in that law. In fact, I offered several pro-U.S. worker amendments during consideration of the immigration bill in 2013. Every amendment I offered was defeated. The majority at that time—meaning the Democratic majority, and it was a bipartisan majority that helped defeat it—defeated these pro-American worker amendments. They pushed through S. 744, the 2013 immigration bill, without this significant, much needed change.

Let me describe to my colleagues the appalling instance referenced above.

I have described what the H-1B law was and how, during the immigration debate of 2013, I tried to amend it and improve it, and I wasn't successful. I started my remarks tonight by talking about the abuse of H-1B, the law not being followed, overseas companies bringing workers in here for an American company to employ, and then in turn these jobs are going to be shipped overseas. So now I wish to describe this appalling incident I referenced earlier.

Last August, Southern California Edison started laying off 400 American workers from its IT department. The company replaced them with foreign H-1B workers. According to the company, 100 additional American workers who will also be replaced by H-1B workers will leave supposedly voluntarily. According to Computerworld, the final major batch of layoffs is scheduled for March 6 or March 7.

The foreign workers who are replacing the American workers at Edison are employees of two overseas-based IT consulting companies that are also two of the largest users of H-1B visas. In 2013 one of the two companies paid the largest immigration fine in U.S. history. That company paid \$34 million in a civil settlement after allegations of systemic visa fraud and abuse.

The jobs being filled by H-1B workers are manifestly not jobs for which Americans are unavailable. I say that because the jobs are currently filled by skilled American workers. It is disturbing that not only have these American workers been laid off, but also some of them have reportedly had to train their very own replacements.

A columnist for the Los Angeles Times writes that by laying off hundreds of its American IT staff and replacing them with relatively low-wage foreign contract workers, Edison stands to save as much as 40 percent in wage costs per laid-off worker. One