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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal Lord, You inspire us to joyfully resign to Your will, refusing to demand our own way.

Fill our lawmakers with patience, contentment, and peace. Provide them with interior humility, not just the outward form. Give them a spirit that enables them to be easily reconciled with others, determined to labor for the common good. May they remember to cast their cares on You, leaning on Your sustaining power. Use them to encourage and build up each other, striving always to accomplish the most good for the most people.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 2200

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

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

The legislative clerk read as follows:

A bill (S. 2200) to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

CYBERSECURITY INFORMATION SHARING BILL AND FISCAL NEGOTIATIONS

Mr. MCCONNELL. Madam President, last week Senators voted overwhelmingly to advance legislation that will help to protect the privacy of their constituents. Experts say the tools in the bipartisan cybersecurity bill the Senate voted to advance can help prevent future attacks through the sharing of information between the public and private sectors. The legislation's voluntary information sharing provisions are key to protecting the personal information of the people we all represent. The bill has also been carefully examined by Senators of both parties and contains important measures to protect civil liberties and individual privacy. I thank Chairman BURR and Vice Chairman FEINSTEIN of the Intelligence Committee for their hard work on the bipartisan bill.

We will consider a variety of amendments from both sides of the aisle tomorrow. After that, we can take a final vote on the underlying bill. That will be the Senate's initial focus this week. I will have more to say about it tomorrow.

In the meantime, we also know that fiscal negotiations are ongoing. As the details come in, and especially if an agreement is reached, I intend to consult and discuss the details with our colleagues.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET NEGOTIATIONS

Mr. REID. Madam President, as the Republican leader mentioned, we continue to work toward a budget agreement. Negotiations are ongoing. I hope Democrats and Republicans will come to a resolution that is good for our economy and our country. It is imperative that we avoid yet another manufactured crisis that threatens the American economy and jobs. There is no reason to have a crisis. We must do it in a responsible manner.

As I have been saying for a long time, it is past time that we do away with the harmful, draconian sequester cuts. We must also ensure that there are equal defense and nondefense cuts or increases. They need to be equal.

Madam President, I see no one on the floor wishing to speak. I ask the Chair to announce the business of the rest of the day.

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, with Senators permitted to speak therein for up to 10 minutes each.

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

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

PRESIDENTIAL FLAG AND SEAL ANNIVERSARY

Mr. KAINE. Madam President, I rise today to commemorate an important but largely unheralded anniversary. Seventy years ago yesterday, President Harry Truman changed the design of the Presidential flag and seal. That moment, which is a small moment in the grand scope of American history, was nevertheless very symbolic. I would like to discuss it.

First, some context on President Truman. Truman was a great wartime President. He fought bravely in World War I in France, and then he had to make very momentous decisions at the close of World War II. Some would argue, and I think properly, that the decision on whether to use atomic weapons at Hiroshima and Nagasaki might have been the single most momentous decision ever made by a President. He wasn't even aware of the Manhattan Project and the development of the atomic weapons program until FDR died in April of 1945 and within a very few months had to make the decision whether to use those weapons against Japan.

Nobody would question or challenge whether Harry Truman was a softy. In fact, even after World War II, in March of 1947, America was war-weary, but he went to Congress and in an address to Congress said that we need to continue to provide military and economic support to nations that are battling against Soviet influence. In this case, it was the nations of Greece and Turkey. That began the Truman doctrine, the basic strategic principle whereby the United States, for the next 40 years, would sort of check off efforts by the Soviet Union to expand their influence. Harry Truman was a great wartime President.

Harry Truman did something on October 25, 1945, that was most unusual. He called the press into his office and said: Look what I have done. He unveiled the fact that he had taken the seal and flag of the Presidency of the United States and redesigned them. That design is essentially the same today with the exception that two stars were added for the States of Alaska and Hawaii that came in after the Truman Presidency.

The seal of the President, as everybody knows—if we look around the Chamber, we can see some up on the wall here—was originally an eagle, and the eagle has two claws. In one set of claws the eagle is grasping the arrows of war, and in the other set of claws, the eagle is grasping the olive branches of peace and diplomacy. Prior to the Truman Presidency, the eagle faced toward the arrows of war. Harry Truman, this great wartime President, changed the seal so the olive branches of diplomacy would be in the right claw, the sort of preserved position, and the eagle would be facing toward the olive branches. When he did this he said: ''This new flag faces the eagle toward the staff, which is looking to the front all of the time when you are on the march, and also has it looking at the olive branch for peace, instead of the arrows of war.'' Truman biographer David McCullough stated that Truman meant the shift in the eagle's gaze to be seen as symbolic of a nation that was on the march and dedicated to peace and diplomacy.

Significantly, right around the same time President Truman did something else that was notable and symbolical. He renamed the Department we think of as the Pentagon from the Department of War to the Department of Defense, also symbolic of the Nation's postwar dedication to peace.

While we want to be the strongest—and we are the strongest military nation in the world, as the Presiding Officer knows so very well—we want to always suggest to the world that our interest is not primarily war; no, our interest is peace and prosperity for all.

We always have to preserve and advance America's military strength because we know the connection. Sometimes the better your military strength, the more successful you can be diplomatically, but it is also the case that the strength of your diplomacy can also add to the credibility of your military might.

I wish to talk quickly about the olive branches of peace and diplomacy and then the arrows of war. America has a great diplomatic tradition. Let's talk about recent Presidential history. President Truman went to Congress and said: Let's spend, in today's dollars, tens of billions of dollars to rebuild the economies of Japan and Germany, the two nations that had been at war against the United States. Germany had been engaged in two wars with the United States in the previous 30 years. Japan had invaded the United States at Pearl Harbor, but President Truman said: Tomorrow is more important than yesterday. Let's spend dollars to rebuild these economies. It was controversial when he proposed it, but the Marshall Plan ended up being one of the most successful things the United States has done from a foreign policy perspective.

Right after the Cuban Missile Crisis of 1962, President Kennedy engaged in negotiations with the Soviet Union to reduce the nuclear threat, and the result was an agreement in 1963 to ban atmospheric nuclear tests, the Nuclear Test Ban Treaty.

President Reagan was actively engaged in trying to undermine the power of the Soviet Union and communism, but during those very vigorous and aggressive activities, he was also negotiating with the Soviet Union on arms control agreements. Probably the paramount example of that during the Reagan Presidency was the Intermediate-Range Nuclear Forces Treaty in 1987 that he successfully negotiated.

I happen to believe that history is going to judge the recent Iran nuclear deal in the same way. It is an effort to make tomorrow more important than yesterday and to find—even in the midst of significant challenges between the United States and Iran—a way to reduce nuclear tension. Diplomacy is always a judgment where we should try to let go some of the baggage of the past and see if we can find a better way to tomorrow.

I am a little bit worried that the Truman legacy of putting peace and diplomacy first is fraying in this body and maybe nationally. I hope by bringing to mind this anniversary today, it will remind us of our great diplomatic history and the power of our diplomatic principles. A number of times in recent years we have seen bits of evidence of a fraying commitment to diplomacy in this Chamber, in my view.

One of the great Truman institutions was the International Monetary Fund which was designed to help nations work together on economic and monetary policy issues. It is a great global institution. When you set up an institution like that in the 1940s, the challenge is that when new nations emerge and rise, how do you incorporate nations that are newly powerful into the Fund? The most recent and challenging example has been the nation of China. As China has gotten more and more important, there were many who advised us to bring China more closely into the Fund so they could assist nations throughout the world, but Congress refused to change the bylaws of the IMF to give China proportionate responsibility given its population and the strength of its economy. What did China do after we would not change the bylaws to allow them a proportionate place at the table? China established their own development bank completely separate from the IMF.

There is a debate going on right now in Congress about whether we should reauthorize the Ex-Im Bank—now, this dates back to FDR's Presidency—a premier institution that helps American companies find export markets abroad. Again, it is part of our broad diplomatic effort in outreach, and suddenly it is controversial after 80 years.

There are a number of U.N. treaties that we could profitably advance our interests on. The U.N. Convention on the Law of the Sea, if the United States had ratified that, we would have an additional diplomatic tool to challenge Chinese island building in the South China Sea.

The U.N. treaty on the rights of women and on the rights of those with disabilities are treaties that would, frankly, reflect American values and American principles because we are the leaders in the world in these areas, and yet we will not ratify these treaties.

The prospect of trade deals is much less popular in Congress than they were 15 years ago. Trade is going to happen, the question is whether the United States will play a leadership

role in writing the rules, and if we step back and don't play a leadership role, some other nations will, but these are getting more and more complicated in this body.

Finally, something I feel very strongly about is that it is hard to face the world with this strong diplomatic might when there are a lot of ambassadorial positions that are vacant. Especially in the last 6 or 7 years we have seen efforts to block or delay ambassadorial appointments that have left key posts in many nations around the world vacant.

It sends a message to other countries. When they look at us, as the United States, not putting an ambassador in place, they basically conclude that the United States may not think we are important, and that is a very bad signal to send to other nations, especially when many nations that are allies have been without ambassadors for a while.

I am hoping we can reembrace on this 70th anniversary the wisdom of Truman, who said: The nation has to be vigorous and forceful and look toward diplomacy first.

With respect to the arrows of war—I am on the Armed Services Committee, and just like President Truman, I prefer diplomacy. I think we should lead with diplomacy, but we have to be willing to use military force. I voted for military force twice during my 3 years in the Senate.

In 2013, in August, the President asked us to vote for military force against Syria to punish Bashar al-Assad for using chemical weapons against civilians. The only vote that was taken in either House was a vote in the Senate Foreign Relations Committee. I voted for it with a kind of foreboding and heavy heart because I knew there would be Virginians, some of whom I might know, who would be affected, but nevertheless I thought it was an important principle for America to stand for.

Since September of 2014, I have also been pushing to have Congress cast a vote to authorize the war against ISIL that has been going on for 15 months. There is a lot of critique in this body—and I have critique—about the way that war is being waged about strategic decisions that the President is undertaking with respect to the war, but I think at the end of the day it is hard to just be a critic. Under article I of the Constitution, it is supposed to be Congress that authorizes war rather than a President just doing it on his own.

Earlier I mentioned how the Truman olive branches of diplomacy and arrows of war reinforce one another. Obviously, you can be a stronger negotiator at the table in advancing a diplomatic solution if people understand that you have significant military capacity and the willingness to use it in the appropriate instance. The more we can do and the better we can do to empower or military through wise budgeting, for example—as we hope to find an end to sequester and a path forward—the stronger we will make our diplomatic effort. Similarly, the reverse is also true. The more we are vigorous in going after diplomacy, the more moral credibility we have in those instances where we can say, when looking at the world, looking at our citizens, and looking at our own troops, that we now think we need to take military action and we have exhausted the diplomatic alternatives first. That improves the moral credibility behind a military effort. It enables us to make the case better to all about the need for a military effort, and often it even creates a better international justification for a military effort.

I believe the Presiding Officer and I were together last week when former Secretary Gates testified before the Armed Services Committee. It was one of the best bits of testimony I have seen in my time in the Senate. He had a word of caution for us. He said: ''While it is tempting to assert that the challenges facing the United States internationally have never been more numerous or complex, the reality is that turbulent, unstable and unpredictable times have recurred to challenge U.S. leaders regularly since World War II.''

We do live in a very complex and challenging world, where we see challenges that are known but also many unpredictable challenges. Other leaders of this country, since our first days, have lived in worlds that looked equally as challenging and confusing to them. We are true to our best traditions if the United States does what Truman so emblematically suggested we should do and we push in a vigorous and creative way all of the diplomatic tools at our disposal, and that involves diplomacy, but it also involves trade and humanitarian assistance. The United States is one of the most generous nations in the world.

The strength of our moral example is something that stands as so important. If you live in a nation where journalists are being put in jail, the U.S. freedom of the press stands as a moral example. If you live in a nation where people are prosecuted because of their sexual orientation, the United States stands as a great moral example. We are not exemplary in everything. We have room to improve in everything, but we are exemplary in so many things. People around the world still look at us, and that is in fact a diplomatic area of importance. Let's be exemplary and stand for the principles we expose.

Finally, I will say this. So many of the challenges we are facing now are challenges that at the end of the day are about diplomatic solutions. In the Armed Services or the Foreign Relations Committees, we are often talking about the vexing conundrum and humanitarian disaster in Syria, but at the end of the day we hear it has to be about a political solution to the civil war. There has to be a political solution to the conflict in Yemen. There has to be a political solution to the decades-long conflict between the Taliban and the Afghanistan Government. To find a political solution, you have to have strong diplomacy. Military action will not be enough to forge a political consensus moving forward.

Ultimately, this was the message of what Harry Truman did 70 years ago. This strong wartime President, who made some of the toughest decisions that have ever been made by anybody in the Oval Office, recognized that America was a great nation because when push came to shove, we would prefer, push, and advocate for diplomacy first knowing that we would be militarily strong if we needed to be. It is my hope that we in Congress will take a lesson from that anniversary and continue to pursue that same path.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, what is the pending business?

The PRESIDING OFFICER. We are in a period of morning business.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

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

CYBERSECURITY INFORMATION SHARING BILL

Ms. COLLINS. Madam President, I rise to speak in favor of the Cybersecurity Information Sharing Act of 2015, and I urge my colleagues to support this much needed legislation. Nearly 3 months ago, the Senate was unable to find a path forward to adopt this important bill. Let's look at what has happened since the time that the Senate refused to proceed.

The fact is that our country has continued to endure a wave of damaging and expensive cyber attacks. These incidents include the first major hack of Apple's popular App Store, the compromise of 15 million T-Mobile users due to a breach at Experian, and the exposure of data of up to 8,000 Army families due to improper procedures followed by the General Services Administration. For the Army families who were affected, this sensitive information included medical histories, Social Security numbers, and child day care details.

Today, I renew my support for this bill in light of the continuing state of cyber insecurity that affects information held in the public and private sectors.

Passing the Cybersecurity Information Sharing Act would make it easier for public and private sector entities to share cyber threat information and vulnerabilities in order to lessen the theft of trade secrets, intellectual property, and national security information, as well as the compromise of sensitive personal information. It would eliminate some of the legal and

economic barriers impeding voluntary two-way information sharing between private industry and government. It is a modest but essential first step to protect networks and their information.

This bill would not in any way compromise our personal information. Its purpose is to help safeguard our personal information that breach after breach, cyber attack after cyber attack has proven to be vulnerable.

While this bill promotes appropriate information sharing between the government and the private sector—a good first step, as I have indicated—it unfortunately does little in its original form to harden the protection of Federal networks or to guard the critical infrastructure we rely upon every day. Thus, I have filed two amendments to further strengthen our Nation's cyber security.

The first amendment is directed at improving the security of sensitive personal data that is stored on networks of Federal civilian agencies. The insecurity of Federal databases and networks has been evident for years. Inspectors general reports have warned of it. Yet, by and large, those calls for action have not been heeded by Federal agencies, and certainly the weaknesses in our Federal agencies' security systems are underscored by recent breaches and intrusions.

In June, more than 20 million—20 million—current, former, and retired Federal employees learned that their personal data was stolen from the poorly secured databases of the Office of Personnel Management. Since that time, we have learned that the personal emails of the Director of the CIA have been hacked. We have learned from the State Department's inspector general that the State Department is ''among the worst agencies in the Federal Government at protecting its computer networks.'' This substandard performance at the Department of State continued even as an adversary nation breached the Department's email system last year. According to the IG, compliance with Federal information security standards remains ''substandard'' at the State Department.

I know from my many years of service on the committee on homeland security, where we worked on cyber security issues for literally a decade, producing legislation in 2010 and 2011 that unfortunately was not approved by this body, that this problem is long standing and it is only growing worse. We ignore it at our peril.

This appalling performance in so many agencies and departments led to my introducing bipartisan legislation with my colleague from Virginia, Senator WARNER, as well as Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL, to strengthen the security of the networks of Federal civilian agencies.

Our bill has five elements, but the most important provision would grant the Department of Homeland Security the authority to issue binding operational directives to Federal agencies to respond in the face of substantial breaches or to take action in the face of an imminent threat to a Federal network. Although the Secretary of Homeland Security is tasked with a very similar responsibility to protect Federal civilian networks, he has far less authority to accomplish this responsibility than does the Director of the National Security Agency for the dot-mil networks. We can no longer ignore the damaging consequences of failing to address these issues.

Our amendment would fortify Federal computer networks from cyber threats in many ways. The key elements, I am pleased to say, in our bill were incorporated into an amendment that has been filed by Senator CARPER, along with the chairman of the Homeland Security and Governmental Affairs Committee, Senator JOHNSON, and Senator WARNER, my chief cosponsor of the bill we introduced, and, of course, myself.

Our amendment has been included in the managers' substitute amendment, and I wish to thank Chairman BURR and Vice Chairman FEINSTEIN for their willingness to include these much needed provisions to boost the security of the networks at Federal civilian agencies.

Just think of the kind of data that civilian agencies have in the Federal Government. Whether we are talking about the Social Security Administration, the Medicare agency, the IRS, the VA or the Department of Defense, it is evident that millions of Americans—indeed, most Americans—have personal data, sensitive data, such as Social Security numbers, that are stored in these networks of Federal civilian agencies, and we have an obligation to protect as best we can that data.

I have also filed another amendment to the cyber bill, amendment No. 2623, that is aimed at protecting our country's most vital critical infrastructure from cyber attack. This bipartisan amendment was cosponsored by Senator COATS, Senator WARNER, and Senator HIRONO.

The livelihood and well-being of almost every American depend upon critical infrastructure that includes the electricity that powers our communities, the national air transportation system that moves passengers and cargo safely from one location to another, and the elements of the financial sector that ensure the $14 trillion of payments made every day are securely routed through the banking system. Those are just some examples of critical infrastructure. There are obviously many more.

Our amendment would have created a second tier of mandatory reporting to the government for the fewer than 65 entities identified by the Department of Homeland Security where damage caused by a single cyber attack would likely result in catastrophic harm in the form of more than $50 billion in economic damage, 2,500 fatalities or a severe degradation of our national security. In other words, only cyber attacks that could cause catastrophic results would fall under this reporting requirement.

For 99 percent of businesses, the voluntary information sharing framework established in the bill before us would be enough, and the decision on whether or not to share cyber threat information should rightfully be left up to them. A second tier of reporting is necessary, however, to protect the critical infrastructure that is vital to the safety, health, and economic well-being of the American people.

Under our amendment, the owners and operators of the country's most critical infrastructure would report significant cyber attacks just as incidents of communicable disease outbreaks must be reported to public health authorities and to the Centers for Disease Control and Prevention.

Think about the situations we have here. Does it make sense that we require one case of measles to be reported to a Federal Government agency but not a cyber attack that could result in the death of more than 2,500 people? How does that make sense?

The threats to our critical infrastructure are not hypothetical. They are already occurring and increasing in frequency and severity. At a recent Armed Services Committee hearing on cyber security, Senator DONNELLY asked the Director of National Intelligence, Jim Clapper, what the No. 1 cyber challenge was that he was most concerned about. Director Clapper testified that, obviously, it was a large-scale cyber attack against the United States infrastructure.

In light of this No. 1 threat, how protected is our country? Well, I have posed that very question to the Director of the NSA, Admiral MIKE ROGERS. His answer, on a scale of 1 to 10, was that we are at about a 5 or 6. That is a failing grade when it comes to protecting critical infrastructure, no matter what curve we are grading on.

Although I am very disappointed that the Senate will not consider the original amendment I filed, I do want to acknowledge that Chairman BURR and Vice Chairman FEINSTEIN have worked closely with me on a compromise to begin to address the issue of cyber security risks that present such significant security threats to our critical infrastructure, and I am grateful for their acknowledging that this is a problem that deserves our attention.

This new amendment, which is section 407 of the managers' amendment, requires the DHS Secretary to conduct an assessment of the fewer than 65 critical infrastructure entities at greatest risk and develop a strategy to mitigate the risks of a catastrophic cyber attack. Let me stress two things. We are only talking about fewer than 65 entities that have already been designated by the Department of Homeland Security as critical infrastructure where a catastrophic cyber attack would cause terrible consequences.

Second, let me again describe what we mean by a catastrophic attack. It means a single cyber attack that would likely result in $50 billion in economic damage, 2,500 Americans dying or a severe degradation of our national security. We are talking about significant consequences that would be catastrophic for this country—consequences we cannot and should not ignore.

There are plenty of cyber threats that cannot be discussed in public because they are classified—I know that as a member of the Senate Intelligence Committee—but in light of the cyber threat to critical infrastructure described by Admiral Rogers and Director of National Intelligence Clapper in open testimony before the Congress, the bare minimum we ought to do is to ask to require DHS and the appropriate Federal agencies to describe to us what more could be done to prevent a catastrophic cyber attack on our critical infrastructure.

One or two years from now, I don't want us to be standing here after a cyber 9/11 chastising ourselves, saying: Why didn't we do more to confront an obvious and serious threat to our critical infrastructure?

By including these two provisions in the managers' substitute amendment, we are strengthening the protections for Federal civilian agencies and beginning—not going nearly as far as I would like but beginning the vital task of protecting our critical infrastructure. We will be strengthening the cyber defenses of our Nation.

I urge my colleagues to support the managers' amendment and the underlying bill. By passing this long-overdue legislation, we will begin the long-overdue work of securing our economic and national security and our personal information for generations to come.

Thank you, Madam President.

I yield the floor.

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

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

TAKATA AIRBAG RECALL

Mr. NELSON. Madam President, I rise today to speak about the Takata airbag recall and the continued need for urgency in this area.

Last week the National Highway Traffic Safety Administration announced that they currently had—this figure will blow your mind—19 million vehicles and 23 million airbags under recall. So far, the completion rates for this recall are not very good. There is a national completion rate of some 22 percent, and for States such as Florida where there is high heat and humidity—that is suspected as part of the reason the components break down—the completion rate is just under 30 percent, meaning that people are not taking their cars in to fix the problem that caused the recall in the first place.

Takata started running ads through the print media and social media, and Honda is running ads to get consumers to a dealer to replace their defective airbags. I am also aware that to boost replacement inflators, three other airbag manufacturers are helping to manufacture them.

So this Senator wants to take this opportunity to state that wherever this message can be delivered to consumers, you better take your car if it is under recall and get it in to the dealer in order to get a replacement airbag; otherwise, you are walking around with, in effect, a grenade in the middle of your steering wheel or dashboard.

Madam President, I ask unanimous consent to show a number of items in the Senate to illustrate what I am talking about with the airbags.

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

Mr. NELSON. To Members of the Senate, this is a deflated airbag that has already exploded. If you can see, this part is the center of the steering wheel. In this case, this happens to be a Honda; here is the letter ''h.'' This would be sitting right in front of you in the steering wheel. When you have an accident, if it is of sufficient impact, it is going to cause the airbag to inflate. This is designed as a lifesaver. This explosive device inside the airbag, and the gas compound in there is ammonium nitrate. If it is defective, when the explosion occurs, the hot gases that are released from the compound come out through these little holes around the side, and that inflates the airbag. But what has happened and has caused almost 20 million cars to be recalled is that the hot gases are exploding in this device with such force that it is causing the metal to break and come out in the inflated bag with such force, tearing through the bag, as this particular bag shows—it has a big hole in it. Here is the hole where the metal came out. It is like a grenade exploding in front of you, in your steering wheel, with shrapnel going into the people who are driving or who are in the passenger seat with the dashboard airbag. We are finding out now that a few months ago there was the explosion of side airbags in some of the cars, in the doors. Lo and behold, that is throwing out shrapnel as well.

I want to show the Senate what it is like when these inflators explode. This is an inflator that was inside the device I just showed you. This photograph is a blowup by the Battelle Institute for the National Highway Traffic Safety Administration. This is a blown-up photograph of the inflator starting to inflate. What it is supposed to do is shoot the gases out here, which inflates the bag I showed you, but look what has happened. It is being ruptured in the side, throwing out metal. This is what it looks like under very fast photography. Metal fragments are coming out when it should have been just gas coming out to inflate the bag.

This is what one of those pieces of metal looks like. It is a shard of metal that is part of the inflator. Can you imagine that hitting you in the neck? Well, that is what happened to one of my citizens in Florida, in the Orlando area. She ran into a fender bender in an intersection at a traffic light. Lo and behold, when the police got there, they found her slumped over the wheel, and they thought it was a homicide because her neck was slashed. They found out that what happened was a piece of metal like this had lacerated her neck and cut her jugular vein.

Another one of my constituents, a fireman—a big, hulking guy, the kind who will pick you up, if you are disabled and in a house that is burning down, and carry you out safely to save you—well, he won't be a fireman anymore because one of those metal fragments hit him in the eye and he is blind in one eye.

Those are just two incidents of scores across the country, of which there have been a handful of deaths.

If a jagged piece of metal can cause severe injury because it is coming at you at high speed, don't you think that if you have one of these vehicles that are under recall, you had better get it to the dealer to have it replaced?

Check to see if your car is under recall because sometimes people don't get it in the mail or they don't open the mail. Go to www.safercar.gov and put in your car's vehicle identification number—the VIN number—and then you will see if your car is on a recall list.

Those that are on the recall list that I mentioned earlier unfortunately may not be the last to be recalled. The New York Times just reported that a study commissioned by Takata with Penn State University shows larger issues with the use of ammonium nitrate in the airbag inflators. In addition, there was another incident just this past June where a Takata side airbag ruptured in a relatively new 2015 Volkswagen. And just a week ago, General Motors recalled vehicles that also had defective Takata side airbags. It raises the question, are any of the Takata inflators safe?

Last week Senator THUNE and I sent a letter to Takata asking for additional documents and information regarding these side airbags. We also asked more questions about the use of ammonium nitrate. Also, the National Highway Traffic Safety Administration announced that it may expand its recall to all the model year vehicles with Takata airbags.

NHTSA must use all of its tools under the law to maximize consumer protection. These potential hand grenades, stored in the steering wheel or dashboard, must get off the road. The

American driving public cannot afford any more wasted time.

Don't we think these corporations that are causing this outrageous situation that has killed seven people in the United States and severely injured dozens more—don't we think that they ought to be held accountable? If executives at Takata knew about their defective products, if they knew that and did nothing, or worse, if they covered it up, then they ought to go to jail. Not another fine, not another settlement, somebody ought to be going to jail. Lying about a danger of this magnitude is a criminal act.

We have a crisis of consumer confidence in the vehicle-safety area. Certainly that has been demonstrated with these Takata airbags.

What about General Motors' misinformation, lack of information, and outright deception about the defective ignition switches? And now what about Volkswagen's deliberate efforts to lie about—and to cover up—emissions from its diesel vehicles?

A few weeks ago I sent a letter to Chairwoman Edith Ramirez of the Federal Trade Commission, asking them to crack down on Volkswagen's unfair and deceptive practices in connection with its ''clean diesel'' vehicle claims, and today I received a response. The Chairwoman of that Commission told me they are investigating the claims against Volkswagen, along with the Department of Justice and the Environmental Protection Agency. In her response she said: ''No reasonable consumer would knowingly purchase a vehicle that he or she could not legally drive.''

I agree. Don't we all agree? So it is time to get tough and to hold these folks and these corporations accountable.

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

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

CYBERSECURITY INFORMATION SHARING BILL

Mr. TESTER. Madam President, today I rise as a staunch supporter of every American's right to privacy. I rise because, like many Montanans, I have grave concerns about whether my personal information gets handed over to the government.

As the Senate debates the Cybersecurity Information Sharing Act, I start by acknowledging the inherent conflict between the right to privacy and national security. Some folks want to pretend this conflict doesn't exist, but it does. Ask yourself this: How do we stop cyber terrorists from crashing our networks, stealing our personal information, and throwing our entire economy into a tailspin—an economy that is dependent on technology? How do we do this without violating your right to privacy and mine? How do we do this without giving the Federal Government far-reaching authority to share the personal information of law-abiding citizens?

These are tough questions that require thoughtful answers, and I do believe we can answer them. I do believe we can strike a balance that protects our right to privacy and protects our Nation from threats. That is why I want to offer my support for a couple of amendments sponsored by colleagues from both sides of the aisle.

The first amendment, from Senators FLAKE and FRANKEN, provides the necessary 6-year sunset for this legislation. That means that in 6 years Congress would be forced to have another conversation about how we ensure every American's right to privacy while also ensuring our national security. These conversations are incredibly important, and we should revisit them often. We should revisit them often because we know that a government unchecked is dangerous. In a world where technology changes faster than our laws, we cannot and must not give corporations and the Federal Government unbridled authority for generations to come.

We already know that several Federal agencies have engaged in invasive surveillance of law-abiding Americans. They have utilized intrusive monitoring techniques—tracking our phone calls, listening to our conversations, gathering storehouses of personal information. They have done this in the name of the PATRIOT Act, one of the worst pieces of legislation ever to come out of this body. It took a long time for those agencies to own up to the fact that certain operations were far bigger in scope than what they had led Congress or the American public to believe.

The best thing we can do to try to prevent a repeat of those mistakes is to pass the amendment offered by my good friend Senator WYDEN. This amendment would improve cyber security and better protect privacy by reducing the amount of unnecessary personal information that would be shared about a possible cyber security threat. It seems like common sense to me, and I certainly appreciate Senator WYDEN championing this issue.

As Members of Congress we all took an oath to the people of this Nation to protect them from enemies both foreign and domestic, and we should not give up our ability to check and balance this administration or for that matter the next one. That is why the Flake-Franken amendment and the Wyden amendment are so critical, and I urge my colleagues to support them when they come to the floor.

With that, Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized for such time as I may consume.

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

TRANSPORTATION REAUTHORIZATION BILL

Mr. INHOFE. Madam President, I came back today and had really good news over the weekend. I think a lot of people have gotten together on both sides, in the House and the Senate, to do what we are supposed to be doing.

I often refer to that old instrument called the Constitution, which says there are two main things we are supposed to be doing here: One is defending America, and the other is building roads and bridges. That is what we are supposed to be doing.

The Presiding Officer has heard me say before that my top priority as chairman of the Environment and Public Works Committee is, and continues to be, passing a long-term highway reauthorization bill. The last one we passed was in 2005. I was proud to be the author of it at that time. It expired in 2009. Since that time, we have not had anything except short-term extensions. I have to remind my conservative friends, because I am a conservative, that the conservative position is to have a long-term reauthorization bill, because the short-term costs about 30 percent off the top. As a result, the industry stakeholders and local government leaders have lost faith in Congress's ability to provide funding certainty to maintain and advance our surface transportation and infrastructure. Ranking Member BARBARA BOXER and I have been fighting for a long period of time to change this and reverse the trend of wasteful short-term patches.

On June 24, our committee—and this is very unusual for this to happen. Our committee unanimously voted to advance to the Senate the DRIVE Act, which is a 6-year reauthorization bill. In July, the Senate gave strong bipartisan support by a vote of 65 to 34, a 2-to-1 majority. Again, this is not something that normally happens with a major piece of legislation. It also included contributions from the Senate Commerce Committee and the Senate Banking Committee, so it is not just the Environment and Public Works Committee. Other committees have parts of this legislation also.

The Senate worked hard across party lines to put forward a solution for our Nation's roads and bridges. We ended the summer by passing yet another short-term patch in order to give more time for the House to join our efforts. Unfortunately, we are now 3 days away

from facing another cliff and the two Chambers have not yet been able to conference a long-term transportation solution. I just talked to Chairman SHUSTER of the House Transportation and Infrastructure Committee. They marked up a 6-year reauthorization bill just this last Thursday. I am proud to see that both Chambers are on similar pages.

Both bills recognize the need for a national freight program. We approach it just a little differently, but there is nothing that can't be reconciled in a matter of minutes. Further, environmental streamlining is absolutely necessary. Both bills are doing that. We place a new focus on innovation which provides States with flexibility, as in my State of Oklahoma. When we give flexibility to the States, we get a lot more done. This idea that no good ideas are put to work unless they originate in Washington is just not true. Also, long-term certainty, which we are very much concerned with, is there, and it is now a reality. We are now one step closer to putting America back on the map as a place to do business.

It is my understanding that the House intends to move Chairman SHUSTER's 6-year reauthorization bill through the full House over the next 2 weeks. I just spoke with him a few minutes ago. Unlike in years past, I expect a very short conference period. Because we still face this important process, Congress will need one more extension to get us to the finish line. The finish line should be the 20th of November, and it can be done. When I say a very short conference period, it is because there is very little difference between the House bill and the Senate bill. I have talked to the likely conferees, and they are in accord with the idea that we can do this in a matter of hours, not days. I realize there are a lot of moving discussions on larger deals on the debt limit and budget caps; however, there is agreement that the surface transportation bill can and will move on its own timeline.

The House will move a short-term extension to November 20 this week. The ones I have talked to assure me that is going to happen. I hope the Senate passes it quickly so the House can move the T&I-reported bill on the floor and we can move to a quickly resolved conference. Due to the similarity in both bills, I am confident we can and should have this on the President's desk by Thanksgiving.

If we fail to get this done by November 20, we are going to be faced with two significant hurdles: First, Congress has other pressing deadlines to address in December—to include December 11, when funding of the Federal Government expires, and December 31, when a host of important tax provisions will expire. Another December 31 deadline would be the provisions of the National Defense Authorization Act.

I can remember in years past when we got dangerously close to December 31. One time the Big Four had to take it, and it was not even a product of the committees. I was one of the Big Four. We were able to pass it, but we came so close to December 31, it was scary. Here we are, in the middle of a bunch of wars, and all of a sudden we would have provisions out there—reenlistment bonuses, hazard pay, and things that would expire. Nothing would be worse than to have our kids in combat facing that.

We are addressing these deadlines that will require Congress's undivided attention. Some of the solutions for these bills could result, I fear, in Members attempting to siphon off the payoffs of the DRIVE Act. That is why this is important.

The second significant hurdle we face is that later this year the highway trust fund will drop to a dangerously low level, as DOT Secretary Foxx has warned. At that point, agencies at the Federal and State level will begin to implement cash management procedures that significantly affect the States' construction seasons. In the majority of the United States, we would lose a construction season in States such as Iowa and in Northern States. Mark my words: A failure by Congress to enact a long-term bill by Thanksgiving will result in a loss of the 2016 construction season. Congress is going to return to its current pattern of short-term extensions. Again, short-term extensions syphon about 30 percent off the top. It is a terrible outcome that should be avoided at all costs. We have the opportunity to do it now. By making industry and States continue to hold their breath and budgets, we rob taxpayers of cost-efficient project planning and continue to stall on launching major economy-boosting projects.

Look at my State of Oklahoma, which lost $63 million in construction dollars over the last few years as a direct result of inefficiency and contracting uncertainty that comes from short-term extensions. I have used that figure of 30 percent off the top with some of my conservative friends. I said: If you oppose a long-term extension, a long-term reauthorization bill, then you are saying that you want to have the liberal alternative, which is to lose 30 percent off the top.

With a fully funded long-term reauthorization, Oklahoma would actually see a savings of $122 million and millions more in efficiency savings from long-term commitments and early completion savings from contracts. This is something a lot of people don't realize. The streamline you get—many of the NEPA requirements and the environmental requirements can be offset if you are able to get to a long-term bill. But you can't do it, you can't start any large projects—not any of these big projects—the bridge projects and others you can't do on short-term extensions. We haven't had an authorization bill since 2005, and I believe it is time for Congress to fulfill its constitutional duty to fund our roads and our bridges.

As I said earlier, I am confident that the Senate and House will work together to get this bill to the President's desk within the next few weeks. That is my wish for my counterpart on the House side, Chairman SHUSTER—the best of luck in moving forward. He is now committed to doing that. He is going to get this done. He kept his word in getting the job done last Thursday, and now he is going to be able to get this bill up so that we can conference it together. I anticipate we can do a conference in a matter of a few hours. It wouldn't take the normal time.

That is good news. It is good news to come back on a Monday and find that we are going to be doing what the Constitution says we ought to be doing, and that is roads and bridges.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF LAWRENCE VILARDO

Mr. SCHUMER. Madam President, I rise to take a moment to congratulate the soon-to-be confirmed district judge for the Western District of New York, Larry Vilardo. He is from the Western District. It could not come too soon, because the Western District has been working without a single sitting Federal judge. That will finally change once Mr. Vilardo has been confirmed. He will now begin to hear cases and tackle the backlog that has been steadily building in the Western District. There are few more qualified to help take on this task than Larry Vilardo. That is because Mr. Vilardo is a classic Buffalonian—hard working, salt of the earth, honest, and grounded. He went to Canisius College and then took a brief detour out of Western New York to attend Harvard Law School and clerk on the Fifth Circuit Court of Appeals in Texas before returning home and becoming one of Buffalo's leading legal lights, practicing at a firm he cofounded.

Buffalo is where he was born, raised, and educated, and where he chose to raise his family. Buffalo is in his bones. They love him in Buffalo. When this vacancy occurred, I heard the voices in Buffalo chanting: Vilardo, Vilardo, Vilardo—not just the legal community but just about the whole community. Like so many other people from the region, the city has made him tough, level-headed, fair, and decent.

As the first in his family to graduate from college, he adds an important element to the socioeconomic diversity of the court. The people of the Western District are incredibly lucky to have

Larry Vilardo on the bench. I congratulate Larry Vilardo on this milestone of his career.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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 senior assistant legislative clerk read the nomination of Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York.

The PRESIDING OFFICER. Under the previous order, there will be up to 30 minutes of debate.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CYBERSECURITY INFORMATION SHARING BILL

Mr. WYDEN. Mr. President, tomorrow we will be turning to the cyber security bill, which the Presiding Officer is familiar with as a member of the committee, and I wish to speak about my amendment No. 2621 to that legislation. I also intend to address the amendments of our colleagues Senator FRANKEN, Senator HELLER, and Senator COONS because I believe all four of these amendments seek to achieve the same goal, and that goal—the goal of all four of these amendments—is to reduce the unnecessary sharing of Americans' private and personal information.

The Senate has had a robust debate on the cyber security bill over the past week, and I think it is fair to say that Senators agree on a fair number of points. For example, the sponsors of the legislation have now acknowledged that the cyber security bill we will shortly vote on would not have prevented sophisticated cyber attacks, such as the Target and Home Depot hacks, and it would not have prevented the theft of millions of personnel records at the Office of Personnel Management.

As for my part, I agree that sharing information about cyber security threats is generally a constructive idea. If private companies identify samples of malicious code or information that identifies foreign hackers, I would absolutely encourage them to share that information. However, I think companies should also take reasonable steps—and I underline ''reasonable steps''—to remove unrelated personal information about their customers before sharing that data with the government. It is important to understand that this legislation simply does not require companies to do that, and Senators can see that for themselves. As Senators can see for themselves, on page 17 of the bill, companies are allowed to conduct only a cursory review of the information they provide and would only be required to remove data that they know is personal information unrelated to cyber security.

When it comes to customers' personal information, the message behind this bill is, when in doubt, hand it over. Once that data is shared—and this is not widely known—the Department of Homeland Security would be required to send it on to a broad range of government agencies, from the NSA to the FBI.

The amendment I have offered to the legislation we will vote on tomorrow would give companies a real responsibility for safeguarding their customers' information. It would say that in order for a company to receive liability protection before a company shares data with the government, it has to make efforts to the extent feasible to remove any personal information that is not necessary to identify or describe a cyber security threat. In my view, that would give this legislation a straightforward standard that could give consumers real confidence that their privacy is actually being protected.

Let me give an example of how this might work in practice. Imagine that a health insurance company finds out that millions of its customers' records have been stolen. If that company has any evidence about who the hackers were or how they stole this information, of course it makes sense to share that information with the government. But the company shouldn't simply say ''Well, here you go'' and hand millions of its customers' financial and medical records over for distribution to a broad array of government agencies, such as the FBI and the NSA.

The records of the victims of a hack should not be treated the same way information about the hacker is treated. Companies should be required to make reasonable efforts to remove personal information that is not needed for cyber security before they hand that information over to the government. That, in short, is what my amendment seeks to achieve.

The sponsors of the legislation have argued that my amendment would somehow hold companies to an almost impossible standard. I say respectfully that the language of this amendment is quite measured. Companies are required to remove unrelated personal information and the legislation specifically states ''to the extent feasible.'' The language certainly doesn't require perfection; it creates a reasonable and flexible approach for companies to make a real effort to remove unrelated personal information about their customers instead of simply performing the sort of cursory review that would be permitted under the current language of the bill.

A quick reading through the list of the pending amendments to the bill will make it clear that I am not the only Member of this body who is concerned about the unnecessary sharing of personal information.

Our colleague from Nevada, Senator HELLER, has a similar amendment that would seek to create a stronger requirement for companies to remove personal information.

Our colleague from Delaware, Senator COONS, has crafted a very constructive amendment that would strengthen the requirement for review by the Department of Homeland Security. His amendment would create a stronger obligation for the Homeland Security Department to filter out unnecessary personal information before passing cyber security data on to other parts of our government.

Senator FRANKEN has drafted a strong amendment that would clarify the bill's definition of ''cyber security threat information'' to ensure that it focuses on information about real threats.

It is important to remember that reducing unnecessary sharing of personal information will make any information sharing program more effective and easier to focus on the genuine threats involved.

Finally, our colleague from Arizona, Senator FLAKE, has drafted an amendment that would require the Congress to come back and review this information sharing approach after 6 years to evaluate how it has worked in practice and whether privacy protections ought to be strengthened.

I have cited amendments by Democrats and Republicans. The Presiding Officer knows that I feel strongly about working in a bipartisan way whenever I possibly can, and that is why I thought it was important to mention, as we go through these amendments, that all of these amendments I have described have sought to ensure this body would make it clear that cyber security is a very real problem. Cyber security, in terms of tackling it, which involves information sharing, can be very constructive, and we ought to try to find ways to do it. Each of these amendments is designed to make sure that when Americans hear about cyber security legislation—my colleague and I have discussed it—we don't have millions of Americans walking away and saying: They are sharing all of this unnecessary personal and unrelated information; I

guess it is another one of those surveillance kind of bills.

We don't want that here. We want bills that are bipartisan, that deal with very real threats—and certainly cyber security is one of them—but we also want to make sure the rights of innocent people are protected. With these amendments, we do that by ensuring that we have more than a cursory approach to filtering out unrelated and personal information.

So it is my judgment that each of these amendments would be significant improvements to the bill, and I hope my colleagues will support all of them, as well as an amendment by our colleague from Vermont Senator LEAHY that would remove an unnecessary modification of the Freedom of Information Act.

Let me close by saying it is not just Senators—and I have listed both Democrats and Republicans tonight—it is not just Democrats and Republicans in this body who have raised concerns about this bill's inadequate privacy protection; privacy advocacy groups from the American Library Association to the Oregon Technology Institute have come out against the bill. America's leading technology companies—companies that have to have expertise in both cyber security and protecting the data of their customers—have opposed it as well. Companies such as Apple, Dropbox, Twitter, Salesforce, Reddit, and Yelp have all said that they oppose the legislation because it does not include adequate privacy protections. The trade association that represents Google and Amazon, Facebook, Microsoft, Yahoo!, Netflix, eBay, and PayPal said: ''CISA's prescribed mechanism for sharing of cyber threat information does not sufficiently protect users' privacy.''

Now, reflect if we might for a minute on what that means. These are America's leading technology companies. They advantage America because they are the envy of the world for their innovation and their way of serving customers and businesses not just in this country but around the world. These companies have millions and millions of customers and have spoken out publicly against the bill, in its current form, before these amendments are considered. They sure know a lot about the importance of protecting both cyber security and individual privacy. The reason I say that is they have to manage that challenge each and every day.

Customer confidence is the lifeblood of these companies, and the only way to ensure customer confidence is to convince customers that if they use a product, their information is going to be protected from both malicious hackers and from unnecessary collection by our government.

Last Thursday, a coalition of America's leading consumer groups basically joined those major technology companies in announcing their opposition to the bill. They endorsed the pending consumer privacy amendments, including the amendment I will offer, No. 2621.

In conclusion, I hope colleagues will listen to what these technology groups and companies have said, and I hope our colleagues will support the amendments that I and others, both Democrats and Republicans, will be offering tomorrow. Let's work together to produce a bill that does a better job of dealing with both real cyber threats and the liberties of the American people.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, today, we will vote on the nomination of Lawrence Vilardo to be a Federal district judge in the Western District of New York in Buffalo. He was first nominated in February, and his nomination was voted out of the Judiciary Committee by unanimous voice vote over 5 months ago on May 6. There is no reason why this highly qualified nominee should have waited so long for a vote. Despite having one of the busiest caseloads in the country, with more criminal cases than Washington, DC, Boston, or Cleveland, there is not a single active Federal judge in that district. The court has been staying afloat only through the voluntary efforts of two judges on senior status who are hearing cases in their retirement. It is about time that we confirmed Mr. Vilardo to this vacancy.

Next week marks the 11th month that Republicans have been in the majority in the Senate. During that time, only nine judicial nominees have been confirmed. When Senate Democrats were in the majority during the last 2 years of the Bush Presidency, we had already confirmed 34 judges by this same time. The glacial pace at which Republicans are currently confirming judicial nominees is an inexcusable failure to carry out the Senate's constitutional duty of providing advice and consent. It also has real and dire consequences for hard-working Americans who seek justice but instead encounter lengthy delays in the Federal court system due to empty courthouses and overburdened courts. We can and should take action right now to alleviate this problem by holding confirmation votes on the rest of the 13 judicial nominees pending on the floor. A number of these pending nominees have the support of their Republican home State Senators; yet they continue to languish on the calendar without a vote.

If Republican obstruction continues and if home State Senators cannot persuade the majority leader to schedule a vote for their nominees soon, then it is unlikely that even highly qualified nominees with Republican support will be confirmed by the end of the year. These are nominees that members of the majority leader's own party want confirmed, including those from Tennessee and Pennsylvania. And last week, we had a hearing for two Iowa nominees, who I expect to be reported out of the Judiciary Committee soon as well. None of these nominees are likely to be confirmed by the end of the year if Senate Republicans continue at this historically slow pace.

No Senator has raised any objections to the judicial nominees pending on the floor. Every single one was reported out of the Judiciary Committee by unanimous voice vote. Each has the backing of their home State Senators, including Republican Senators. These nominees are outstanding, accomplished legal professionals who are ready to serve in our justice system. They have devoted time away from work and their families to go through the rigorous nominations process. More than half of the pending Federal district and circuit court nominees would fill vacancies deemed to be ''judicial emergencies'' by the nonpartisan Administrative Office of the U.S. Courts. Instead of working to ensure that all Americans have access to our Federal courts, Senate Republicans continue to obstruct President Obama's judicial nominees in a misguided effort to score political points against the President.

The number of empty judgeships has increased by more than 50 percent since Republicans took over the majority. Their obstruction is reversing the hard-earned progress Senate Democrats made last Congress to drastically reduce the number of judicial vacancies. Making matters worse, the number of ''judicial emergency'' vacancies since Senate Republicans took the majority has risen by 158 percent. These vacancies impact communities across America, and it is doing the most harm to States with at least one Republican Senator. Of the 66 current vacancies that exist, 49 of them—or more than 70 percent—are in States with at least one Republican Senator.

One of those vacancies is an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. Judge Luis Felipe Restrepo is nominated to fill the vacancy, and he has strong bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY. At Judge Restrepo's hearing, Senator TOOMEY stated that ''there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit'' and underscored the fact that he recommended that the President nominate Judge Restrepo. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit.

There is absolutely no reason to delay a vote on Judge Restrepo's confirmation; yet his nomination has been

pending on the floor for over 3 months. Since he was first nominated, Judge Restrepo's nomination has been pending for a staggering 348 days. The national president for the Hispanic National Bar Association, which strongly supports Judge Restrepo's nomination, wrote last week in the Huffington Post about the inexcusable delay in his confirmation. I ask unanimous consent that a copy of this article be printed in the RECORD at the conclusion of my remarks.

Contrast Senate Republican's treatment of Judge Restrepo with President Bush's nominee to the third circuit, Judge Thomas Hardiman, who was nominated in the last 2 years of the Bush Presidency. Judge Hardiman was confirmed in nearly half the time Judge Restrepo has been waiting, taking only 183 days from nomination to his confirmation. Furthermore, it took only 7 days for Judge Hardiman to receive a confirmation vote once he was reported out of the Senate Judiciary Committee. Judge Restrepo has been pending on the floor for 109 days—15 times longer than Judge Hardiman. I hope the Republican Senator from Pennsylvania will implore his leadership to bring this highly qualified nominee up for a vote without further delay. Let us then turn to votes on the rest of the 12 pending judicial nominees without further delay.

Shortly we will begin voting on Lawrence Vilardo to fill a judicial vacancy in the Federal District Court for the Western District of New York. Since 1986, he has practiced as a named partner at the law firm of Connors & Vilardo, L.L.P., in Buffalo, NY. He previously practiced at Damon & Morey, in Buffalo, NY, from 1981 to 1986. The ABA standing committee on the Federal Judiciary unanimously rated Mr. Vilardo ''well qualified'' to serve on the U.S. District Court for the Western District of New York, its highest rating. He has the support of his two home State Senators, Senator SCHUMER and Senator GILLIBRAND. He was voted out of the Judiciary Committee by unanimous voice vote on May 6, 2015. I will vote to support his nomination.

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

[From the Huffington Post, Oct. 21, 2015]

THE CURRENT SENATE GRIDLOCK IS HURTING THE DIVERSITY OF OUR JUSTICE SYSTEM

(By Robert T. Maldonado)

Born in Medellin, Colombia and raised in the United States, Judge L. Felipe Restrepo's life reads like a textbook case of the American Dream. With a bachelor's from the University of Pennsylvania and a law degree from Tulane, he set off on a successful career in criminal defense and civil rights litigation, eventually serving as a magistrate judge for 7 years.

But Judge Restrepo's story of immigrant success seems to be on hold for the moment. That's because he's been waiting since November 2014, when President Barack Obama appointed him to serve on the Third Circuit Court of Appeals, to be confirmed as an appeals court judge.

After a thorough due diligence process, the Hispanic National Bar Association (HNBA) endorsed Judge Restrepo in March 2015, but we didn't stop there. When we saw the lack of progress on his nomination, the HNBA successfully pushed for the Senate Judiciary Committee to hold his nomination hearing, and continues to push for a confirmation vote on the floor of the Senate.

Unfortunately, Judge Restrepo's predicament isn't unique. Two other HNBA-endorsed judicial candidates are stuck in the political gridlock, and a total of 30 judicial nominees (two-thirds of them women or minorities) await Senate confirmation with little idea of when that will happen. According to the judicial watchdog group Alliance for Justice, the Senate has confirmed only 8 judges in 2015, the slowest pace in over 60 years. Almost half of the vacancies on the federal bench have been declared ''judicial emergencies,'' where the remaining judges are overworked trying to make a dent into the backlog of cases, sometimes in excess of 600 filings per judge.

The backlogs are having a real effect on the people and businesses seeking recourse through the court system. As one California district court judge put it:

''Over the years I've received several letters from people indicating, 'Even if I win this case now, my business has failed because of the delay. How is this justice?' And the simple answer, which I cannot give them, is this: It is not justice. We know it.''

Our state of justice is suffering and so is our economy. The states where the backlogs and vacancies are the worst (including Texas, New York, and Florida) happen to be where large Latino communities reside. Given that President Obama has nominated more female and minority candidates to the federal bench than any other President, the delay in judicial confirmations is also a delay in increased diversity, and thus the quality of justice, in our nation's court system.

This manufactured crisis is the doing of Senate leaders who prefer to score political points rather than fulfill their constitutional obligations. Those same political leaders need to know that by dragging their feet on these nominations they are not only hurting the nominees but also the integrity and diversity of our federal court system. Nominees like Judge Restrepo have entire communities backing them in their professional journeys, and come election time, they won't hesitate to register their disapproval.

For their sake and the sake of our justice system, let's end this judicial vacancy crisis.

Mr. MCCAIN. Mr. President, I ask unanimous consent that all time be yielded back.

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

The question is, Will the Senate advise and consent to the Vilardo nomination?

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Tennessee (Mr. CORKER), the Senator from Arkansas (Mr. COTTON), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. MARKEY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 284 Ex.]

YEAS—88

Alexander	Franken	Murray
Ayotte	Gardner	Nelson
Baldwin	Gillibrand	Perdue
Barrasso	Grassley	Peters
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rounds
Burr	Inhofe	Sasse
Cantwell	Isakson	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Scott
Carper	King	Sessions
Casey	Kirk	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Lankford	Stabenow
Cochran	Leahy	Sullivan
Collins	Lee	Tester
Coons	Manchin	Thune
Cornyn	McCain	Tillis
Daines	McCaskill	Udall
Donnelly	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Ernst	Mikulski	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	
Flake	Murphy	

NOT VOTING—12

Blunt	Cruz	Rubio
Corker	Graham	Sanders
Cotton	Markey	Toomey
Crapo	Paul	Vitter

The nomination was confirmed.

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

LEGISLATIVE SESSION

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

MORNING BUSINESS

TRIBUTE TO LYNNE MOORE HEALY

• Mr. BLUMENTHAL. Madam President, I would like to pay tribute to one of my constituents, who has recently retired from her position as a board of trustees distinguished professor at the University of Connecticut School of Social Work. Dr. Healy has served as a professor for over 30 exemplary years, preparing new generations of social workers for service in an increasingly diverse and global world.

Professor Lynne Healy has been an outstanding pioneer in the field of

international social work, making significant contributions with her publications and work in the classroom. Dr. Healy was instrumental in establishing the University's Center for International Social Work studies over 20 years ago. The center helps social workers develop a global perspective on human rights, human needs, social policy, and social work practice. These efforts have had a role in the overall establishment of this department as a nationally recognized faculty of experts.

We should all aspire to build such a prolific and inspirational legacy as Professor Lynne Healy. My wife, Cynthia, and I are honored to celebrate Dr. Healy's achievements, and we wish her all the best as she begins the next chapter of her life. I know that many across the State of Connecticut will join me in congratulating her on this laudable occasion.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on October 22, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

H.R. 322. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''.

H.R. 323. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''.

H.R. 324. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''.

H.R. 558. An act to designate the facility of the United States Postal Service located at 55 South Pioneer Boulevard in Springboro, Ohio, as the ''Richard 'Dick' Chenault Post Office Building''.

H.R. 1442. An act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the ''Staff Sergeant Robert H. Dietz Post Office Building''.

H.R. 1884. An act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the ''Officer Daryl R. Pierson Memorial Post Office Building''.

H.R. 3059. An act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the ''James Robert Kalsu Post Office Building''.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 774. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 3:05 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. 1937. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to the United States economic and national security and manufacturing competitiveness.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, October 26, 2015, he has signed the following enrolled bills, previously signed by the Speaker of the House:

S. 1362. An act to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 2162. An act to establish a 10-year term for the service of the Librarian of Congress.

H.R. 322. An act to designate the facility of the United States Postal Service located at 16105 Swingley Ridge Road in Chesterfield, Missouri, as the ''Sgt. Zachary M. Fisher Post Office''.

H.R. 323. An act to designate the facility of the United States Postal Service located at 55 Grasso Plaza in St. Louis, Missouri, as the ''Sgt. Amanda N. Pinson Post Office''.

H.R. 324. An act to designate the facility of the United States Postal Service located at 11662 Gravois Road in St. Louis, Missouri, as the ''Lt. Daniel P. Riordan Post Office''.

H.R. 1442. An act to designate the facility of the United States Postal Service located at 90 Cornell Street in Kingston, New York, as the ''Staff Sergeant Robert H. Dietz Post Office Building''.

H.R. 1884. An act to designate the facility of the United States Postal Service located at 206 West Commercial Street in East Rochester, New York, as the ''Officer Daryl R. Pierson Memorial Post Office Building''.

H.R. 3059. An act to designate the facility of the United States Postal Service located at 4500 SE 28th Street, Del City, Oklahoma, as the James Robert Kalsu Post Office Building.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1937. An act to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2200. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3275. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyrimenthanil; Pesticide Tolerances'' (FRL No. 9935–11) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Potassium Salts of Hops Beta acids; Exemption from the Requirement of a Tolerance'' (FRL No. 9933–73) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3277. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecen-1-yl]-w-[[(9Z)-1-oxo-9-octadecen-1yl]oxy]-; Exemption from the Requirement of a Tolerance'' (FRL No. 9935–34) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3278. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Competitive and Noncompetitive Non-formula Federal Assistance Programs—Specific Administrative Provisions for the Food Insecurity Nutrition Incentive Grants Program'' (RIN0524–AA65) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3279. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Repeal of the Exempt Commercial Market and Exempt Board of Trade Exemptions'' (RIN3038–AE10) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3280. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–3281. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled ''Report to Congress on Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Years 2014 through 2016''; to the Committee on Armed Services.

EC–3282. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to narcotics traffickers centered in Colombia that was declared in Executive Order 12978; to the Committee on Banking, Housing, and Urban Affairs.

EC–3283. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Housing Choice Voucher Program: Streamlining the Portability Process'' (RIN2577–AC86) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3284. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3285. A communication from the Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Alaska; Hunting and Trapping in National Preserves'' (RIN1024–AE21) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Energy and Natural Resources.

EC–3286. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC–3287. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC–3288. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Governmentwide Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'' ((RIN2030–AA99) (FRL No. 9926–01–OARM)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3289. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ocean Dumping: Expansion of an Ocean Dredged Material Disposal Site Offshore of Jacksonville, Florida'' (FRL No. 9934–57–Region 4) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3290. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing'' ((RIN2060–AP69) (FRL No. 9933–13–OAR)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3291. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Greenhouse Gas Reporting Rule: 2015 Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems'' ((RIN2060–AS37) (FRL No. 9935–50–OAR)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3292. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category'' ((RIN2040–AF14) (FRL No. 9930–48–OW)) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3293. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon; Lane Regional Air Protection Agency Open Burning Rules and Oregon Department of Environmental Quality Enforcement Procedures'' (FRL No. 9935–48–Region 10) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3294. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Infrastructure for the 2010 Sulfur Dioxide National Ambient Air Quality Standards'' (FRL No. 9935–44–Region 6) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3295. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; MI; Infrastructure SIP Requirements for the 2008 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 NAAQS'' (FRL No. 9935–18–Region 5) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Environment and Public Works.

EC–3296. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Texas: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9936–00–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC–3297. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards'' ((RIN2060–AQ75) (FRL No. 9935–40–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC–3298. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Ambient Air Quality Standards for Ozone'' ((RIN2060–AP38) (FRL No. 9933–18–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Environment and Public Works.

EC–3299. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations'' (RIN1018–BA67) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Environment and Public Works.

EC–3300. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the status of the Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project, Kansas, Missouri, Iowa, and Nebraska; to the Committee on Environment and Public Works.

EC–3301. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''First Report on Section 1115(a) Demonstrations: Transparency in the Review and Approval of Medicaid and Children's Health Insurance Program (CHIP) Section 1115 Demonstrations''; to the Committee on Finance.

EC–3302. A communication from the Lead Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Social Security Number Card Applications'' (RIN0960–AG50) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Finance.

EC–3303. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner on Children, Youth, and Families, Department of Health and Human Services, received in the Office of the President of the Senate on October 19, 2015; to the Committee on Finance.

EC–3304. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–041); to the Committee on Foreign Relations.

EC–3305. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 15–0027); to the Committee on Foreign Relations.

EC–3306. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Infant Formula: Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements; Confirmation of Effective Date'' (Docket No. FDA–2013–N–0067) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3307. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Apprenticeship Programs; Corrections'' (RIN3046–AA72) received in the Office of the President of the Senate on October 7, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3308. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the scientific and clinical status of organ transplantation, 2008–2010; to the Committee on Health, Education, Labor, and Pensions.

EC–3309. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Nurse Corps Loan Repayment and Scholarship Programs Report to Congress for Fiscal Year

2014''; to the Committee on Health, Education, Labor, and Pensions.

EC–3310. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the scientific and clinical status of organ transplantation, 2011–2012; to the Committee on Health, Education, Labor, and Pensions.

EC–3311. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3312. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 FAIR Act inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–3313. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Criminal Restitution Orders'' (5 CFR Part 1653) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3314. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Temporary Agricultural Employment of H–2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States'' (RIN1205–AB70) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2015; to the Committee on the Judiciary.

EC–3315. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''List of Pro Bono Legal Service Providers for Individuals in Immigration Proceedings'' (RIN1125–AA62) received in the Office of the President of the Senate on October 19, 2015; to the Committee on the Judiciary.

EC–3316. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Separate Representation for Custody and Bond Proceedings'' (RIN1125–AA78) received in the Office of the President of the Senate on October 19, 2015; to the Committee on the Judiciary.

EC–3317. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research'' (RIN0648–BB87) received in the Office of the President of the Senate on October 21, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3318. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species: Final Rulemaking To Revise Critical Habitat for Hawaiian Monk Seals'' (RIN0648–BA81) received in the Office of the President of the Senate on October 19, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–99. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, commemorating the 71st anniversary of the Port Chicago disaster and urging the President of the United States and the United States Congress to exonerate the 50 sailors convicted of mutiny in the incident with the designation of Honorable Discharge; to the Committee on Armed Services.

POM–100. A resolution adopted by the Commission of the City of Lauderhill, Florida, condemning the Dominican Republic's impending mass deportation of Haitian immigrants; urging the Dominican Republic to comply with international human rights law, and halt all impending deportations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2123. A bill to reform sentencing laws and correctional institutions, and for other purposes.

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. SULLIVAN (for himself, Mr. SCHATZ, Mr. THUNE, Mr. NELSON, Ms. CANTWELL, and Mr. GRASSLEY):

S. 2206. A bill to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCONNELL (for himself, Mr. MANCHIN, Mrs. CAPITO, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr. MORAN, Mr. FLAKE, Mr. CORNYN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 23. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; to the Committee on Environment and Public Works.

By Mrs. CAPITO (for herself, Ms. HEITKAMP, Mr. MCCONNELL, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr. MORAN, Mr. FLAKE, Mr. CORNYN, Mr. MANCHIN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 24. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON (for himself and Ms. BALDWIN):

S. Res. 296. A resolution congratulating Army Reserve Major Lisa Jaster on her graduation from the Army Ranger School; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 297. A resolution congratulating the Minnesota Lynx on their victory in the 2015 Women's National Basketball Association Finals; considered and agreed to.

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. Res. 298. A resolution recognizing Connecticut's Submarine Century, the 100th anniversary of the establishment of Naval Submarine Base New London, and Connecticut's historic role in supporting the undersea capabilities of the United States; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 28

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 28, a bill to limit the use of cluster munitions.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 885

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr.

KIRK) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1597

At the request of Mr. WICKER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1597, a bill to enhance patient engagement in the medical product development process, and for other purposes.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1808

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1808, a bill to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1926, a bill to ensure access to screening mammography services.

S. 2032

At the request of Mr. HOEVEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2032, a bill to adopt the bison as the national mammal of the United States.

S. 2055

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2055, a bill to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to national health security.

S. 2110

At the request of Mrs. MURRAY, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2110, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2148

At the request of Mr. WYDEN, the names of the Senator from Montana (Mr. TESTER) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

AMENDMENT NO. 2621

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2621 proposed to S. 754, an original bill to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself, Mr. MANCHIN, Mrs. CAPITO, Mr. INHOFE, Mr. BLUNT, Mr. LEE, Mr. CASSIDY, Mr. CRUZ, Mr. BOOZMAN, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT, Mr. CRAPO, Mr. ALEXANDER, Mr. SULLIVAN, Mr. ROUNDS, Mr. ROBERTS, Mr. TILLIS, Mr. THUNE, Mrs. FISCHER, Mr. RUBIO, Mr. COATS, Mr. COTTON, Mr. LANKFORD, Mr. RISCH, Mr. VITTER, Ms. MURKOWSKI, Mr. BARRASSO, Mr. MORAN, Mr. FLAKE, Mr. CORNYN, Mr. JOHNSON, Mr. ISAKSON, Mr. ENZI, Mr. PERDUE, Mr. SESSIONS, Mr. COCHRAN, Mr. PAUL, Mrs. ERNST, Mr. HATCH, Mr. DAINES, Mr. SASSE, Mr. MCCAIN, Mr. SHELBY, Mr. TOOMEY, Mr. GRASSLEY, Mr. GRAHAM, and Mr. CORKER):

S.J. Res. 23. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; to the Committee on Environment and Public Works.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 23

Resolved by the Senate and House of Representatives, of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units'' (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 296—CONGRATULATING ARMY RESERVE MAJOR LISA JASTER ON HER GRADUATION FROM THE ARMY RANGER SCHOOL

Mr. JOHNSON (for himself and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 296

Whereas the Army Ranger School (referred to in this preamble as ''Ranger School'') was established in 1950 during the Korean War to develop elite leaders to command difficult combat missions;

Whereas Ranger School is one of the most challenging training courses for which members of the Armed Forces may volunteer;

Whereas Ranger School pushes the physical and mental limits of students for more than two months;

Whereas on average—

(1) 36 percent of Ranger School students fail the course during the first four days after the date on which the course begins; and

(2) only approximately 45 percent of Ranger School students ultimately graduate from the course;

Whereas the Army Reserve is—

(1) a highly trained force that comprises approximately 20 percent of the total Army; and

(2) always available to meet the needs of the Army and Joint Force;

Whereas on August 21, 2015, Army Captain Kristen Griest and First Lieutenant Shaye Haver became the first two women to graduate from Ranger School;

Whereas on October 16, 2015, Major Lisa Jaster became the third woman, and the first Army Reserve woman and mother, to graduate from Ranger School and earn the distinctive black and gold Ranger tab;

Whereas Major Lisa Jaster overcame the extreme fatigue, hunger, and stress involved in Ranger training in order to graduate from Ranger School; and

Whereas Major Lisa Jaster has—

(1) dedicated her life to serving and protecting the United States;

(2) deployed to both Iraq and Afghanistan; and

(3) earned the Bronze Star and the Combat Action Badge: Now, therefore, be it

Resolved, That the Senate—

(1) honors Major Lisa Jaster for the accomplishment of becoming the first Army Reserve woman and first mother to graduate from Ranger School;

(2) commends the groundbreaking achievements of the first three women to graduate from Ranger School—

(A) Captain Kristen Griest;

(B) First Lieutenant Shaye Haver; and

(C) Major Lisa Jaster;

(3) recognizes the vital role that the Army Reserve plays in protecting and defending the United States; and

(4) celebrates the determination, patriotism, and willingness to lead of all Ranger School graduates.

SENATE RESOLUTION 297—CONGRATULATING THE MINNESOTA LYNX ON THEIR VICTORY IN THE 2015 WOMEN'S NATIONAL BASKETBALL ASSOCIATION FINALS

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 297

Whereas, on October 14, 2015, the Minnesota Lynx won the 2015 Women's National Basketball Association (commonly known as the ''WNBA'') championship by beating the Indiana Fever 69 to 52 in game 5 at home in Minneapolis;

Whereas this is the third WNBA championship for the Minnesota Lynx in 5 years;

Whereas the Minnesota Lynx have competed in 4 out of the last 5 WNBA Finals;

Whereas the Minnesota Lynx finished the 2015 season with an impressive 22 wins;

Whereas the Minnesota Lynx beat the Los Angeles Sparks in the Western Conference Semifinals, swept the Phoenix Mercury in the Western Conference Finals, and decisively beat the Indiana Fever in the fifth game of the WNBA Finals;

Whereas a franchise record 18,933 fans attended the clinching game at the Target Center in Minneapolis to cheer on the Minnesota Lynx;

Whereas the Minnesota Lynx—

(1) benefit from stellar leadership from Head Coach Cheryl Reeve and Assistant Coaches Jim Petersen and Shelley Patterson;

(2) feature 5 gold medal-winning athletes, Lindsey Whalen, Maya Moore, Seimone Augustus, Asjha Jones, and Sylvia Fowles, the Finals MVP; and

(3) have on the roster highly talented professionals, including Rebekkah Brunson, Renee Montgomery, Anna Cruz, Shae Kelley, Tricia Liston, Kalana Greene, and Devereaux Peters;

Whereas the Minnesota Lynx are 1 of only 4 WNBA teams to win 3 or more WNBA championships; and

Whereas all 3 of the WNBA championships won by the Lynx have come under the coaching of Cheryl Reeve: Now, therefore, be it

Resolved, That the Senate recognizes—

(1) the achievements of the players, coaches, fans, and staff whose dedication helped the Minnesota Lynx win the 2015 WNBA championship; and

(2) the Twin Cities area and the State of Minnesota for enthusiastically supporting women's professional basketball.

SENATE RESOLUTION 298—RECOGNIZING CONNECTICUT'S SUBMARINE CENTURY, THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF NAVAL SUBMARINE BASE NEW LONDON, AND CONNECTICUT'S HISTORIC ROLE IN SUPPORTING THE UNDERSEA CAPABILITIES OF THE UNITED STATES

Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 298

Whereas, on March 2, 1867, Congress enacted a naval appropriations Act that authorized the Secretary of the Navy to ''receive and accept a deed of gift, when offered by the State of Connecticut, of a tract of land with not less than one mile of shore front on the Thames River near New London, Connecticut, to be held by the United States for naval purposes'';

Whereas the people of Connecticut and the towns and cities in the southeastern region of Connecticut subsequently donated land and provided funding to establish a military installation to fulfil the Nation's need for a naval facility on the Atlantic coast;

Whereas, on April 11, 1868, the Navy accepted the deed of gift of land from Connecticut to establish a naval yard and storage depot along the eastern shore of the Thames River in Groton, Connecticut;

Whereas, between 1868 and 1912, the New London Navy Yard supported a diverse range of missions, including berthing inactive Civil War era ironclad warships and serving as a coaling station for refueling naval ships traveling in New England waters;

Whereas Congress rejected the Navy's proposal to close New London Navy Yard in 1912, following an impassioned effort by Congressman Edwin W. Higgins, who stated that this ''action proposed is not only unjust but unreasonable and unsound as a military proposition'';

Whereas the outbreak of World War I and the enemy use of submarines to sink allied military and civilian ships in the Atlantic sparked a new focus on developing submarine capabilities in the United States;

Whereas October 18, 1915, marked the arrival at the New London Navy Yard of the submarines G–1, G–2, and G–4 under the care of the tender USS OZARK, soon followed by the arrival of submarines E–1, D–1, and D–3 under the care of the tender USS TONOPAH, and on November 1, 1915, the arrival of the first ship built as a submarine tender, the USS *FULTON* (AS–1);

Whereas, on June 21, 1916, Commander Yeates Stirling assumed the command of the newly designated Naval Submarine Base New London, the New London Submarine Flotilla, and the Submarine School;

Whereas, in the 100 years since the arrival of the first submarines to the base, Naval Submarine Base New London has grown to occupy more than 680 acres along the east side of the Thames River, with more than 160 major facilities, 15 nuclear submarines, and more than 70 tenant commands and activities, including the Submarine Learning Center, Naval Submarine School, the Naval Submarine Medical Research Laboratory, the Naval Undersea Medical Institute, and the newly established Undersea Warfare Development Center;

Whereas, in addition to being the site of the first submarine base in the United States, Connecticut was home to the foremost submarine manufactures of the time, the Lake Torpedo Boat Company in Bridgeport and the Electric Boat Company in Groton, which later became General Dynamics Electric Boat;

Whereas General Dynamics Electric Boat, its talented workforce, and its Connecticut-based and nationwide network of suppliers have delivered more than 200 submarines from its current location in Groton, Connecticut, including the first nuclear-powered submarine, the USS NAUTILUS (SSN 571), and nearly half of the nuclear submarines ever built by the United States;

Whereas the Submarine Force Library and Museum, located adjacent to Naval Submarine Base New London in Groton, Connecticut, is the only submarine museum operated by the United States Navy and today serves as the primary repository for artifacts, documents, and photographs relating to the bold and courageous history of the Submarine Force and highlights as its core exhibit the historic ship Nautilus following her retirement from service;

Whereas, reflecting the close ties between Connecticut and the Navy that began with the gift of land that established the base, the State of Connecticut has set aside $40,000,000 in funding for critical infrastructure investments to support the mission of the base, including construction of a new dive locker building, expansion of the Submarine Learning Center, and modernization of energy infrastructure;

Whereas, on September 29, 2015, Connecticut Governor Dannel Malloy designated October 2015 through October 2016 as Connecticut's Submarine Century, a year-long observance that celebrates 100 years of submarine activity in Connecticut, including the Town of Groton's distinction as the Submarine Capital of the World, to coincide with the centennial anniversary of the establishment of Naval Submarine Base New London and the Naval Submarine School;

Whereas Naval Submarine Base New London still proudly proclaims its motto of ''The First and Finest''; and

Whereas Congressman Higgins' statement before Congress in 1912 that ''Connecticut stands ready, as she always has, to bear her part of the burdens of the national defense'' remains true today: Now, therefore, be it

Resolved, That the Senate—

(1) commends the long standing dedication and contribution to the Navy and submarine force by the people of Connecticut, both through the initial deed of gift that established what would become Naval Submarine

Base New London and through their ongoing commitment to support the mission of the base and the Navy personnel assigned to it;

(2) honors the submariners who have trained and served at Naval Submarine Base New London throughout its history in support of the Nation's security and undersea superiority;

(3) recognizes the contribution of the industry and workforce of Connecticut in designing, building, and sustaining the Navy's submarine fleet; and

(4) encourages the recognition of Connecticut's Submarine Century by Congress, the Navy, and the American people by honoring the contribution of the people of Connecticut to the defense of the United States and the important role of the submarine force in safeguarding the security of the United States for more than a century.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2748. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 639, to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

TEXT OF AMENDMENTS

SA 2748. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 639, to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improving Regulatory Transparency for New Medical Therapies Act''.

SEC. 2. SCHEDULING OF SUBSTANCES INCLUDED IN NEW FDA-APPROVED DRUGS.

(a) EFFECTIVE DATE OF APPROVAL.—

(1) EFFECTIVE DATE OF DRUG APPROVAL.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

''(x) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

''(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

''(A) the date an application under subsection (b) is approved under subsection (c); or

''(B) the date of issuance of the interim final rule controlling the drug.''.

(2) EFFECTIVE DATE OF APPROVAL OF BIOLOGICAL PRODUCTS.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by adding at the end the following:

''(n) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

''(1) IN GENERAL.—In the case of an application under subsection (a) with respect to a biological product for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the biological product is issued in accordance with section 201(j) of the Controlled Substances Act.

''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), references to the date of approval of such application, or licensure of the product subject to such application, shall mean the later of—

''(A) the date an application is approved under subsection (a); or

''(B) the date of issuance of the interim final rule controlling the biological product.''.

(3) EFFECTIVE DATE OF APPROVAL OF ANIMAL DRUGS.—

(A) IN GENERAL.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:

''(q) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

''(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

''(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

''(A) the date an application under subsection (b) is approved under subsection (c); or

''(B) the date of issuance of the interim final rule controlling the drug.''.

(B) CONDITIONAL APPROVAL.—Section 571(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc(d)) is amended by adding at the end the following:

''(4)(A) In the case of an application under subsection (a) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, conditional approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

''(B) For purposes of this section, with respect to an application described in subparagraph (A), the term 'date of approval' shall mean the later of—

''(i) the date an application under subsection (a) is conditionally approved under subsection (b); or

''(ii) the date of issuance of the interim final rule controlling the drug.''.

(C) INDEXING OF LEGALLY MARKETED UNAPPROVED NEW ANIMAL DRUGS.—Section 572 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–1) is amended by adding at the end the following:

''(k) In the case of a request under subsection (d) to add a drug to the index under subsection (a) with respect to a drug for which the Secretary provides notice to the person filing the request that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, a determination to grant the request to add such drug to the index shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.''.

(4) DATE OF APPROVAL FOR DESIGNATED NEW ANIMAL DRUGS.—Section 573(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–2(c)) is amended by adding at the end the following:

''(3) For purposes of determining the 7-year period of exclusivity under paragraph (1) for a drug for which the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, the drug shall not be considered approved or conditionally approved until the date that the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.''.

(b) SCHEDULING OF NEWLY APPROVED DRUGS.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by inserting after subsection (i) the following:

''(j)(1) With respect to a drug referred to in subsection (f), if the Secretary of Health and Human Services recommends that the Attorney General control the drug in schedule II, III, IV, or V pursuant to subsections (a) and (b), the Attorney General shall, not later than 90 days after the date described in paragraph (2), issue an interim final rule controlling the drug in accordance with such subsections and section 202(b) using the procedures described in paragraph (3).

''(2) The date described in this paragraph shall be the later of—

''(A) the date on which the Attorney General receives the scientific and medical evaluation and the scheduling recommendation from the Secretary of Health and Human Services in accordance with subsection (b); or

''(B) the date on which the Attorney General receives notification from the Secretary of Health and Human Services that the Secretary has approved an application under section 505(c), 512, or 571 of the Federal Food, Drug, and Cosmetic Act or section 351(a) of the Public Health Service Act, or indexed a drug under section 572 of the Federal Food, Drug, and Cosmetic Act, with respect to the drug described in paragraph (1).

''(3) A rule issued by the Attorney General under paragraph (1) shall become immediately effective as an interim final rule without requiring the Attorney General to demonstrate good cause therefor. The interim final rule shall give interested persons the opportunity to comment and to request a hearing. After the conclusion of such proceedings, the Attorney General shall issue a final rule in accordance with the scheduling criteria of subsections (b), (c), and (d) of this section and section 202(b).''.

(c) EXTENSION OF PATENT TERM.—Section 156 of title 35, United States Code, is amended—

(1) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting '', or in the case of a drug product described in subsection (i), within the sixty-day period beginning on the covered date (as defined in subsection (i))'' after ''marketing or use''; and

(2) by adding at the end the following:

''(i)(1) For purposes of this section, if the Secretary of Health and Human Services provides notice to the sponsor of an application or request for approval, conditional approval, or indexing of a drug product for which the Secretary intends to recommend controls under the Controlled Substances Act, beginning on the covered date, the drug product shall be considered to—

''(A) have been approved or indexed under the relevant provision of the Public Health Service Act or Federal Food, Drug, and Cosmetic Act; and

''(B) have permission for commercial marketing or use.

''(2) In this subsection, the term 'covered date' means the later of—

''(A) the date an application is approved—

''(i) under section 351(a)(2)(C) of the Public Health Service Act; or

''(ii) under section 505(b) or 512(c) of the Federal Food, Drug, and Cosmetic Act;

''(B) the date an application is conditionally approved under section 571(b) of the Federal Food, Drug, and Cosmetic Act;

''(C) the date a request for indexing is granted under section 572(d) of the Federal Food, Drug, and Cosmetic Act; or

''(D) the date of issuance of the interim final rule controlling the drug under section 201(j) of the Controlled Substances Act.''.

SEC. 3. ENHANCING NEW DRUG DEVELOPMENT.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

''(i)(1) For purposes of registration to manufacture a controlled substance under subsection (d) for use only in a clinical trial, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), not later than 180 days after the date on which the application is accepted for filing.

''(2) For purposes of registration to manufacture a controlled substance under subsection (a) for use only in a clinical trial, the Attorney General shall, in accordance with the regulations issued by the Attorney General, issue a notice of application not later than 90 days after the application is accepted for filing. Not later than 90 days after the date on which the period for comment pursuant to such notice ends, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), unless the Attorney General has granted a hearing on the application under section 1008(i) of the Controlled Substances Import and Export Act.''.

SEC. 4. RE-EXPORTATION AMONG MEMBERS OF THE EUROPEAN ECONOMIC AREA.

Section 1003 of the Controlled Substances Import and Export Act (21 U.S.C. 953) is amended—

(1) in subsection(f)—

(A) in paragraph (5)—

(i) by striking ''(5)'' and inserting ''(5)(A)'';

(ii) by inserting '', except that the controlled substance may be exported from a second country that is a member of the European Economic Area to another country that is a member of the European Economic Area, provided that the first country is also a member of the European Economic Area'' before the period at the end; and

(iii) by adding at the end the following:

''(B) Subsequent to any re-exportation described in subparagraph (A), a controlled substance may continue to be exported from any country that is a member of the European Economic Area to any other such country, if—

''(i) the conditions applicable with respect to the first country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country from which the controlled substance is exported pursuant to this paragraph; and

''(ii) the conditions applicable with respect to the second country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country to which the controlled substance is exported pursuant to this paragraph.''; and

(B) in paragraph (6)—

(i) by striking ''(6)'' and inserting ''(6)(A)''; and

(ii) by adding at the end the following:

''(B) In the case of re-exportation among members of the European Economic Area, within 30 days after each re-exportation, the person who exported the controlled substance from the United States delivers to the Attorney General—

''(i) documentation certifying that such re-exportation has occurred; and

''(ii) information concerning the consignee, country, and product.''; and

(2) by adding at the end the following:

''(g) LIMITATION.—Subject to paragraphs (5) and (6) of subsection (f) in the case of any controlled substance in schedule I or II or any narcotic drug in schedule III or IV, the Attorney General shall not promulgate nor enforce any regulation, subregulatory guidance, or enforcement policy which impedes re-exportation of any controlled substance among European Economic Area countries, including by promulgating or enforcing any requirement that—

''(1) re-exportation from the first country to the second country or re-exportation from the second country to another country occur within a specified period of time; or

''(2) information concerning the consignee, country, and product be provided prior to exportation of the controlled substance from the United States or prior to each re-exportation among members of the European Economic Area.''.

The PRESIDING OFFICER. The Senator from Ohio.

WOUNDED WARRIORS FEDERAL LEAVE ACT OF 2015

Mr. PORTMAN. Madam President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 313 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 313) to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

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

Mr. PORTMAN. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 313) was ordered to a third reading, was read the third time, and passed.

IMPROVING REGULATORY TRANSPARENCY FOR NEW MEDICAL THERAPIES ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 639 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 639) to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

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

Mr. PORTMAN. I ask unanimous consent that the substitute amendment, which is at the desk, be considered and agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2748) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 639), as amended, was passed.

CONGRATULATING THE MINNESOTA LYNX ON THEIR VICTORY IN THE 2015 WOMEN'S NATIONAL BASKETBALL ASSOCIATION FINALS

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 297, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 297) congratulating the Minnesota Lynx on their victory in the 2015 Women's National Basketball Association Finals.

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

Mr. PORTMAN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 297) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, OCTOBER 27, 2015

Mr. PORTMAN. Madam President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 27; 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 resume consideration of S. 754, with the time until 11 a.m. equally divided between the two leaders or their designees; finally, that notwithstanding the provisions of rule XXII, there be 2 minutes of debate equally divided prior to each vote, and that all votes after the first vote in each series be 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. PORTMAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator FRANKEN.

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

The Senator from Minnesota.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak for 6 minutes.

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

CYBERSECURITY INFORMATION SHARING BILL

Mr. FRANKEN. Madam President, tomorrow we will vote on my amendment to the Cybersecurity Information Sharing Act, or CISA. I am proud to be joined on this amendment by Senators LEAHY, DURBIN, and WYDEN, each of whom has worked to try to ensure that any cyber legislation passed by this body is effective and adequately safeguards the privacy and civil liberties of the American people.

My amendment tightens the definitions of the terms ''cyber security threat'' and ''cyber threat indicator'' in the bill. These changes will help ensure that CISA's broad authorities are not triggered in circumstances where no real cyber threats are present. This makes the bill more privacy protected and more likely to work effectively.

The amendment is supported by more than 30 civil society organizations, from the American Civil Liberties Union to prominent Libertarian groups like R Street. As I will describe, it addresses specific concerns that have been raised by security experts, major tech companies, and even the Department of Homeland Security.

Under CISA, companies are authorized to monitor users online, share information with one another and with the Federal Government, and deploy defensive measures—all to protect against ''cyber security threats.'' Any action that may result in any unauthorized effort to adversely impact cyber security can be deemed a cyber security threat; that is, may result. That sets the lowest possible standard for determining when actions under CISA are justified, and that is a problem. It sets us up for the oversharing of information, or worse it jeopardizes privacy and threatens to hinder our cyber defense efforts by increasing the noise-to-signal ratio.

My amendment would clarify that a threat is any action at least reasonably likely—reasonably likely—to result in an unauthorized effort to adversely impact cyber security. That definition gives companies ample flexibility to act on threats and ensures Americans that CISA isn't a free pass to share people's personal information when there is no threat.

CISA's definition of cyber threat indicator has also been criticized by security experts, by companies such as Mozilla and, again, even by DHS, which has called the definition ''expansive'' and said that expansive definition heightens concerns raised by the bill.

My amendment addresses the two parts of the definition that experts have suggested are the most likely to open the door to the sharing of extraneous information. First, as drafted, CISA would let companies share people's communications if they believe that the files have been harmed in a cyber attack or could potentially—potentially—be harmed by a perceived threat. The latter is especially problematic. The range of information that could be shared as evidence of potential harm is vast, and, as experts have explained, unnecessary to the technical work of identifying cyber threats. My amendment continues to allow companies to share information that reveals harms caused by a cyber incident but doesn't extend this to conjecture about hypothetical potential harms, which is unnecessarily broad.

Finally, my amendment eliminates a troubling loophole in the cyber threat indicator definition. In addition to letting companies share information that reveals certain specified attributes or features of cyber threats, CISA also lets them share information that reveals ''any other attribute of a cybersecurity threat'' if the disclosure of that attribute is legal. Bill supporters claim that this final clause adequately limits the scope of this provision, but looking at whether disclosure of a threat attribute is lawful is an unclear and unhelpful standard. Privacy law is about protecting information, not threat attributes. So my amendment clarifies that companies can share information in this catchall category only if it is legal to share the information being provided. It is a technical change, but it matters.

This amendment represents a real effort to find common ground for moving forward. Quite frankly, it doesn't do all the work that needs to be done to limit the definitions in this act, but it makes necessary changes—necessary changes—to improve the legislation, both for the sake of privacy and ultimately security.

I urge my colleagues to support amendment No. 2612.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:13 p.m., adjourned until Tuesday, October 27, 2015, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate October 26, 2015:

THE JUDICIARY

LAWRENCE JOSEPH VILARDO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK.